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
November 6, 2024
6:30 p.m.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent service, foster growth and opportunity, and create a joyous and collaborative environment.

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. 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.

PUBLIC PARTICIPATION

You may speak up to 5 minutes on an/each 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 or by completing an online form at www.montereypark.ca.gov/writtencomm.

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.

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

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS

STAFF COMMUNICATIONS:

- City Manager's Office
- Community Development
- Library
- Police
- Recreation and Community Services

[1.] PRESENTATION

1-A. DENISE JARAMILLO, SUPERINTENDENT OF ALHAMBRA UNIFIED SCHOOL DISTRICT – 2024 LOS ANGELES COUNTY SUPERINTENDENT OF THE YEAR AWARD

1-B. WARE ENTERPRISES: UPDATES REGARDING SOLID WASTE SERVICES AND IMPLEMENTATION

[2.] OLD BUSINESS – None.

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

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. MINUTES

It is recommended that the City Council consider:

(1) Approving the minutes from the regular meetings of June 5, 2024, July 17, 2024, August 21, 2024 and September 4, 2024, the special meetings of June 18, 2024, July 17, 2024, August 5, 2024 at 5:30 p.m., August 5, 2024 at 6:30 p.m., August 12, 2024, August 21, 2024 and September 4, 2024 and the special community meeting of July 24, 2024 and September 9, 2024; and

(2) Taking such additional, related, action that may be desirable.

3-B. WAIVE FURTHER READING AND ADOPT ORDINANCE FOR DEVELOPMENT AGREEMENT (DA-24-01) A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MONTEREY PARK AND ATLANTIC SQUARE, LLC (TRC) TO FACILITATE IMPROVEMENTS ON AND ADJACENT TO THE ATLANTIC SQUARE SHOPPING CENTER LOCATED AT 2100 SOUTH ATLANTIC BOULEVARD; TA ACTIVATE THE BUSINESS RECOVERY DEVELOPMENT AGREEMENT ZONE ("BRDZ") IN MONTEREY PARK MUNICIPAL CODE CHAPTER 21.45; AND TO AMEND THE ZONE MAP (ZA-24-02)

It is recommended that the City Council consider:

(1) Waiving the second reading and adopting the proposed ordinance DA-24-01 and amending the zoning map (ZA-24-02); and

(2) Taking such additional, related, action that may be desirable.

3-C. RECEIVE AND FILE THE MONTEREY PARK BUSINESS IMPROVEMENT DISTRICT NO. 1 (BID) 2024 ANNUAL REPORT AND APPROVE THE PROPOSED BID ASSESSMENT AND BUDGET FOR THE 2025 PROGRAM YEAR

It is recommended that the City Council consider:

(1) Receiving and filing the 2024 Annual Report with the City Clerk;

(2) Approving the proposed BID assessment and budget for the 2025 program year; and

(3) Taking such additional, related, action that may be desirable.

3-D. 2024 CURB RAMP IMPROVEMENTS – AWARD OF PUBLIC WORKS CONTRACT TO ONYX PAVING COMPANY, INC.

It is recommended that the City Council consider:

(1) Authorizing the City Manager to execute a public works contract, in a form approved by the City Attorney, with Onyx Paving Company, Inc. in the contract amount of $169,000 for the 2024 Curb Ramp Improvements Project;

(2) Authorizing the Director of Public Works to approve change orders not to exceed $17,000 over the total contract amount; and

(3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed Ordinance pursuant to 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"). CEQA Guideline § 15301(c) (Existing Facilities) exempts the operation, repair, maintenance, alteration of existing public or private structures which involve negligible or no expansion of existing or former use. The proposed work will occur entirely within an existing structure. Accordingly, no further environmental review is required.

3-E. APPROVAL OF CHANGE ORDER NO. 19 TO J.R. FILANC AGREEMENT FOR EXTENDED OVERHEAD COSTS TO THE CENTRALIZED GROUNDWATER TREATMENT SYSTEM

It is recommended that the City Council consider:

(1) Approving Change Order No. 19 to Agreement No. 1954-A with J.R. Filanc Construction Company, Inc. for the extended overhead costs; 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 Ordinance pursuant to 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"). CEQA Guidelines §§ 15301 and 15302 exempt this matter from further environmental review as the proposed action would result in a minor alteration of an existing public structures involving no expansion of use located on the same site with substantially the same purpose and capacity. The proposed work will occur entirely within an existing structure. Accordingly, no further environmental review is required.

3-F. NOTICE OF COMPLETION – VARIOUS PROJECTS

It is recommended that the City Council consider:

(1) Receiving and filing the Notice of Completion recorded by the Public Works Director on August 28, 2024, accepting the CIPP Lining at Various Locations Project completed by Southwest Pipeline and Trenchless Corp;

(2) Receiving and filing the Notice of Completion recorded by the Public Works Director on October 2, 2024, accepting the 2024 Sewer Manhole Rehabilitation project completed by Sancon Technologies, Inc.;

(3) Taking such additional, related, action that may be desirable.

3-G. SPIRIT BUS PILOT PROGRAM

It is recommended that the City Council consider:

(1) Authorizing the City Manager to execute an agreement with Nomad Transit, LLC, a wholly owned subsidiary of Via Transportation, Inc., without the need for competitive bidding, in a form approved by the City Attorney, for on-demand transit services for an amount not-to-exceed $573,689;

(2) Authorizing the City Manager to execute an Amendment with First Transit, in a form approved by the City Attorney, for fixed-route transit services for an annual amount not-to-exceed $2,064,537 for services through December 31, 2025;

(3) Approving an additional appropriation of $123,946 from Prop A funds to the FY 2024-25 budget for services through June 30, 2025; and

(4) Taking such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

4-A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT REGULATIONS GOVERNING DATA CENTERS WITHIN SATURN PARK IN ACCORDANCE WITH SECTION 3(A) OF ORDINANCE NO. 2198 (ADOPTED BY VOTERS AS MEASURE JJ ON NOVEMBER 3, 2020).

It is recommended that the City Council consider:

(1) Opening the public hearing and taking testimonial and documentary evidence;

(2) After closing the public hearing and considering the evidence submitted during that public hearing:

a. Adopting an Urgency Ordinance (Attachment 1) upon 4/5 vote pursuant to Government Code § 65858 amending Monterey Park Municipal Code ("MPMC") Chapter 21.14 to add regulations governing data centers in accordance with Section 3(A) of Ordinance No. 2198 (adopted by voters as Measure JJ on November 3, 2020);

b. Introducing and waiving first reading of Ordinance No. _____ (ZCA-24-02) (Attachment 2) amending Monterey Park Municipal Code ("MPMC") Chapter 21.14 to add regulations governing data centers in accordance with Section 3(A) of Ordinance No. 2198 (adopted by voters as Measure JJ on November 3, 2020); and

c. Adopting Resolution No. _____ (Attachment 3) adopting design guidelines for data centers in accordance with MPMC Chapter 21.14; and

(3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Pursuant to 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 City reviewed the environmental impacts of the proposed regulations and found and determined that this ordinance is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq*.; "CEQA") for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance, by itself, does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).

[5.] NEW BUSINESS

5-A. CONSIDERATION AND POSSIBLE ACTION TO INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE SETTING SPEED LIMITS BASED UPON CERTIFICATION OF THE 2017 ENGINEERING AND TRAFFIC SURVEY FOR SPEED LIMITS EFFECTIVE THROUGH OCTOBER 2031 AND THE 2024 ENGINEERING AND TRAFFIC SURVEY OF 26 LOCATIONS FOR SPEED LIMITS THROUGH OCTOBER 2038

It is recommended that the City Council consider:

(1) Introducing and waiving first reading for an Ordinance setting speed limits throughout the City; and

(2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

This Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq*., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq*., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of speed control regulations established in accordance with California law and will not have the effect of deleting or substantially changing any regulatory standards or findings. This Ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

[6.] CITY COMMUNICATIONS (CITY COUNCIL)

6-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING NOVEMBER 2024 AS NATIVE AMERICAN HERITAGE MONTH – REQUESTED BY COUNCIL MEMBER SANCHEZ

It is recommended that the City Council consider:

(1) Adopting a Resolution declaring and recognizing November 2024 as Native American Heritage Month

(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: November 6, 2024

AGENDA ITEM NO: Consent Calendar - 3A

TO: The Honorable Mayor and City Council

FROM: Maychelle Yee, City Clerk

SUBJECT: Minutes

RECOMMENDATION:

It is recommended that the City Council consider:

1. Approving the minutes from the regular meetings of June 5, 2024, July 17, 2024, August 21, 2024 and September 4, 2024, the special meetings of June 18, 2024, July 17, 2024, August 5, 2024 at 5:30 p.m., August 5, 2024 at 6:30 p.m., August 12, 2024, August 21, 2024 and September 4, 2024 and the special community meeting of July 24, 2024 and September 9, 2024; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

None.

BACKGROUND:

None.

FISCAL IMPACT:

None.

Respectfully submitted by:

Maychelle Yee
City Clerk

Prepared by:

Michelle Martinez
Office Assistant II

Approved by:

Inez Alvarez
City Manager

ATTACHMENT(S):

1. Draft Minutes

ATTACHMENT 1
Draft Minutes

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
JUNE 5, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, June 5, 2024, at 6:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 6:33 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
City Clerk Maychelle Yee called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Treasurer Amy Lee, City Manager Inez Alvarez, Assistant City Attorney Tim Campen, Director of Finance Martha Garcia, Director of Human Resources and Risk Management Christine Tomikawa, Director of Community Development Jessica Serrano, Director of Recreation and Community Services Robert Aguirre, City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Police Captain Gus Jimenez, Finance Services Manager Laura Borjon, Public Works Manager Chris Reyes, Economic Development Project Manager Joseph Torres, Senior Librarian Lauren Fraizer, Deputy City Clerk Cindy Trang

VIRTUALLY PRESENT: None.

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS

- Nathaneal Hernandez, member of the Boys and Girls Club of West San Gabriel Valley, provided a brief history and achievements of the Monterey Park Club and encouraged the City Council to consider adopting a resolution recognizing National Boys and Girls Club Week, June 24 through June 28, 2024.

- Camilla Chan, a member of the Girl Scouts, spoke of her achievement for completing her Gold Award Project which entailed hosting workshops to promote building more united communities and respecting cultural differences.

- Joseph Leon, City's representative on the San Gabriel Valley Mosquitos Control District, spoke about services provided by the District and tips for abatement of mosquitos.

- William Tang encouraged the City Council to keep the Barnes Park tennis court #3 reserved for tennis play.

- Jane Lee said she is part of the retirees that play tennis at Barnes Park. She spoke of the importance of the sport and expressed frustration of the conduct of a recent Recreation and Parks Commission meeting.

STAFF COMMUNICATIONS

- Library: Senior Librarian Frazier presented a PowerPoint presentation on upcoming community events including Summer Reading Program and Community Reads, Teen Programming and Life Skills Workshops, Children's Programming and Activities, and closed with the Pride Author Talk event with Marsha and Aiden Aizumi on June 8.

- Police Department: Police Captain Jimemez presented a PowerPoint presentation on programs sponsor by the Community Engagement Bureau which includes Business Watch Meetings, Citizen's Academy, Explorer Post Number 300, and Neighborhood Watch Groups. He spoke of the commemoration of Officer George Elder Memorial Day on June 9, 2024.

- Recreation and Community Services: Recreation and Community Services Director Aguirre provided the department updates through a PowerPoint presentation showcasing the MPK art project which was completed by the community at the Pride Parade & Festival on June 1. He spoke about the Summer Lunches program, the Kidventure Summer Camp, summer pool schedule, Movies in the Park schedule, and the Independence Day Celebration on June 29, 2024.

1. PRESENTATION

The matters listed under presentation are informational content and for discussion only.

1-A. ANNOUNCEMENT OF FUNDING FOR FIRE STATION 61

City Manager Alvarez said that staff will be showing a short video from Senator Alex Padilla announcing the allocation of federal funding for the design and remodeling of Fire Station 61.

1-B. DEVELOPMENT PRESENTATION

Economic Development Project Manager Torres presented a PowerPoint presentation on the development process of projects from entitlement to completion. He provided the status of several developments throughout the City.

2. OLD BUSINESS

2-A. UPDATE REGARDING THE SATURN PARK ADVISORY AND RECOMMENDATION COMMITTEE (SPARC) AND NEXT STEPS

On May 22, 2024, the City Council created the SPARC ad hoc committee. The SPARC is led by the Mayor and the Mayor pro tem who are authorized to appoint individuals to the SPARC to consider the future development of Saturn Park.

The Mayor and Mayor pro tem met on May 29th to identify potential committee members. Individuals will be contacted in the next few days to see if they are able to serve on the SPARC.

The ad hoc committee also discussed the potential for a moratorium on new development within Saturn Park during the time period that the SPARC considers options. There are inquiries currently pending with the City for new businesses at existing location based upon the current zoning regulations. If directed by the City Council, the City Manager and City Attorney would prepare documents for the next City Council meeting in June to consider whether a moratorium temporarily pausing new land use applications should be adopted. Any such moratorium would require a 4/5 vote of the City Council; would place an initial 45 day hold on land use applications; and may be subsequently extended for 10 months and 15 days (there is also the possibility for a subsequent extension of one year).

It is anticipated that the SPARC would have four total meetings and would wrap up consideration of new land uses in late August or September. Any recommendations from the SPARC would then be brought to the City Council pursuant to Monterey Park Municipal Code § 2.56.020(c).

Public Speaker:

- Maychelle Yee speaking as a resident, said she was not selected to serve on the committee and requested the City Council to announce the members of the committee.

Discussion: Mayor Wong announced that he and the Mayor Pro Tem have not finalized the list of potential committee members yet.

Action Taken: The City Council received and filed the staff report; and directed the City Manager and City Attorney to prepare documents needed to consider adopting a moratorium for development in Saturn Park during the time that the SPARC considers land use regulations.

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

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

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

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

Action Taken: The City Council approved and adopted Agenda Item Nos. 3A, 3B, and 3E on Consent Calendar, excluding Item Nos. 3C, 3D, and 3F which were pulled for separate discussion, reading resolutions and ordinances by the title only and waiving further reading thereof. Mayor Wong mentioned a clerical error on the March 6, 2024 minutes.

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

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

3-A. MINUTES

Approving the minutes from the regular and special meetings of March 6, 2024.

Action Taken: The City Council approved the minutes from the regular and special meetings of March 6, 2024 as amended to correct a clerical error that Mayor Wong not Mayor Sanchez called the meeting to order on the March 6, 2024 special meeting minutes, on Consent Calendar.

3-B. CONSIDERATION AND POSSIBLE ACTION TO DIRECT THE CITY CLERK TO PERFORM THE BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE

Pursuant to the Political Reform Act, Government Code § 81000, *et seq*., every local agency is required to review its Conflict of Interest Code (COI) biennially to determine if the Code is accurate or in need of amendment. The COI contains a list of designated officials who must disclose their financial holdings. If positions or titles changed in the local agency's organization, then the legislative body must amend the COI before October 1, 2024.

Action Taken: The City Council directed the City Clerk to perform the biennial review of the City's Conflict of Interest Code and report back before October 1, 2024, on Consent Calendar.

3-C. PROFESSIONAL SERVICES AMENDMENTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS PROGRAM SERVICES

On January 18, 2017, City Council authorized the City Manager to enter into a 3-year professional services agreement from February 1, 2017, to February 1, 2020, with Priscila Davila & Associates and with HP Housing Programs. On December 19, 2019, City Council authorized the City Manager to execute a first amendment to extend the term to February 1, 2021 for both Priscila Davila & Associates and for HP Housing Programs agreements. On December 16, 2020 City Council authorized the City Manager to execute a second amendment to further extend the term of both agreements to June 30, 2024. The City requests authorizing the City Manager to execute a third amendment for both agreements with Priscila Davila & Associates and HP Housing Programs to extend the term by an additional three-years to June 30, 2027.

Public Speakers:

- Priscilla Davila, Owner/Principal of Priscilla Davila & Associates Inc., and Debbie Sottek Principal of JEDA Works DBA Housing Programs, both virtually present, were available for questions.

Action Taken: The City Council authorized the City Manager to execute an amendment to professional services agreement in a form approved by the City Attorney, to provide Community Development Block Grant (CDBG) and Home Improvement Investment Partnerships Program (HOME) services with Priscila Davila & Associates for an amount not to exceed $285,545 and HP Housing Programs for an amount not to exceed $345,000 over a 3-year period.

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

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

3-D. AUTHORIZE THE CITY MANAGER TO AMEND AGREEMENT NO. 1718-A AND EXTEND THE TERM FOR AN ADDITIONAL FIVE YEARS WITH WORLD JOURNAL LA, LLC, TO BE THE CO-PRODUCER OF THE MONTEREY PARK LUNAR NEW YEAR FESTIVAL

The City of Monterey Park has cohosted the annual Lunar New Year Festival with World Journal LA, LLC since 2012. In April 2024, Agreement no. 1718-A between the City of Monterey Park and World Journal LA, LLC (World Journal) ended its term.

City staff has been happy with World Journal's performance since 2012 and recommends an amendment to the agreement to extend the term for an additional five years. If approved, the amendment would give World Journal adequate time to plan for the 2025 event and enable them to leverage the agreement's term to secure sponsors and vendors for the next five years.

Public Speakers:

- Amy Lee, resident, expressed concerns on whether the City is receiving the amount it is entitled to and urged the City Council to reevaluate increasing the percentage in recovery costs.

- Dale Li and Allan Liu, World Journal Event Planning and Digital Department Coordinators, were available for questions.

Recommendation: It is recommended that the City Council consider: (1) Authorizing the City Manager to amend agreement no. 1718-A and extend the term for an additional five-year term in a form approved by the City Attorney, with World Journal LA, LLC to co-produce the Monterey Park Lunar New Year Festival on dates to be determined by the City; and (2) taking such additional, related, action that may be desirable.

Discussion: By consensus, the City Council directed staff to work with World Journal to renegotiate the recovery amount of $7500 under Section 2.2 of the contract and bring back to the City Council for consideration at a future meeting date.

3-E. AUTHORIZE PURCHASE OF A CASE 580SN BACKHOE LOADER

The Public Works Director seeks City Council approval for the purchase of a backhoe loader due to the increased need for the equipment. The 2024 CASE 580SN Backhoe Loader is the most suitable equipment for use in day-to-day operations by the Street and Park maintenance divisions. This equipment may be purchased via Sonsray Machinery which was identified through a Sourcewell contract. The total cost for the backhoe loader is $173,969.61, including applicable taxes and fees.

Action Taken: The City Council waived the bidding requirements pursuant to Monterey Park Municipal Code Section 3.20.050(3) and (4), and authorized the City Manager to purchase a 2024 CASE 580SN backhoe loader from Sonsray Machinery at the cost of $173,969.61, on Consent Calendar.

3-F. PURCHASE OF AN EV FORD E-TRANSIT 350 AERIAL LIFT VEHICLE

The Public Works Facilities Maintenance Division is proposing to replace a utility vehicle that has exceeded its service life for daily use with a Ford E-Transit 350 Aerial Lift vehicle. Staff is recommending purchase of the replacement truck through RUSH Truck Center. RUSH is the exclusive authorized dealer in the United States to supply this vehicle in either gas or EV non-emission versions.

Action Taken: The City Council waived bidding requirements pursuant to Monterey Park Municipal Code § 3.20.050 (4) and purchased of a California HVIP qualified Ford E-Transit 350 Aerial Lift vehicle.

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

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

4. PUBLIC HEARING

4-A. THE CITY MUST CONDUCT A PUBLIC HEARING TO CONSIDER RENEWING ASSESSMENTS FOR THE CITYWIDE MAINTENANCE DISTRICT NO. 93-1 FOR FISCAL YEAR 2024-25 PURSUANT TO STREETS AND HIGHWAYS CODE §§ 22500, *ET SEQ*.

In 1993 the City formed a citywide benefit assessment district to finance the operation and maintenance of public street lighting and landscaping.

The district was renewed each of the past 31 years and must be renewed for the 2024-25 fiscal year in order for the City to continue collecting assessments. The City started the process to renew its Citywide Maintenance District No. 93-1 for the 2024-25 fiscal year at its May 1, 2024, meeting. At that time, the City Council approved the Engineer's Report; adopted the Resolution of Intention (Resolution No. 2024-R28) and scheduled the required public hearing for June 5, 2024.

CEQA (California Environmental Quality Act):

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

Action Taken: The City Council opened the public hearing and received documentary and testimonial evidence at 9:09 p.m.; there being no speakers for this item, closed the public hearing at 9:09 p.m. and adopted Resolution No. 2024-R38 authorizing the levy and collection of assessments for Fiscal Year 2024-25 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code § 22587.

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

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

Resolution No. 2024-R38
A RESOLUTION AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2024-25 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587

5. NEW BUSINESS

5-A. RESOLUTIONS FOR NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION

The general municipal election is scheduled for Tuesday, November 5, 2024 for the purpose of electing three members of the City Council for District Nos. 2, 3, and 4 for a term of four years each.
The election will be consolidated with the Statewide general election conducted by the Los Angeles County Registrar Recorder's Office. The Fiscal Year 2024-2025 budget is expected to include $250,000 for expenditures associated with the November 5, 2024 general municipal election.

Action Taken: The City Council (1) adopted Resolution No. 2024-R39 calling for a general municipal election on November 5, 2024 pursuant to Elections Code § 1301; (2) adopted Resolution No. 2024-R40 requesting the County of Los Angeles to consolidate the City of Monterey Park's general municipal election to be held on November 5, 2024, with the statewide general election on the date pursuant to Elections Code §1301; and (3) adopted Resolution No. 2024-R41 establishing requirements for candidate statements filed with the City Clerk to be included with voter information for an election on November 5, 2024.

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

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

Resolution No. 2024-R39
A RESOLUTION CALLING A GENERAL MUNICIPAL ELECTION ON NOVEMBER 5, 2024 PURSUANT TO ELECTIONS CODE § 1301 FOR CITY COUNCIL DISTRICT NOS. 2, 3 and 4

Resolution No. 2024-R40
A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE THE CITY OF MONTEREY PARK'S GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, WITH THE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO ELECTIONS CODE SECTION 10403

Resolution No. 2024-R41
A RESOLUTION ESTABLISHING REQUIREMENTS FOR CANDIDATE STATEMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR AN ELECTION ON NOVEMBER 5, 2024

6. CITY COMMUNICATIONS (CITY COUNCIL)

6-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING JUNE 7, 2024, NATIONAL GUN VIOLENCE AWARENESS DAY AND JUNE 8-9, 2024, AS WEAR ORANGE WEEKEND IN MONTEREY PARK

Adopting a Resolution declaring June 7, 2024, National Gun Violence Awareness Day and June 8-9, 2024, as Wear Orange Weekend In Monterey Park.

Action Taken: The City Council adopted a Resolution 2024-R42 declaring June 7, 2024, National Gun Violence Awareness Day and June 8-9, 2024, as Wear Orange Weekend In Monterey Park.

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

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

Resolution No. 2024-R42
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING JUNE 7, 2024, NATIONAL GUN VIOLENCE AWARENESS DAY AND JUNE 8-9, 2024, AS WEAR ORANGE WEEKEND IN MONTEREY PARK

CITY COUNCIL COMMUNICATIONS

Council Member Sanchez announced that June 6th is the 80th anniversary of D-Day. He reported attending the Mark Keppel High School Aquatics Program Gala honoring Ismael Perez, Special Education Teach and Swim Coach.

Council Member Lo requested a resolution marking the 42nd anniversary of the murder of Vincent Chin, a victim of a hate crime. He said he attended the Public Works Open House, the Memorial Day event, and dinner with Arthur Fong and some US Navy members in celebration of Fleet week. He thanked the Recreation Department for putting together the Pride Month celebration.

Council Member Yiu said she attended the Asian American Pacific Islander (AAPI): Living Heritages Photo Contest and Exhibition where Judge Ed Chau and former Mayor Lily Chen were the honorees. She reported she also attended the San Gabriel Valley Council of Governments (SGVCOG) meeting on May 30 where there was a discussion on the City of Ventura Brown Act violation relating to the City's State of the City's Address.

Mayor Pro Tem Ngo talked about his attendance at the Garvey Intermediate School Career Day, Pride Parade, Assemblymember Mike Fong's Open House, and on behalf of Chinatown Service Center (CSC), received a $850,000 check from Congresswoman Judy Chu for the creation of the workforce grant program. He said he also attended the Memorial Day Commemoration, Fleet Week event, and the Public Works Open House.

Mayor Wong expressed appreciation to staff for putting on the many events and said he looks forward to seeing more events throughout the summer months. He mentioned the cancellation of the next regular meeting on June 19 and asked the community to attend the special meeting scheduled for June 18.

7. FUTURE AGENDA ITEMS

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

ADJOURNMENT
There being no further business for consideration, the meeting was adjourned at 9:31 p.m.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
JUNE 18, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, June 18, 2024, at 6:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 6:34 p.m.

FLAG SALUTE:
The Monterey Park Police Explorers led the flag salute.

ROLL CALL:
City Clerk Maychelle Yee called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Treasurer Amy Lee, City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia, Director of Finance Martha Garcia, Fire Chief Chris Thompson, Director of Human Resources and Risk Management Christine Tomikawa, Director of Community Development Jessica Serrano, Director of Recreation and Community Services Robert Aguirre, Director of Public Works Shawn Igoe, City Librarian Kristin Olivarez, Police Chief Scott Weise, Police Captain Gus Jimenez, Finance Services Manager Laura Borjon, Planning Manager Beth Chow, Public Works Manager Chris Reyes, Administrative Manager Xochitl Tipan, Financial Analyst Patricia Cruz, Assistant Deputy City Clerk Helena Cho

VIRTUALLY PRESENT: Principal Consultant Tony Thrasher; Willdan Financial Services Senior Project Analyst Priti Patel; Arcadis Associate Steve Wilks; Arcadis Urban Planner Eric Tunell

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: Mayor Wong directed to move Item Nos. 6A, 4A, 4B, 5B to be heard after Public Communications.

PUBLIC COMMUNICATIONS

- Gina Ruiz from Monterey Park Pony Baseball and the United States Softball Inc., showed her appreciation to the City Council for their support toward their league, and for the improvements made to the parks. She announced the Girl's 12 and Under Softball team's win as the District Champions and promoted a fundraiser that will help raise funds for their competition at the State's Championship tournament.

STAFF COMMUNICATIONS

This item was heard after Presentation.

- Fire Department: Fire Chief Thompson gave a PowerPoint presentation about firework safety for the city's upcoming Independence Day Celebration.

- Recreation and Community Services: Recreation and Community Services Director Aguirre announced the upcoming events which include the Summertime Lunch Program, Independence Day Celebration, Movie at the Park and Parks Make Life Better Month.

1. PRESENTATION

The matters listed under presentation are informational content and for discussion only.

Presentation Items were heard after Item No. 5B.

1-A. METROPOLITAN WATER DISTRICT UPDATES

Sam Mouawad, Project Manager from The Metropolitan Water District (MWD), presented a PowerPoint presentation about the Garvey Reservoir Project. He provided a brief history of MWD and highlighted the main objectives which include improving major reservoir facilities, maintaining Garvey's Reservoir reliability, enhancing site security and improving operations efficiency and maintenance.

1-B. WARE DISPOSAL TRANSITION UPDATE

Administrative Manager Tipan presented updates on the trash services transition provided by Ware Disposal highlighting key dates, a plan to provide a smooth transition and an explanation on the new billing service change provided by WARE Disposal. She explained methods staff will use to provide the information to the residents, such as newspaper publications, social media outreach, customer letters, and through Ware Disposal's website.

Jay Ware, General Manager of Ware Disposal, spoke about the types of services that will be provided once the main office is open to the public. The City Council directed Ware Disposal to supply an influx of communication materials to the residents and to regularly provide updates at future Council meetings.

2. OLD BUSINESS - None

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

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

Action Taken: The City Council approved and adopted Agenda Item Nos. 3A, 3B, 3C, 3D, 3E, 3F, 3H, and 3I on Consent Calendar, with an amendment to the April 17, 2024 regular meeting minutes for Item No. 3A, excluding Item Nos. 3G and 3J which were pulled for separate discussion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

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

3-A. MINUTES

Approving the minutes from the regular meeting of April 17, 2024 and the special meetings of March 26, 2024, April 9, 2024, and April 17, 2024.

Action Taken: The City Council approved the minutes from the regular meeting of April 17, 2024 and the special meetings of March 26, 2024, April 9, 2024, and April 17, 2024 as amended to reflect the call to order as Mayor Wong for the April 17, 2024 regular meeting minutes, on Consent Calendar.

3-B. MONTHLY INVESTMENT REPORT – MAY 2024

As of May 31, 2024, invested funds for the City of Monterey Park total $92,963,132.64.

Action Taken: The City Council received and filed the monthly investment report, on Consent Calendar.

3-C. ADOPTION OF FISCAL YEAR 2024-25 ANNUAL BUDGET

On May 22, 2024, the City Council conducted a public budget workshop regarding the City's current finances, projected revenues, financial obligations, and proposed budget for fiscal year 2024-25. The budget for FY 2024-2025 presents a spending plan that anticipates $167.9 million in estimated operating revenues and transfers-in; $9.5 million from grant advancements and fund balance from all funds combined; and $177.4 million in operating, and capital improvements expenditures and transfers-out. Significant changes to next fiscal year's budget including the addition of one staff, the completion of American Rescue Program Act (ARPA) funding, the increased Unfunded Accrual Liability (UAL), and all other goals and objectives associated with the City budget, were presented and discussed at the workshop.

In addition, the City Council's fiscal year 2024-2025 Strategic Plan Goals were added to the budget document to provide a roadmap for prioritizing implementation of the specific objectives that will be focused on during the budget cycle.

Public Speaker:

- Jairo, a resident, flagged a specific area on the Annual Budget Plan. He suggested to the Council to look at the funds that will not be spent and instead use it to enhance and update the Monterey Park Bike Plan.

Action Taken: The City Council adopted Resolution No. 2024-R43 / SA–189 / MPFA–4 / MPHA–2 / MPK GHAD-3 adopting the City's and Successor Agency's Fiscal Year 2024-2025 Annual Budget as presented on May 22, 2024; and adopted Resolution No. 2024-R44 approving the Citywide Combined Salary Schedule, on Consent Calendar.

Resolution No. 2024-R43 / SA-189 / MPFA-4 / MPHA-2 / MPK GHAD-3
A RESOLUTION ADOPTING THE FISCAL YEAR 2024-2025 FINAL OPERATING, DEBT AND CAPITAL BUDGET FOR THE CITY OF MONTEREY PARK; THE SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY; THE MONTEREY PARK FINANCING AUTHORITY; THE MONTEREY PARK HOUSING AUTHORITY; AND THE GEOLOGIC HAZARD ABATEMENT DISTRICT

Resolution No. 2024-R44
A RESOLUTION APPROVING THE REVISED SALARY RANGES FOR CITY EMPLOYEES AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT SUCH CHANGES IN THE CITY'S SALARY SCHEDULE

3-D. WAIVE LIBRARY CARD REPLACEMENT FEE FOR LIBRARY CARD SIGN-UP MONTH

It is recommended that City Council waive the library card replacement fee during the month of September 2024 in celebration of National Library Card Sign-up Month. There is no fee to register for a library card. If a library card is lost, patrons are charged a fee to replace their card. Free library card replacement will encourage residents of all ages to return to the Library and utilize the variety of services and programs available to them, including the Library's physical collections, public computers, teen, adult and children's programming, online resources, English as a Second Language classes and more. This action will align with the Library's Strategic Plan goal of making it easier and more convenient for every resident to use the Library.

Action Taken: The City Council waived the library card replacement fee for library patrons for the month of September 2024 in celebration of National Library Card Sign-up Month, on Consent Calendar.

3-E. TOWING CONTRACT EXTENSION

The towing contracts with Freeway Towing and Navarro's Towing expires on July 31, 2024. Police Chief Wiese recommended that the contract be extended three more years and the new expiration date be set as July 31, 2027. Both companies tow rates fall well below the standard CHP rates and both companies are located in the city of Monterey Park.

Both companies' rates have been brought up to the industry standard based on current, Los Angeles County Sheriff's tow rates. The updated tow rates are still well below established CHP East Los Angeles rates, per Monterey Park Municipal Code § 5.84.110(a). Both companies are also willing to extend the contract another three years from the extension date of July 31, 2024.

Action Taken: The City Council authorized the City Manager to execute an amendment, in a form approved by the City Attorney to extend the term of the towing contracts with Freeway towing and Navarro's Towing until July 31, 2027 and adjust the rates associated with those agreements, on Consent Calendar.

3-F. A RESOLUTION DECLARING THE MONTH OF JULY AS "PARKS MAKE LIFE BETTER" MONTH IN THE CITY OF MONTEREY PARK

During July, the Recreation and Community Services Department celebrates "Parks Make Life Better" month. By designating July as "Parks Make Life Better" month, the City of Monterey Park, Recreation and Community Services Department urges all residents to enjoy and recognize our parks' social, physical, mental, economic, environmental, and community benefits. As we observe "Parks Make Life Better" month, we recognize the vital contributions of our employees and volunteers, who all contribute to making parks and recreation facilities a great place to visit. These dedicated staff and volunteers keep our parks clean and safe for visitors and coordinate and organize special events, childcare, summer day camp, swim lessons, educational classes, senior activities, and health and fitness programs. They ensure that parks and recreation facilities are safe and accessible places to enjoy.

Action Taken: The City Council adopted Resolution No. 2024-R45 declaring the month of July as "Parks Make Life Better" Month in the City of Monterey Park, on Consent Calendar.

Resolution No. 2024-R45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING THE MONTH OF JULY 2024 AS PARKS MAKE LIFE BETTER MONTH

3-G. AUTHORIZE THE CITY MANAGER TO AMEND AGREEMENT NO. 1718-A WITH WORLD JOURNAL LA, LLC, TO BE THE CO-PRODUCER OF THE MONTEREY PARK LUNAR NEW YEAR FESTIVAL

The City of Monterey Park has cohosted the annual Lunar New Year Festival with World Journal LA, LLC since 2012. In April 2024, Agreement no. 1718-A between the City of Monterey Park and World Journal LA, LLC (World Journal) ended its term. City staff has been satisfied with World Journal's performance since 2012 and recommends extending the term and adjusting the reimbursed amount in article 2.2 of the agreement.

Discussion: The City Council ensued in a discussion regarding the importance of the terms in the contract, the opportunity to recover its costs and directed staff to return next year to review the financial terms in the contract.

Action Taken: The City Council authorized the City Manager to amend agreement No. 1718-A and extend the term for an additional five years; and amended agreement No. 1718-A, Article 2.2 to reflect an annual reimbursement from World Journal to the City in the amount of $10,000 to offset the cost of City staffing and services in a form approved by the City Attorney, with World Journal LA, LLC to co-produce the Monterey Park Lunar New Year Festival, as amended to direct staff to come back next year to review financial and add language into the amendment agreement to require a progress update to the Council prior to the 2025 festival.

Motion: Motion to approve the original recommendation was moved by Council Member Sanchez and seconded by Council Member Yiu. Council Member Yiu withdrew her motion.

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

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

3-H. AUTHORIZE PURCHASE OF A FUEL DELIVERY/CONTROL SYSTEM

The Public Works Fleet Maintenance Division is seeking to replace their current fuel management and delivery system, Gas Boy. This system is over 20 years old and is no longer serviceable. The operating system firmware, software, and hardware are no longer repairable or supported by any known vendor. A portion of the fueling system is currently inoperable, creating operational challenges for fueling vehicles. Public Works seeks City Council approval for the purchase of a replacement fuel management and delivery system, OPW sold by Orange Coast Petroleum Equipment, Inc. The OPW system was identified through a Sourcewell contract.

Action Taken: The City Council waived the bidding requirements pursuant to Monterey Park Municipal Code Section 3.20.050(3) and (4) and authorized the City Manager to purchase an OPW Fuel Management System at the cost of $140,458.93; and approved an appropriation of $140,459 from Shop Fund 501 for this purchase, on Consent Calendar.

3-I. RESOLUTION IDENTIFYING A PUBLIC WORKS STREET MAINTENANCE PROJECT TO BE INCLUDED IN THE FY 2024-25 BUDGET AND FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

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

RMRA funds made available for the Local Streets and Roads Funding Program are prioritized for expenditure on basic road maintenance and rehabilitation projects, and on critical safety projects. The CTC provided a number of example projects and uses for RMRA funding that includes, but are not limited to, the following: road maintenance and rehabilitation, safety projects, railroad grade separations, complete streets components (including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project), and traffic control devices.

Action Taken: The City Council adopted Resolution No. 2024-R46 identifying a street maintenance project to be included in the FY 2024-25 budget and funded with Road Maintenance and Rehabilitation Act (RMRA) funds, in a form approved by the City Attorney, on Consent Calendar.

Resolution No. 2024-R46
A RESOLUTION IDENTIFYING A STREET MAINTENANCE PROJECT TO BE INCLUDED IN THE FY 2024-25 BUDGET AND FUNDED BY SENATE BILL 1: ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

3-J. LANGLEY SENIOR CITIZEN CENTER AND BARNES PARK GYMNASIUM RESTROOMS REHABILITATION PROJECT – AWARD OF PUBLIC WORKS CONTRACT TO U.S. BUILDERS AND CONSULTANTS INC.

Capital Improvement Project (“CIP”) No. 95013 & 95014 – Langley Senior Citizen Center and Barnes Park Gymnasium Restroom Rehabilitation Project includes the rehabilitation of the restrooms at the Langley Senior Center and Barnes Park Gymnasium restrooms. Pursuant to Resolution No. 2023-R52, the Public Works Director solicited bids for the restroom rehabilitation at Langley Senior Citizen Center and Barnes Park Gymnasium (Specification No. 2024-003).

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed Ordinance pursuant to 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"). CEQA Guideline § 15301(c) (Existing Facilities) exempts the operation, repair, maintenance, alteration of existing public or private structures which involve negligible or no expansion of existing or former use. The proposed work will occur entirely within an existing structure. Accordingly, no further environmental review is required.

Action Taken: The City Council (1) authorized the City Manager to execute a public works contract, in a form approved by the City Attorney, with U.S. Builders and Consultants Inc. in the contract amount of $977,812 for the Langley Senior Citizen Center and Barnes Park Gymnasium Restrooms Rehabilitation Project; (2) appropriated an additional $220,000 from General Funds; and (3) authorized the Director of Public Works to approve change orders not to exceed $84,917 over the total contract amount.

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

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

4. PUBLIC HEARING

4-A. A PUBLIC HEARING TO CONSIDER THE FOLLOWING APPLICATIONS: 1) TENTATIVE MAP NO. 84188 (TM-23-05); 2) DESIGN REVIEW (DRB-23-105); AND 3) A DEVELOPMENT AGREEMENT BETWEEN THE COMMONS OF MPK, LLC AND THE CITY OF MONTEREY PARK, INCLUDING THE ADOPTION AND APPROVAL OF A MITIGATIVE NEGATIVE DECLARATION FOR THE CONSTRUCTION AND SUBDIVISION OF AIR RIGHTS FOR A 64- UNIT CONDOMINIUM PROJECT, INCLUDING 7 AFFORDABLE UNITS THROUGH A DENSITY BONUS FOR PROPERTIES LOCATED AT 338-410 S. ALHAMBRA AVENUE, ALSO IDENTIFIED BY ASSESSOR'S PARCEL NUMBERS 5259-004-036, 037, AND 038

The proposed project is a 64-unit mixed-market rate and affordable housing development. The subject property is located on the east side of South Alhambra Avenue, at the easterly terminus of Peach Street, and south of Newmark Avenue. Staff recommends that this item be continued to the July 17, 2024 City Council meeting to allow time for final negotiation of the Development Agreement terms.

This item was heard after Item No. 6A.

Recommendation: It is recommended that the City Council consider continuing the public hearing to the July 17, 2024 City Council meeting.

Public Speakers:

- Hector Otoñez voiced his opposition of the project. He claimed there are no parking spaces to support the 64-unit condominium.

- YinChi Chang stated her opposition of the project. She conveyed her opinion that this project will increase the lack of safety in the neighborhood.

- Yan Fang Situ conveyed her opposition of the project.

- Lai Woo voiced her opposition of the project claiming this project will increase the parking and safety issue in the neighborhood.

- Isee Hoo spoke about her opposition of the project.

- Allen Xie communicated his opposition of the project and disagreed with the findings in the development agreement.

- Yinjin Mao voiced her opposition of the project stating it will increase the parking issue and safety in the neighborhood.

- Yue Ying Li expressed her opposition of the project claiming it will increase the parking and safety issue in the neighborhood.

- Louise Liu conveyed her opinion about the project. She stated she opposed the project development and urged her neighbors to seek the help of a legal team.

- Ricky Chao questioned the amount of opposition letters received for this item and asked if they can hire lawyers to represent them.

- Gary Lau expressed his opinion about the project. He agreed there is a housing shortage in the city but recommended the project to be relocated in an area more suitable to house more parked cars.

- City Clerk Yee received and filed (30) written communications in opposition of the project from Tommy Huynh, Salina Raya, Dalu Yu, Yue Liu, Serena Chen, Pei Ning, Chat Phoo, Minnie Nguyen, Leo Wu, Ricky Chao, Cathy Wang, Raymond Liao, Chloe He, Jennifer Wu, Cynthia Sadofski, Shiela S Khoo, Sinh Le, Jonathan Le, Barbara Cheng, Pei Ning, Jessica Wang, Bing Jing, Qiang Wang, Xiaoli Luan, Shizhi Jia, Xincheng Fu, Zhang, Shuo Sun, Peng Fang, Chenchen Fan; (20) written communications in support of the project from Ari Rezazadeh, Catherine Fang, Richard Liu, Mai Nguyen, Samuel Chin, Sueli Park, Matt Hui, Wing Chan, Iscah Wang, Melanie Hu, Clarence Yeung, Yuyu Zhang, Ivan Chak, Angela Cheung, Paul Houng, Benjamin Hsiang, Nobuo Saga, Simon Fraser, Jackie Hoang, Kyle Imoto; (1) written communication from Yimby Law who is neutral; (1) written communication from Harrison Kwock who is undecided; and (2) written communications providing comments about the project from the California Environmental Protection Agency and the Los Angeles County Sanitation District.

Discussion: City Attorney Berger announced that the public comments will be transferred to the Planning Commission as part of the record and allow the public hearing for this council meeting be discontinued and remanded to the Planning Commission.

Action Taken: The City Council opened the Public Hearing at 6:56 p.m. and received documentary and testimonial evidence, and after closing the Public Hearing at 7:25 p.m., remanded this item to the Planning Commission.

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

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

4-B. ADOPTION OF A RESOLUTION UPDATING THE MASTER SCHEDULE OF FEES AND CHARGES

The City's Master Schedule of Fees and Charges ("Master Fee Schedule") sets fees for various services and activities provided by the City. To ensure that appropriate levels of cost recovery for services and activities are included in the Master Fee Schedule, the City contracted Willdan Financial Services to prepare a detailed cost of service and fee analysis, commonly referred to as a User Fee Study (Attachment 1). The User Fee Study calculated the City's actual costs for services and those costs have been incorporated into the proposed Master Fee Schedule. The Finance Director recommends that the City Council proceed with a public hearing to consider adopting the updated Master Fee Schedule (Exhibit A). Except for certain planning related fees, all the fees identified in the Master Fee Schedule would become effective on July 1,2024 (the planning related fees would take effect August 18, 2024).

This item was heard after Item No. 4A.

Discussion: Financial Analyst Cruz presented a PowerPoint presentation providing an overview of the Master Fee Schedule.

Police Chief Weise spoke about the number of conceal-carry weapons permits (CCW) registered in the city. The Council directed staff to adjust the price on the CCW to remove the price subsidy provided by the city.

City Manager Alvarez provided information about specific permits to hold bingo games in the city and talked about the opportunity to educate the community about programs providing subsidized pet sterilization to low-income households.

Action Taken: The City Council opened the Public Hearing to consider proposed updates to the City's fee schedule at 7:40 p.m. and after closed the Public Hearing at 7:41 p.m. with no registered public speakers, adopted Resolution No. 2024-R47 approving a Master Schedule of Fees and Charges as amended to adjust the cost for concealed-carry weapon fee to the full burden cost by the applicant.

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

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

Resolution No. 2024-R47
A RESOLUTION ADOPTING A FEE SCHEDULE TO RECOVER COSTS INCURRED FROM PROVIDING VARIOUS PUBLIC SERVICES

4-C. RESOLUTION FOR THE FY2024-25 CAPITAL IMPROVEMENT PLAN

The City's FY2024-25 proposed budget includes an updated Capital Improvement Plan ("CIP") outlining the City's capital investments over a five-year period. Staff asks that the City Council adopts of a Resolution to approve the proposed CIP, grants authorization for the City Engineer to approve plans specifications for Capital Improvement Projects, and authorizes for the Director of Public Works to advertise projects for construction bids when required or needed.

This item was heard after Item No. 3J.

Action Taken: The City Council opened the Public Hearing to receive documentary and testimonial evidence at 10:03 p.m.; and after closed the Public Hearing at 10:03 p.m. with no registered speakers and considered the evidence, adopted Resolution No. 2024- R48 finding the FY2024-25 Capital Improvement Plan ("CIP") conforms with the General Plan, authorizing the City Engineer to approve plans and specifications for capital improvement projects, and authorizing the Public Works Director to solicit bids for capital improvement projects identified in the CIP.

Resolution No. 2024-R48
A RESOLUTION FINDING THE FY 2024-25 CAPITAL IMPROVEMENT PLAN ("CIP") CONFORMS WITH THE GENERAL PLAN; AUTHORIZING THE CITY ENGINEER TO APPROVE PLANS AND SPECIFICATIONS FOR CAPITAL IMPROVEMENT PROJECTS; AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SOLICIT BIDS FOR CAPITAL IMPROVEMENT PROJECTS IDENTIFIED IN THE CIP.

5. NEW BUSINESS

5-A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT AN URGENCY ORDINANCE IMPLEMENTING INTERIM DEVELOPMENT REGULATIONS FOR SATURN PARK UPON A FOUR-FIFTHS VOTE

On June 5, 2024, the City Council directed that the City Manager and City Attorney prepare a draft moratorium governing Saturn Park for consideration on the June 18th meeting agenda. If adopted, the draft urgency ordinance would prohibit new permits being issued for development within Saturn Park for at least 45 days. This would allow the SPARC to receive public input regarding recommended land uses as part of the drafting of a Saturn Park Specific Plan ("SPSP") implementing the 2020 Land Use Element adopted by voters via Measure JJ. The moratorium may be extended up to a total of two years.

CEQA (California Environmental Quality Act):
Adopting the Urgency Ordinance is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq*., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq*.) because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. The Urgency Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, the adoption of the Urgency Ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the Ordinance is for general policies and procedure-making. This Ordinance does not authorize any new development entitlements, but simply establishes policies and procedures for allowing the previously approved project to be constructed. Any proposed project that will utilize the changes set forth in this Ordinance will be subject to CEQA review as part of the entitlement review of the project. The Ordinance will not adversely impact the environment and is therefore exempt from the provisions of CEQA.

This item was heard after Item No. 4C.

Public Speakers:

- Jim Pugh, Attorney from Sheppard Mullin representing his client Bryan Marsh, voiced his opposition to the moratorium. He conveyed his opinion that implementing the moratorium is unlawful because there is no imminent threat to the community. He requested to have the moratorium revised to allow the processing of applications to prevent project loss.

- Maychelle Yee, speaking as a resident, stated her appreciation to Mayor Wong for allowing her to serve on the Saturn Parks Advisory Committee (SPARC) and voiced her opposition to the moratorium claiming it may lead to legal action against the city. She said the existing zoning designation is in line with the Land Use Element and does not pose a threat to the city and suggested methods to help create a clean, technological and innovative development.

- Bryan Marsh, Chief Executive Officer of StratCap Data Centers, conveyed his opposition to the moratorium. He shared his opinion about the opportunity to develop a data center in Saturn Park and showed his appreciation to city staff about the help they received for the application.

Action Taken: The City Council adopted Urgency Ordinance No. 2245 upon 4/5 vote pursuant to Government Code § 65858 establishing a moratorium on new development within Saturn Park for 45 days as amended to remove "processing" throughout the Ordinance.

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

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

Urgency Ordinance No. 2245
AN INTERIM ORDINANCE PROHIBITING PERMITS FOR LAND USE ENTITLEMENTS WITHIN THE MCCASLIN BUSINESS PARK TO CONSIDER ADOPTING A SATURN PARK SPECIFIC PLAN IN ACCORDANCE WITH THE LAND USE ELEMENT OF THE GENERAL PLAN

EXTENSION OF COUNCIL MEETING

Action Taken: The City Council extended the Council Meeting to 11:30 p.m.

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

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

5-B. SPIRIT BUS – FIXED ROUTE TRANSIT SERVICE

The City of Monterey Park operates a fixed-route transit service, Spirit Bus, by contract with First Transit, Inc. Since its return to service in July 2022 following a suspension for the Covid-19 pandemic, the City has been working with Arcadis-IBI Group Consultants on evaluating the system's efficiency and identifying areas of improvement. Through additional data collection, staff has been able to compare ridership trends pre- and post-pandemic and has a better understanding of the use of the system and its cost effectiveness. It is recommended that City Council authorize the Fifth Amendment to Agreement 1636-A with First Transit, Inc. to extend services to operate Spirit Bus for six months in an amount not to exceed $1,032,270. The current Agreement will terminate on June 30, 2024 and the Amendment will extend the term to December 31, 2024. It is further recommended to add an option for a month-to-month term until June 30, 2025. An extension of services with the current contractor will allow the City to develop a new service program that would be incorporated into the RFP for the new contract for transit/mobility services.

This item was heard after Item No. 4B.

Public Speakers:

- Bill Lam expressed his opposition to the proposed changes of the Spirit Bus route transit services and provided route suggestions he believes would benefit the community.

- Jacky Ho conveyed his opposition to the proposed bus route changes. He shared his complaints about bus route tardiness and provided suggestions to integrate substitute services to individuals that rely on the bus for transportation.

- City Clerk Yee received and filed (2) written communications from Marcelle Wendt and Bill Lam. Marcelle voiced her opposition to the proposed bus route changes and recommended to keep the current routes and suggested new routes to be added in the future. Bill spoke about detailed modifications to the proposed bus routes.

Discussion: Administrative Manager Tipan presented a PowerPoint presentation about the item. Manager Tipan highlighted bus service improvement strategies that would benefit the community the launch of a pilot program for residents to receive on-demand bus services.

Action Taken: The City Council (1) authorized the City Manager to execute a Fifth Amendment to Agreement No.1636-A with First Transit, Inc., in a form approved by the City Attorney for fixed route transit service in an amount not to exceed $1,939,270, with the amendment extending the term for six months from July 1, 2024 to December 31, 2024, with the option for a month-to-month term until June 30, 2025; (2) appropriated $907,000 in Proposition A and C Local Return Funds from fiscal year 2023-2024 to continue to operate regular service hours in the current fiscal year; (3) authorized the City Manager to execute a Second Amendment to Agreement No. 2294 with Arcadis-IBI Group Consultants, in a form approved by the City Attorney, for an additional amount not to exceed $24,665 with the amendment extending the term through June 30, 2025; and (4) provided direction on service improvement strategies which include the redesign of fixed routes and on demand services.

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

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

5-C. CONSIDERATION AND POSSIBLE ACTION TO DIRECT THE CITY ATTORNEY TO SEEK AN ATTORNEY GENERAL OPINION REGARDING THE USE OF "CLAW MACHINES" WITHIN THE CITY OF MONTEREY PARK

In May, the City's Community Development Department received a request from a business owner to process a conditional use permit ("CUP") to open an arcade utilizing a "claw machine" (see attached description from Wikipedia). Because the "claw machine" appeared to require a separate permit by Monterey Park Municipal Code ("MPMC") Chapter 5.20, the Community Development Director asked City Attorney Berger to review the MPMC to determine whether there was a more expedient method of addressing the game permit requirement.

This item was heard after Item No. 5A.

Action Taken: The City Council directed the City Attorney to request a California Attorney General Opinion regarding the legality of "claw machines."

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

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

6. <u>CITY COMMUNICATIONS (CITY COUNCIL)</u>

6-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING JUNE 24-28, 2024, AS NATIONAL BOYS & GIRLS CLUB WEEK (REQUESTED BY COUNCIL MEMBER SANCHEZ)

Action Taken: The City Council adopted Resolution No. 2024-R49 declaring and recognizing June 24-28, 2024 as National Boys & Girls Club Week.

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

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

Resolution No. 2024-R49
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING JUNE 24-28, 2024, AS NATIONAL BOYS & GIRLS CLUB WEEK

6-B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING JUNE 23, 2024, AS THE 42ND ANNIVERSARY OF THE DEATH OF VINCENT JEN CHIN (REQUESTED BY COUNCIL MEMBER LO)

This item was heard after Item No. 5C.

Action Taken: The City Council adopted Resolution No. 2024-R50 declaring and recognizing June 23, 2024, as the 42nd Anniversary of the Death of Vincent Jen Chin.

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

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

Resolution No. 2024-R50
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING JUNE 23, 2024, AS THE 42ND ANNIVERSARY OF THE DEATH OF VINCENT JEN CHIN

CITY COUNCIL COMMUNICATIONS

City Council Member Sanchez highlighted Juneteenth and reiterated the importance of recognizing certain groups. He spoke about Gun Violence Awareness Month, offered his condolences to the victims recently affected by mass shootings, and stated the importance of moving forward with gun violence prevention laws.

Council Member Lo thanked Council Member Sanchez for mentioning Juneteenth and recommended a Resolution to acknowledge Juneteenth for next year. He voiced his attendance at Assembly Member Mike Fong's Emergency Preparedness Workshop held at the Barnes Park Service Club House and the ribbon cutting for the opening of San Gabriel River Park. He spoke of his participation in the Wear Orange campaign for National Gun Violence Awareness Month.

Council Member Yiu shared her recent purchase of Near Field Communication stickers, explained how to use the stickers, and recommended the product to individuals that are interested.

Mayor Pro Tem Ngo mentioned his attendance at the La Casa de San Gabriel Community Center Gala Fundraiser held at San Gabriel Mission High School, the Chinese American Elected Official Officer Installation at NBC Seafood Restaurant, and the graduation ceremony of Richard Garvey & Roger W. Temple Intermediate. He spoke about his meeting with the Guangdong Ministry of Agriculture and the Neighborhood Watch Program meeting that took place near Hillcrest Elementary.

Mayor Wong voiced his attendance to many of the events talked about by the Council, mentioned his representation at the Southern California Association of Governments (SCAG) Regional Council Meeting and showed his appreciation to the individuals that attended the Meetup with the Mayor event held at Northern Café. Mayor Wong discussed his participation at the League of California, City of Los Angeles Division Dinner and emphasized the discussion of Los Angeles County's Measure on housing homelessness services. He expressed his appreciation to the individuals attending the upcoming Asian and Pacific Islander's Lead Summit.

7. FUTURE AGENDA ITEMS

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

ADJOURNMENT
There being no further business for consideration, the meeting was adjourned at 11:14 p.m.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
JULY 17, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Meeting of the Council in Room 266, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, July 17, 2024, at 5:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 5:30 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
City Manager Inez Alvarez called the roll:

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

ALSO PRESENT: City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia, Director of Public Works Shawn Igoe, Director of Finance Martha Garcia.

VIRTUALLY PRESENT: None.

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS: None.

[1.] CLOSED SESSION
The City Council adjourned to Closed Session at 5:31 p.m.

1-A CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): two. Facts and Circumstances: No disclosure required per Government Code section 54956.9(e)(1) (not yet known to a potential plaintiff or plaintiffs).

1-B CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one. Facts and Circumstances: Letter dated June 21, 2024 and July 5, 2024 from Athens on file with the City Clerk's office.

RECONVENE & ADJOURNMENT

The City Council reconvened from Closed Session with all Council Members present, except City Council Member Jose Sanchez, who was absent. The meeting was adjourned at 6:20 p.m.

Action Taken: No reportable action taken in Closed Session.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
JULY 17, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, July 17, 2024 at 6:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 6:38 p.m.

FLAG SALUTE:
The Monterey Park Police Explorers led the flag salute. Pledge of Allegiance presented by Civic Superstar Grace Wang.

ROLL CALL:
City Clerk Maychelle Yee called the roll:

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

ALSO PRESENT: City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Director of Finance Martha Garcia, Director of Recreation and Community Services Robert Aguirre, Community Development Director Jessica Serrano, Police Chief Scott Wiese, Fire Chief Chris Thompson, Interim City Engineer Manager Ziad Mazboudi, Recreation Manager Christina Alatorre, Public Works Manager Chris Reyes, Senior Librarian Cathleen Bowley, Animal Control Officer Laura Rodrguez, Animal Control Officer William Estrada, Economic Development Specialist Janice Huang, Assistant Deputy City Clerk Helena Cho

VIRTUALLY PRESENT: Director of Human Resources and Risk Management Christine Tomikawa

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Manager Alvarez requested to move Presentation Item No. 1A and Agenda Item No. 3B after Public Communication.

PUBLIC COMMUNICATIONS

- Angie Chu, resident, addressed the idea of digital safety training with the city. This pilot program was created due to rising crime in the city. The training is to have residents use their phones to take photos if they witness suspicious activity. She hopes to bring more awareness to the issue before the 2028 Los Angeles Olympics. Angie showcased the opening of the non-profit “Asian Minds Matter.” This non-profit was created to address mental health awareness within the Asian Community and encouraged the community to attend the opening fundraiser.

STAFF COMMUNICATIONS

Staff Communications Items were heard after Agenda Item No. 3B.

- Community Development and Economic Development: Community Development and Economic Development presented together. Community Development Director Serrano presented updates in the department and about the upcoming Saturn Park Advisory Review Committee (SPARC) workshop detailing the potential land uses in Saturn Park. Economic Development Specialist Huang shared more updates on the Economic Development Strategic plan (EDSP) where they aim to reshape the City’s economic landscape in the next few years and spoke about the upcoming networking expos for small business.

- Library: Senior Librarian Bowley presented upcoming programs which include The Summer Reading Program, County Book Club, and Community Engagement Workshops.

- Police Department: Chief of Police Wiese introduced the department’s Animal Control Officers: Laura Rodriguez and William Estrada and highlighted a new Geographical Informational System (GIS) to track coyotes roaming the city. Animal Control Officer Estrada presented a PowerPoint presentation about coyote awareness, provided safety tips on coyote prevention and who/where to contact if a coyote is spotted. Alongside Officer Estrada Officer Rodriguez spoke about the utilization of the GIS system and outreach efforts using the Cascades Newspaper and social media.

- Recreation and Community Services: Recreation Manager Alatorre presented an update on past events and the upcoming events occurring for the residents in the city which include Open Houses, Movie Nights, and Health Screenings.

1. PRESENTATION

The matters listed under presentation are informational content and for discussion only.

1-A. MONTEREY PARK 12U SOFTBALL ALLSTARS CHAMPIONSHIP

This Item was heard after Public Communications.

Mayor Wong presented awards to the Monterey Park 12 and Under Softball team for winning the All-Star Championship and mentioned the team's preparation for the USA Softball California State Championship.

2. OLD BUSINESS – None.

3. CONSENT CALENDAR ITEMS NOS. 3B-3F

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.

Consent Calendar Items were heard after Staff Communications.

Action Taken: The City Council approved and adopted Agenda Item Nos. 3A, 3D, 3E, 3F, 3G on Consent Calendar, excluding Agenda Item Nos. 3B, 3C and 3H which was pulled for discussion, separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

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

3-A. MONTHLY INVESTMENT REPORT – JUNE 2024

As of June 30, 2024, invested funds for the City of Monterey Park total $93,018,485.26

Action Taken: The City Council received and filed the monthly investment report, on Consent Calendar.

3-B. A RESOLUTION RECOGNIZING AND PROCLAIMING 2024 AS THE CENTENNIAL YEAR OF THE MONTEREY PARK FIRE DEPARTMENT

The Monterey Park Fire Department has proudly served the community of Monterey Park and the larger San Gabriel Valley region for 100 years. Since its founding in 1924, the Monterey Park Fire Department has served as a beacon of hope in times of need. This resolution serves as a testament to the legacy the department has had over the last 100 years.

This item was heard after Presentation Item No. 1A

Action Taken: The City Council adopted Resolution No. 2024-R51 recognizing the Centennial Anniversary of the Monterey Park Fire Department, on Consent Calendar.

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

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

Resolution No. 2024-R51
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, RECOGNIZING AND PROCLAIMING 2024 AS THE CENTENNIAL YEAR OF THE MONTEREY PARK FIRE DEPARTMENT

RECESSED AND RECONVENED

The City Council recessed at 7:07 p.m. and reconvened with all council members present at 7:16 p.m.

3-C. CANNABIS TAX FUND GRANT PROGRAM (CTFGP) FUNDING FOR FISCAL YEAR 2024/2025

The City of Monterey Park Police Department was notified of an award of $273,899.02 from the Department of California Highway Patrol (CHP) Cannabis Tax Fund Grant Program (CTFGP) for Fiscal Year 2024/2025. The police department will utilize the grant funding to reduce and mitigate the impacts of impaired driving in our community.

Action Taken: The City Council accepted grant funds and authorized the City Manager, or designee, to execute an agreement, in a form approved by the City Attorney, with the Department of California Highway Patrol (CHP) in the amount of $273,899.02 for the Cannabis Tax Fund Grant Program (CTFGP) and adopted Resolution No. 2024-R52 authorizing the City Manager, or designee, to receive and appropriate grant funds in fiscal year 2024-25, and execute an agreement, in a form approved by the City Attorney, with the CHP in the amount of $273,899.02 for the CTFG.

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

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

Resolution No. 2024-R52
A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO RECEIVE AND APPROPRIATE GRANT FUNDS FOR THE CANNABIS TAX FUND GRANT PROGRAM

3-D. AUTHORIZATION OF WILLDAN ENGINEERING TO PROVIDE CONSULTING SERVICES REGARDING DRAFTING A SATURN PARK SPECIFIC PLAN AND ASSOCIATED COMMUNITY ENGAGEMENT

On May 22, 2024 the City Council established the Saturn Park Advisory Review Committee (“SPARC”), a citizen’s oversight committee aimed at soliciting public input on future land uses of Saturn Park as part of the implementation of the General Plan Land Use and Urban Design Element (“GPLUE”).

Willdan Engineering is already retained by the City to undertake various land use tasks; assisting the City with drafting a Saturn Park Specific Plan (and assisting with SPARC meetings) is within the scope anticipated by Willdan’s existing agreement.

Because Willdan’s proposal for the SPARC process exceeds the City Manager’s signature authority, City Council authorization is needed to approve a task order for Willdan. Consequently, the Community Development Director requests that the City Council authorize a task order – not to exceed $100,000 with a 10% contingency – for Willdan’s services

Action Taken: The City Council (1) authorized the City Manager to execute a task order, in a form approved by the City Attorney, with Willdan Engineering for the scope of services described in Attachment 1 to the staff report in an amount not to exceed $100,000; (2) authorized the City Manager to approve a 10% contingency amount for other related activities; and (3) authorized a budget appropriation of $100,000, plus a 10% contingency (total not to exceed amount of $110,000) from the General Fund for the 2024-2025 fiscal year, on Consent Calendar.

3-E. CONSIDERATION OF A REQUEST FOR AN ALCOHOL CONSUMPTION PERMIT AND PERMIT FEE WAIVER ALLOWING THE ALHAMBRA EDUCATIONAL FOUNDATION TO CONDUCT ALCOHOL SALES AT THE ELECTRIC PARK MUSIC EVENT

The City of Monterey Park launched the Electric Park music event series in 2022. Since the October 8, 2022, inaugural event, the City has successfully hosted three Electric Park music events, each attracting an increasingly larger crowd. The event aims to foster community engagement by showcasing Electronic Music in a vibrant and positive atmosphere, enriching the residents' lives and supporting the event's vision of MUSIC | PEOPLE | COMMUNITY. In a diverse community, music and dance act as universal languages that unite people. The fourth installment of the Electric Park music event series will take place on Saturday, October 5, 2024, in Barnes Park.

Building on the success of the "Beer Garden" introduced during the City's 2024 Play Days Carnival, the Electric Park event committee has shown interest in collaborating with the Alhambra Educational Foundation to offer a similar feature at the upcoming Electric Park event. City staff contacted the Alhambra Educational Foundation, a IRC 501(c)(3) nonprofit organization, to explore this opportunity. The Foundation has confirmed its interest, and it is confident that with its experience and this collaboration, it will generate additional funds to support and enhance the educational programs of the Alhambra Unified School District.

Action Taken: The City Council approved an Alcohol Consumption permit allowing the Alhambra Educational Foundation to conduct alcohol sales at the "Electric Park" event on October 5, 2024 and approved an Alcohol Consumption permit fee waiver of $250, on Consent Calendar.

3-F. APPROVAL OF FIFTH AMENDMENT TO AGREEMENT WITH MARIPOSA LANDSCAPES, INC.

Mariposa currently performs landscape maintenance services on all City medians, and supplemental weed abatement throughout the City. Staff recommends an Amendment to their contract to add custodial services at all City parks during weekend hours throughout the year. Mariposa would be responsible for the opening of all restrooms, the removal, replacement and monitoring of all trash liners, and additionally, the cleaning of picnic tables at all City Parks. The cost for requested services is approximately $123,600 per year.

Action Taken: The City Council authorized the City Manager to execute a Fifth Amendment to Agreement 2136-A with Mariposa Landscapes, Inc, in a form approved by the City Attorney, for maintenance services at City parks for an amount not to exceed $123,600 annually, on Consent Calendar.

3-G. AMENDMENT TO AGREEMENT NO. 2241-A WITH VALLEY MAINTENANCE CORPORATION

On May 19, 2021, City Council approved Agreement 2241-A with Valley Maintenance for janitorial services at various City facilities. The City amended the contract to add additional services at various locations including the downtown parking lot, City parks, and to increase services at the Bruggemeyer Library. It is recommended that City Council authorize an extension of the agreement for six months through December 31, 2024, with the option for a month-to-month term until June 30, 2025. During this time, City staff will prepare a Request for Proposal (RFP) for a new janitorial contract.

Action Taken: The City Council authorized the City Manager to execute a Fourth Amendment with Valley Maintenance Corporation, in a form approved by the City Attorney, for janitorial services at various City facilities in an amount not to exceed $226,304. The Amendment extends the term for six months through December 31, 2024, with the option for a month-to-month term until June 30, 2025, on Consent Calendar.

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

Pursuant to City Council Resolution No. 11701, the Public Works Director is authorized to record a Notice of Completion for Capital Improvement Projects (“CIP”). The City recently completed CIP 95011 – Library Improvements; CIP 95026 – City Hall Emergency Generator; CIP 96030 & 96041 – Slurry Seal Project; CIP 96031 – Street Rehabilitation at various Locations (Year 2 and 3); and CIP 96042 – Street Rehabilitation – Various Streets (SB1). Upon completion, the work was inspected and approved by the City Engineer. It is recommended that the City Council receive and file the Notice of Completions recorded by the Public Works Director for these projects.

Action Taken: The City Council (1) received and filed the Notice of Completion recorded by the Public Works Director on May 23, 2024 accepting the Library Facility Improvement Project completed by U.S. Builders and Consultants, Inc.; (2) received and filed the Notice of Completion recorded by the Public Works Director on May 20, 2024 accepting the City Hall Emergency Generator Replacement Project completed by PC Inc.; (3) received and filed the Notice of Completion recorded by the Public Works Director on April 29, 2024 accepting the Slurry Seal Project completed by Onyx Paving Company, Inc.; (4) received and filed the Notice of Completion recorded by the Public Works Director on May 30, 2024 accepting the Street Rehabilitation Project (Year 2) completed by All American Asphalt.; (5) received and filed the Notice of Completion recorded by the Public Works Director on May 30, 2024 accepting the Street Rehabilitation Project (Year 3) completed by All American Asphalt.; and (6) received and filed the Notice of Completion recorded by the Public Works Director on May 31, 2024 accepting the SB1 Street Rehabilitation Project completed by All American Asphalt.

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

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

4. PUBLIC HEARING

4-A. CONSIDERATION OF COSTS RESULTING FROM ABATING WEED NUISANCES AND AUTHORIZING COLLECTION VIA SPECIAL ASSESSMENT

On February 21, 2024, the City Council determined that weeds, brush, rubbish, refuse and dirt maintained on certain private properties in the City constitute a public nuisance. The Los Angeles County Department of Agriculture Commissioner/Weights and Measures (“County”) is contracted to provide weed abatement services to the City. The County complied its annual list of properties within the City which contain, or have the potential to contain weeds, brush or other flammable materials sufficient to be considered a fire hazard (the “Weed Abatement Declaration List”). Persons identified as owning property on the Weed Abatement Declaration List were provided sufficient notice to either protest their inclusion thereon, or voluntarily remove the nuisance conditions identified on their property. The deadlines for voluntary compliance or protest have passed, and the County has abated the noncompliant properties on the Weed Abatement Declaration List.

The final step in the City's Weed Abatement process is for the Council to consider approving the County's costs related to abatement and directing that these costs be collected via special assessment.

Action Taken: The City Council opened the public hearing at 8:05 p.m to receive documentary and testimonial evidence and after closed the public hearing at 8:05 p.m., with no registered public speakers and adopted Resolution No. 2024-R53, approving the Weed Abatement Clearance Charge List and authorizing collection of such costs through special assessment.

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

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

Resolution No. 2024-R53
A RESOLUTION CONFIRMING THE ITEMIZED WEED ABATEMENT CHARGE LIST OF WEED ABATEMENT COSTS AND DIRECTING THE LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER TO COLLECT THESE COSTS THROUGH PROPERTY TAX BILLINGS

4-B. PUBLIC HEARING TO CONSIDER THE EXTENSION OF URGENCY ORDINANCE NO. 2245, PROHIBITING PERMITS FOR LAND USE ENTITLEMENTS WITHIN THE MCCASLIN BUSINESS PARK (AKA "SATURN PARK") FOR AN ADDITIONAL 10 MONTHS AND 15 DAYS.

On June 18, 2024, the City Council adopted Urgency Ordinance No. 2245 instituting a moratorium governing the acceptance and approval of new permits being issued for development within Saturn Park for at least 45 days, which ends on August 2, 2024. The Urgency Ordinance allows time for the Saturn Park Advisory Review Committee ("SPARC") to receive public input regarding recommended land uses as part of the drafting of a Saturn Park Specific Plan ("SPSP") implementing the 2020 Land Use and Urban Design Element ("GPLUE") adopted by voters via Measure JJ. Pursuant to Government Code § 65858, the Council may, following a public hearing, extend Urgency Ordinance No. 2245 for a period of 10 months and 15 days.

CEQA (California Environmental Quality Act)
Adopting the extension of the Urgency Ordinance is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq*., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq*.) because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. The Urgency Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, the adoption of the Urgency Ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the Ordinance is for general policies and procedure making. This Ordinance does not authorize any new development entitlements, but simply establishes policies and procedures for allowing the previously approved project to be constructed. Any proposed project that will utilize the changes set forth in this Ordinance will be subject to CEQA review as part of the entitlement review of the project. The Ordinance will not adversely impact the environment and is therefore exempt from the provisions of CEQA.

Public Speakers:

- Jim Pugh, Partner at Sheppard Mullin representing applicant Bryan Marsh, provided his solutions regarding Urgency Ordinance No. 2245, a moratorium on new development within Saturn Park. Mr. Pugh's stated his goal to obtain an immediate economic development opportunity with the city and provided his viewpoint that amending the draft interim ordinance will allow the opportunity to create a tangible redevelopment in the city, expand community benefits, and facilitate long-term planning in Saturn Park.

- Bryan Marsh, Chief Executive Officer of StratCap Data Center, said there is no need for an extension on Urgency Ordinance No. 2245. He detailed the benefits of data centers, the opportunity to coexist with other businesses within the community and explained extending the moratorium to the predisposed 10 months will have a negative effect on future buyers in the community.

- Maychelle Yee speaking as a resident, said the moratorium is not necessary, believing it has the potential to lose more business development within the community. She requested to have the moratorium revised and shortened to a more reasonable duration and it can be extended later, if found necessary. Maychelle ended by encouraging the residents to speak up and participate on the decisions happening in their neighborhood.

- City Clerk Yee received and filed into the record a written communication from James E. Pugh, Partner at Sheppard Mullin, providing his opinion on the Urgency Ordinance and recommended changes.

Action Taken: The City Council opened the public hearing at 8:07 p.m. to receive documentary and testimonial evidence and after closed the public hearing at 8:20 p.m. and (1) adopted Interim Ordinance No. 2246 extending Urgency Ordinance No. 2245, a moratorium on new development within Saturn Park for 10 months and 15 days pursuant to Government Code § 65858 as amended to change the moratorium from 10 months and 15 days to 90 days in Section 4A and Section 12, and to add a new Section 4B "Exempted Activities. During the effectiveness this Ordinance, or any extension, the City may issue any permit or land use entitlement to any person or entity for constructing, placing, or operating within the McCaslin Business Park, i.e., Saturn Park, only if the criteria in this Section 4 are satisfied. The City Manager, or designee, must review any application for a permit or land use entitlement to determine compliance with the provisions of this Ordinance. City employees, City boards and commissions, and the City Council are permitted to accept, process and approve certain applications for land use entitlements, including, without limitation, use permits, variances, building permits, licenses and certificates of occupancy, necessary for constructing, placing, or operating within the Saturn Park area, only for development applications that: (1) were filed with the City before April 15, 2024; (2) include or are amended to include a development agreement per Chapter 21.44 of the Monterey Park Municipal Code; and (3) obtain City Council approval of the development agreement before, or concurrent with, approval of the project entitlements proposed in the timely-filed application. This exemption will remain effective for the term of this Ordinance, and any extensions."; and (2) received a filing of a public report to describe the measures taken to alleviate the condition which led to the adoption of Ordinance No. 2245 pursuant to Government Code § 65858(d).

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

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

Interim Ordinance No. 2246
AN INTERIM ORDINANCE EXTENDING URGENCY ORDINANCE NO. 2245 - PROHIBITING PERMITS FOR LAND USE ENTITLEMENTS WITHIN THE MCCASLIN BUSINESS PARK TO CONSIDER ADOPTING A SATURN PARK SPECIFIC PLAN IN ACCORDANCE WITH THE MONTEREY PARK LAND USE ELEMENT OF THE GENERAL PLAN

4-C. PUBLIC HEARING AND APPROVAL OF THE 2024-2025 ANNUAL ACTION PLAN AS REQUIRED BY THE COMMUNITY DEVELOPMENT BLOCK GRANT, AND HOME INVESTMENT PARTNERSHIPS PROGRAMS

The U.S. Department of Housing and Urban Development provides funding to states, counties, and cities in the form of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds. The City is eligible to receive both CDBG and HOME funds. The estimated City entitlement for Financial Year (FY) 2024-25 is $576,795 in CDBG funding and $278,235.33 in HOME funding.

Before Monterey Park can receive these funds, federal regulations require that a Consolidated Plan (i.e., a five-year plan) be adopted by the City Council. The Consolidated Plan serves as the federal planning document for jurisdictions receiving CDBG and HOME Program funds. The City's current Consolidated Plan was adopted by the City Council in 2020.

In addition, federal regulations also require the adoption of an Annual Action Plan that operates on a single program year established by the City (i.e., July 1, 2024, through June 30, 2025). The Annual Action Plan outlines the City's housing needs and priorities, as well as its programs and resources in a manner that best meets the affordable housing and community development challenges of the Monterey Park community. As required by federal requirements, the City will submit its Annual Action Plan for 2024-2024 to the U.S. Department of Housing and Urban Development (HUD) by the statutory deadline of August 16, 2024.

Public Speaker:

- Priscilla Davila, Owner and/Principal of Principal of Priscilla Davila & Associates Inc., virtually present was available for questions.

Action Taken: The City Council (1) opened the public hearing at 9:05 p.m. to receive documentary and testimonial evidence and after closed the public hearing at 9:23 p.m.; (2) approved the Program Year (PY) 2024-25 Action Plan and funding Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) allocations totaling approximately $855,030.33; and authorizing submission of the PY 2024-25 Action Plan to the U.S. Department of Housing and Urban Development (HUD); and (3) authorized the City Manager, or her designee, to take all actions necessary or desirable to implement the Annual Action Plan, and Subrecipient Agreements.

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

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

5. NEW BUSINESS

5-A. BALLOT PROPOSITION TO AMEND THE EXISTING MONTEREY PARK BUSINESS LICENSE TAX AND TRANSIENT OCCUPANCY TAX

This Staff Report reviews two separate propositions that may be placed onto the November 5, 2024 ballot. The City Council may choose to place both propositions onto the ballot; choose only one of the propositions; or take no action regarding the draft propositions. If the City Council places one or more of the tax propositions onto the ballot, voters may adopt such propositions with a simple majority. If adopted by voters, the propositions would constitute a general tax. Revenue generated from such taxes may be used for any municipal purpose. These propositions would not constitute a new tax. Rather, they would amend existing taxes, i.e., those already imposed. Four affirmative votes are needed to place these propositions onto the ballot.

CEQA (California Environmental Quality Act):

These actions are exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, et seq., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because they establish rules and procedures to implement government funding mechanisms; do not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitute an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, neither of the propositions constitute a "project" that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

Discussion: Director of Finance Garcia presented a PowerPoint presentation on the proposed ballot measures.

Robb Korinke, Principal from GrassrootsLab and city consultant spoke about his involvement with many other cities looking to transition their Business License Tax requirements to better reflect the modern economy. Mr. Korinke emphasized equity and progression as the key points to the idea of businesses paying their share to the city.

Action Taken: The City Council (1) adopted Resolution No. 2024-R54 placing a proposition on the November 5, 2024, ballot which, if adopted by a majority of voters, would amend the City's existing Business License Tax as amended to add an additional zero after the decimal to reflect 0.00075 in Section 3 of Resolution No. 2024-R54; (2) adopted Resolution No. 2024-R55 placing a proposition on the November 5, 2024, ballot which, if adopted by a majority of voters, would increase the City's existing Transient Occupancy Tax; (3) determined whether to designate person(s) for filing an argument favoring each ballot proposition; (4) adopted Resolution No. 2024-56 requesting that the City Attorney prepare an impartial analysis for the Business License Tax and adopted Resolution 2024-R57 requesting that the City Attorney prepare an impartial analysis for the Transient Occupancy Tax; (5) adopted Resolution No. 2024-58 establishing requirements for ballot arguments; and (6) adopted Resolution No. 2024-59 supporting ballot measures. No action was taken to designate person(s) for filing an argument in favor of ballot measures.

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

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

Resolution No. 2024-R54
A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO ADD A BALLOT PROPOSITION TO THE PREVIOUSLY CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, WITH THE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO ELECTIONS CODE § 10403

Resolution No. 2024-R55
A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO ADD A BALLOT PROPOSITION TO THE PREVIOUSLY CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, WITH THE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO ELECTIONS CODE § 10403

Resolution No. 2024-R56
A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION AUTHORIZING AMENDMENT OF BUSINESS LICENSE TAX TO FUND GENERAL MUNICIPAL SERVICE

Resolution No. 2024-R57
A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION AUTHORIZING AMENDMENT OF THE TRANSIENT OCCUPANCY TAX TO FUND GENERAL MUNICIPAL SERVICES

Resolution No. 2024-R58
A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR THE GENERAL ELECTION ON NOVEMBER 5, 2024

Resolution No. 2024-R59
A RESOLUTION OF THE MONTEREY PARK CITY COUNCIL SUPPORTING BALLOT PROPOSITIONS NEEDED TO MAINTAIN MONTEREY PARK'S LONG TERM FINANCIAL STABILITY AND LOCALLY CONTROLLED SERVICES BY INCREASING TRANSIENT OCCUPANCY TAX TO 13% AND MODERNIZING THE BUSINESS LICENSE TAX, RAISING A TOTAL ADDITIONAL APPROXIMATE AMOUNT OF $900,000 ANNUALLY TO THE GENERAL FUND

6. CITY COMMUNICATIONS (CITY COUNCIL)

CITY COUNCIL COMMUNICATIONS

Council Member Lo stated his attendance at the city's Firework Celebration on June 29th, the Chinese Consolidated Benevolent Association of Los Angeles Flag Ceremony in Chinatown, the annual commemoration of The Marco Polo Bridge Incident and mentioned his appearance at the second meeting as a representative in the LAX Round Table to advocate for noise mitigation in aircrafts.

Council Member Yiu spoke of her attendance at the city's Firework Celebration and encouraged everyone to attend next year. Council Member Yiu mentioned her participation at the Asian American and Pacific Islander Learn. Engage. Advocate. Dream (AAPI LEAD) three-day summit.

Mayor Pro Tem Ngo conveyed his attendance at Movie Night at The Park and ThanksUSA in Consolidation of Folks in The Community held at the San Gabriel Mission. Mayor Pro Tem Ngo announced his participation in the Pickleball Tournament held at Barnes Park and the Vincent Chin Memorial held outside of City Hall hosted by The Chinese American Museum. Mayor Pro Tem Ngo mentioned the arrival of a Delegation from Panyu, China who visited City Hall/ hosted the Vietnam Business Delegation at the Marriot Hotel and provided updates about the Metro Agency Report. Mayor Pro Tem Ngo stated his and Council Member Yiu's attendance at the reorganization for the new Mayor of Arcadia.

Mayor Wong spoke of his participation at many of the events mentioned by the Council and highlighted his attendance at the AAPI LEAD event and the United States Conference of Mayors in Kansas City where he spoke about connecting with the many Mayors from across the country. He mentioned that the regular meeting scheduled for August 7, 2024 will be cancelled and that there will be a special City Council Meeting scheduled for August 5, 2024.

7. FUTURE AGENDA ITEMS

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

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:55 p.m.

_____
Maychelle Yee
City Clerk

Approved on Month, Day, Year, at the Regular City Council Meeting

MINUTES
MONTEREY PARK CITY COUNCIL
SPECIAL COMMUNITY MEETING
JULY 24, 2024

The City Council of the City of Monterey Park held a Special Community Meeting of the Council at The Venice Room, 2428 S. Garfield Avenue in the City of Monterey Park, California 91754 on Wednesday, July 24, 2024, at 5:00 p.m.

ROLL CALL:
City Manager Inez Alvarez called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: Assistant City Manager Diana Garcia, City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Director of Recreation and Community Services Robert Aguirre, Director of Finance Martha Garcia, Community Development Director Jessica Serrano, Director of Human Resources and Risk Management Christine Tomikawa, Police Chief Scott Wiese, Fire Chief Chris Thompson, Economic Development Manager Joseph Torres, Economic Specialist Janice Huang, Office Assistant II Megan Leung

MEETUP WITH THE MAYOR

I. Welcome: The Meeting was called to order at 5:10 p.m. and Mayor Wong introduced the event sponsors: Elizabeth Yang with Yang Law Offices and William Lau with Eastern International Bank.

II. Community members are invited for casual conversations and to learn more about the City with the Mayor of Monterey Park

III. Adjournment at 5:45 p.m.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
AUGUST 5, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Meeting of the Council in Room 266, located at 320 West Newmark Avenue in the City of Monterey Park, Monday, August 5, 2024, at 5:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 5:32 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
City Manager Inez Alvarez called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None.

ALSO PRESENT: City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia

VIRTUALLY PRESENT: None.

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS: None.

[1.] CLOSED SESSION
The City Council adjourned to Closed Session at 5:32 p.m.

1-A CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - GOVERNMENT CODE § 54956.9(d)(1) – Two Cases:

Atlantic Square, LLC, dba TRC v. City of Monterey Park, et al. (Raising Cane's Restaurants, LLC, real party in interest) (filed February 17, 2023) LASC Case No. 23AHCP00074

Atlantic Square, LLC, dba TRC v. City of Monterey Park, et al. (Raising Cane's Restaurants, LLC, real party in interest) (filed August 31, 2023) LASC Case No. 23AHCP00375

1-B CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION (Gov't. Code § 54956.9(d)(4)). Number of potential cases: two.

Potential defendants and properties listed below (not required by applicable law; voluntarily disclosed):

Atlantic Square, LLC, Terramar Retail Centers, LLC, and Does 1-25. 2000-2290 South Atlantic Boulevard

RECONVENE & ADJOURNMENT

The City Council reconvened from Closed Session with all Council Members present. The meeting was adjourned at 6:15 p.m.

_____

Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
AUGUST 5, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Monday, August 5, 2024, at 6:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 6:33 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
Assistant Deputy City Clerk Helena Cho called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia, Director of Finance Martha Garcia, Police Chief Scott Wiese, Fire Chief Chris Thompson, Director of Human Resources and Risk Management Christine Tomikawa, Director of Community Development Jessica Serrano, Director of Recreation and Community Services Robert Aguirre, City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Police Lieutenant Bob Hung, Finance Services Manager Laura Borjon, Recreation Supervisor Memo Chavez, Records Supervisor Marco Martinez

VIRTUALLY PRESENT: None.

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS: None

STAFF COMMUNICATIONS

- City Manager's Office: Assistant City Manager Garcia shared a PowerPoint presentation about an upcoming Resource Fair on August 17th and September 7th that will provide support services to residents.

- Community Development: Community Development Director Serrano shared a PowerPoint presentation about the upcoming events organized by the department which include the Monterey Park Small Business Expo and Networking Event, and the Saturn Park Advisory Review Committee (SPARC) Community Workshops.

- Library: City Librarian Olivarez highlighted the Summer Reading Program and shared a PowerPoint presentation about the upcoming events hosted by the library which include Justinian Huang's Adult Author Event, Job Seeker Support appointments, Free Legal Assistance Clinics, Caregiver Meet-ups, 3D Printing Sessions, and registration for English as a Second Language and Citizenship classes.

- Public Works: Public Works Director Igoe provided information about the upcoming Community Clean-up Event held at Highlands Park.

- Recreation and Community Services: Recreation Supervisor Chavez presented a PowerPoint presentation about the upcoming programs by the department which include Movie at the Park, the Youth After School Program registration, the Langley Luau Hawaiian Party, the Back to the Future Movie Screening, and Health Seminars. Recreation and Community Services Director Aguirre spoke about updating survey information on the Park's Master Plan page on the city's website.

1. PRESENTATION

The matters listed under presentation are informational content and for discussion only.

1-A. SAN GABRIEL VALLEY MOSQUITO VECTOR CONTROL DISTRICT - VECTOR CONTROL UPDATE

City Trustee Joseph Leon introduced the District Manager of the San Gabriel Valley Mosquito Vector Control Jason Farned. District Manager Farned shared a PowerPoint presentation about the different types of mosquitoes, the West Nile Virus, methods of mosquito population control, program benefits and the social media kits located on their website.

2. OLD BUSINESS:

2-A RECEIVE AND FILE SOLID WASTE UPDATE

On March 26, 2024, City Council awarded a franchise agreement for residential waste to Ware Disposal Inc. and a nonexclusive agreement for commercial waste to Ware Disposal Inc. and Athens Services. Service is scheduled to commence September 1, 2024. This is an update regarding the schedule and to seek direction (if any) from the City Council.

Public Speaker:

- General Manager of Ware Disposal, Jay Ware introduced Vice President of Public Relations, Liya Ding; and Customer Service Representatives, Travis Liu, Derrek Carillo, and Vanessa Enriquez. He provided updates about transition services, cart delivery dates/resizing, informational flyers in English, Chinese and Spanish and the anticipated opening of their brand-new office located in Monterey Park. He mentioned Ware's attendance at upcoming events which include The Monterey Park Business Expo and the city's Clean-up Event.

Action Taken: By Consensus, the City Council received and filed an update regarding solid waste franchises and authorized the City Manager and City Attorney to take appropriate action relating to solid waste to ensure health and safety measures are met.

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

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

Action Taken: The City Council approved and adopted Agenda Item Nos. 3B, 3C, 3E, & 3F on Consent Calendar, excluding Item Nos. 3A & 3D which were pulled for separate discussion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

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

3-A. IDENTIFYING A TAX RATE FOR COLLECTING VOTER AUTHORIZED PROPERTY TAXES FOR EMPLOYEE RETIREMENT BENEFITS BASED ON THE ASSESSED PROPERTY VALUATION ESTABLISHED BY THE COUNTY ASSESSOR'S OFFICE

The City of Monterey Park's retirement costs are funded in part by a special voter-approved property tax. Each year the City is required to establish a tax rate to generate the retirement property tax based on the assessed valuation established by the County Assessor's Office.

Action Taken: The City Council adopted Resolution No. 2024-R60 identifying the tax rate and amount of tax revenue required to fulfill the voters' intent in funding the City's retirement system.

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

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

Resolution No. 2024-R60
A RESOLUTION IDENTIFYING THE AMOUNT OF TAX REVENUE REQUIRED TO FULFILL THE VOTERS' INTENT IN FUNDING THE CITY'S RETIREMENT SYSTEM DURING FISCAL YEAR 2024-2025 AND AUTHORIZING THE LEVY OF APPROPRIATE TAXES

3-B. CAL OES AUTHORIZED AGENT SIGNATURE FORM 130 FOR NON-STATE AGENCIES

The State of California Governor's Office of Emergency Management Services (Cal OES) requires non-state agencies to execute a Designation of Subrecipient's Agent Resolution Form 130 (Cal OES Form 130) to receive State grants and financial assistance in the event of a declared emergency. This form must be on file with Cal OES and issued every three years. The City of Monterey Park submitted a Cal OES Form 130 in 2021 as part of the Local Hazard Mitigation Program Grant. However, since the grant application, the title of Director of Management Services changed to Finance Director, and as such, a new Cal OES Form 130 is needed. A Cal OES Form 130 must be approved by resolution of the Governing Body, authorizing agents of the agency to file and engage with FEMA and Cal OES for State grants and disaster assistance.

Action Taken: The City Council adopted Resolution 2024-R61 authorizing the Mayor and City Clerk to execute a State of California Governor's Office of Emergency Management Services Designation of Subrecipient's Agent Resolution Form 130 (Cal OES Form 130) appointing the City Manager, Finance Director and Fire Chief as authorized agents of the City of Monterey Park to file and engage with the Federal Emergency Management Agency (FEMA) and the State of California Governor's Office of Emergency Services (Cal OES) for grants, on Consent Calendar.

Resolution No. 2024-R61
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY A STATE OF CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES DESIGNATION OF SUBRECIPIENT'S AGENT RESOLUTION FORM 130

3-C. PURCHASE AND DATA CONVERSION OF POLICE DEPARTMENT CAD/RMS/JMS/TMIS SOFTWARE

The City of Monterey Park Police Department's current computer software for 9-11 dispatch and records database management has been used for 18 years and lacks modern features with poor support from the current service provider, Tyler Technologies. The anticipated increased cost for the yearly service with Tyler Technologies will surpass the cost of migrating to a new software system. By migrating the department's databases to Sunridge RIMS and utilizing Sunridge Rims' advanced software systems, the Police Department will gain efficiency and capabilities that will better meet the demands of the department and the community while saving the city an anticipated cost of $851,667.69 over ten years.

Action Taken: The City waived bidding requirements pursuant to Monterey Park Municipal Code § 3.20.050(5) and authorized the Police Department to enter into a contract with Sunridge RIMS Systems, Inc. for the purchase of a CAD/RMS/JMS/TMIS software by utilizing a cooperative purchasing exemption (Yuba County); and authorized City staff to execute a contract, on a form approved by the City Attorney, with Sunridge RIMS to implement a new CAD/RMS/JMS/TMIS computer software system, servers, data migration, training, and implementation to replace the current database, on Consent Calendar.

3-D. SAFE, CLEAN WATER PROGRAM FUND TRANSFER AGREEMENT

The City receives funds from the Safe, Clean Water (SCW) Program, also known as Measure W. On August 5, 2020, City Council approved a Transfer Agreement to receive funds through FY2023-24. It is recommended, that City Council approve a new Transfer Agreement for receipt of funds through FY 2027-28.

Discussion: Public Works Director Igoe provided a PowerPoint presentation on the item.

Action Taken: The City Council (1) authorized the City Manager to execute a Safe, Clean Water Program Fund Transfer Agreement with the Los Angeles County Flood Control District, in a form approved by the City Attorney, for the City's Stormwater Program; (2) adopted Resolution No. 2024-R62 to add stormwater projects to the Fiscal year 2024-25 Capital Improvement Program; and (3) appropriated $596,767 in Measure W funds for the proposed Capital Improvement Projects.

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

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

Resolution No. 2024-R62
A RESOLUTION AMENDING RESOLUTION NO. 2024-R48 TO ADD STORMWATER PROJECTS TO THE CAPITAL IMPROVEMENT PLAN ("CIP") AND FINDING SUCH AMENDMENT CONFORMS WITH THE GENERAL PLAN

3-E MONTEREY PASS ROAD OVERLAY – REJECT ALL SUBMITTED BIDS

Per Resolution No. 2023-R52, the Public Works Director solicited bids for CIP 96046 – Monterey Pass Road Overlay project. The bid opening was held on July 10, 2024. The City received four bids from California contractors. Staff recommends rejection of all bids due to lack of responsible bidders and cost proposal exceeding the City's budget for this project.

Action Taken: The City Council rejected all bids for Capital Improvement Project (CIP) No. 96046 – Monterey Pass Road Overlay, on Consent Calendar.

3.F MEMORANDUM OF AGREEMENT FOR REGIONAL FOOD RECOVERY PROGRAM

Since 2021, the City has participated in the San Gabriel Valley Regional Food Recovery Program, known as FRESH SGV, for compliance with Senate Bill 1383 (SB1383). As a participating agency, the City receives support for required inspections and enforcements of edible food generators and food recovery organizations, public outreach and engagement for businesses subject to SB1383 requirements, and access to food recovery hub resources. To continue participating in the program, it is recommended that City Council authorize the City Manager to execute a Memorandum of Agreement with the San Gabriel Valley Council of Governments (SGVCOG), in the amount of $148,146.95 for food recovery program activities. The City was recently awarded SB1383 grant funds from CalRecycle that will be used for participation in the program.

Action Taken: The City Council authorized the City Manager to execute a Memorandum of Agreement with the San Gabriel Valley Council of Governments, in a form approved by the City Attorney, for the City's participation in the San Gabriel Valley Regional Food Recovery Program for an amount of $148,146.95; and appropriated an additional $31,527.95 from SB1383 Grant Funds (Fund 282) to the Fiscal Year 2024-25 budget for participation in the Regional Food Recovery Program, on Consent Calendar.

4. PUBLIC HEARING- None.

5. NEW BUSINESS

5-A. EMERGENCY REPAIR OF WATER MAIN ON BRIGHTWOOD STREET – ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC WORKS CONTRACT WITH W.A. RASIC WITHOUT THE NEED FOR COMPETITIVE BIDDING TO COMPLETE EMERGENCY WATER MAIN REPAIRS

On June 12, 2024, Public Works staff identified a water main leak on the 1100 block of Brightwood Street. Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute a Public Works contract with W.A. Rasic Construction Company, Inc. for water main line repair work, at Brightwood Street, without the need for competitive bidding. The contract would be for an amount not to exceed $115,000.

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

Action Taken: The City Council adopted Resolution No. 2024-R63 authorizing the City Manager to execute a Public Works contract with W.A. Rasic Construction Company, Inc., in the amount of $115,000, without the need for competitive bidding to complete emergency repairs of the water main on Brightwood Street; and appropriated $115,000 to the FY 2024-2025 Budget from the Water Operation Fund for the cost of the repair work.

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

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

Resolution No. 2024-R63
A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PUBLIC WORKS AGREEMENT WITH W.A. RASIC CONSTRUCTION COMPANY, INC. WITHOUT THE NEED FOR COMPETITIVE BIDDING FOR THE EMERGENCY REPAIR OF THE WATER MAIN AT BRIGHTWOOD STREET

6. CITY COMMUNICATIONS (CITY COUNCIL)

CITY COUNCIL COMMUNICATIONS

Council Member Sanchez talked about his appreciation with the art collaboration located at The Vincent Price Museum and spoke about National Farmers Market Day and National Dog Day.

Council Member Lo shared his appreciation to the Recreation and Community Services Department for the Tree Memorial Ceremony dedicated to three previous Council Members and to city staff for the previous Meet with the Mayor held at Venice Room. He spoke of his attendance at the grand opening of the Holiday Inn, Meet Fresh, the Monterey Park Delta Treatment Plant, Evergreen Center and T.P Banh Bao. He mentioned his planned participation in National Night Out and Movie Night at the Park.

Council Member Yiu mentioned her attendance at the same events, talked about the stock market and encouraged residents to research/engage in investing opportunities.

Mayor Pro Tem Ngo spoke of his participation in the same events, and highlighted his attendance at the Saturn Park Development Workshop, the League of California's City Division Dinner for the installation of Mayor Michael Kao and the Fujian Chamber of Commerce meeting.

Mayor Wong expressed his appreciation for the events hosted by the Recreation and Community Services department, and the work done by the Public Works department. He spoke about his attendance to the same events, highlighted the launch of the Pasadena's all electric police fleet, and congratulated Mayor Michael Kao for his installation as the President of the League of California's City Division.

7. FUTURE AGENDA ITEMS

Council Member Sanchez directed staff to implement a Resolution declaring the month of August as Back-to-School Month.

Mayor Wong directed staff to research vacant/underutilized parcels around the city that may be used as an opportunity for development.

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

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:02 p.m.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
AUGUST 12, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Monday, August 12, 2024, at 5:00 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 5:04 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
City Clerk Maychelle Yee called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Manager Inez Alvarez, Assistant City Manager Diana Garcia, Deputy City Attorney Justin Tamayo, City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Director of Recreation and Community Services Robert Aguirre, Director of Finance Martha Garcia, Community Development Director Jessica Serrano, Director of Human Resources and Risk Management Christine Tomikawa, Fire Chief Chris Thompson, Planning Manager Beth Chow, Deputy City Clerk Cindy Trang

VIRTUALLY PRESENT: None.

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS: None.

1. NEW BUSINESS

1-A. ONE-YEAR TIME EXTENSION FOR TENTATIVE MAP NO. 73741 (TM-18-01) – 130-206 SOUTH CHANDLER AVENUE, ALSO IDENTIFIED BY ASSESSOR'S PARCEL NUMBERS 5257-004-019, 5257-004-020, AND 5257-004-021

Latigo Canyon Development, LLC ("Applicant") requests a one-year extension for its tentative map. This application results from a series of actions concerning a 40-unit senior housing complex at 130-206 South Chandler Avenue. Consideration of this project commenced in 2016 and was most recently considered in 2023. At that time, the City Council extended the tentative map for the project (TM-18-01) until April 1, 2024. Without additional Council action to extend TM-18-01, however, the tentative map will expire on August 12, 2024. Other parts of the overall project, e.g., the conditional use permit, will require noticing and a public hearing before the City Council at a later date.

Adopting the proposed resolution would extend the expiration date for TM-18-01 until April 1, 2025.

CEQA (California Environmental Quality Act):
The City reviewed the environmental impacts of the extension 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"). CEQA Guidelines §§ 15060(c)(2), 15061(b)(3), and 15378 exempt activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, activities where there is possibility that it may have a significant effect on the environment, and activities that do not constitute a "project" as defined, respectively. This activity contemplates extending the expiration date of a tentative map and is for general policies and procedure-making. Accordingly, this activity is exempt from further review. Additionally, the environmental impacts regarding this request were adequately reviewed in accordance with the IS/MND adopted by Resolution No. 12135. Consequently, the findings set forth in Section 3 of Resolution No. 12135 are incorporated by reference as if fully set forth.

Public Speaker:

- Steven P. Scandura, Attorney from the Law Offices of Steven P. Scandura, provided general information and was available for questions.

Action Taken: The City Council adopted Resolution No. 2024-R64 approving a time extension for Tentative Map No. 73741 (TM-18-01).

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

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

Resolution No. 2024-R64
A RESOLUTION APPROVING A ONE-YEAR EXTENSION FOR TENTATIVE MAP NO. 73741 (TM-18-01) TO SUBDIVIDE PROPERTY LOCATED AT 130-206 SOUTH CHANDLER AVENUE

1-B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING THE MONTH OF AUGUST 2024 AS NATIONAL BACK-TO-SCHOOL MONTH

Adopting a Resolution declaring and recognizing the month of August 2024 as National Back-To-School Month.

Action Taken: The City Council adopted Resolution No. 2024-R65 declaring and recognizing the month of August 2024 as National Back-To-School Month.

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

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

Resolution No. 2024-R65
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING THE MONTH OF AUGUST 2024 AS NATIONAL BACK-TO-SCHOOL MONTH

ADJOURNMENT
There being no further business for consideration, the meeting was adjourned at 5:21 p.m. in memory of Sefarino Rodriguez, a military veteran and longtime resident of the city.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
AUGUST 21, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Meeting of the Council in Room 266, Second Floor of City Hall located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, August 21, 2024, at 5:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 5:41 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
City Manager Alvarez called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia, Assistant City Attorney Tim Campen, Deputy City Attorney Solange Fortenbach,

VIRTUALLY PRESENT: None

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS: None.

[1.] CLOSED SESSION

1-A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - GOVERNMENT CODE § 54956.9(d)(1) – Three Cases:

Atlantic Square, LLC, dba TRC v. City of Monterey Park, et al. (Raising Cane's Restaurants, LLC, real party in interest) (filed February 17, 2023) LASC Case No. 23AHCP00074.

Atlantic Square, LLC, dba TRC v. City of Monterey Park, et al. (Raising Cane's Restaurants, LLC, real party in interest) (filed August 31, 2023) LASC Case No. 23AHCP00375.

People of the State of California and the City of Monterey Park v. Edward Chan, et al. (filed March 7, 2024) LASC Case No. 24NNCV00087.

1-B. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION (Gov't. Code § 54956.9(d)(4)). Number of potential cases: one.

Potential defendants and properties listed below (not required by applicable law; voluntarily disclosed):

Atlantic Square, LLC, Terramar Retail Centers, LLC, and Does 1-25. 2000-2290 South Atlantic Boulevard.

RECONVENE & ADJOURNMENT

The City Council reconvened from Closed Session with all Council Members present. The meeting was adjourned at 6:13 p.m.

Action Taken: No reportable action taken in Closed Session.

_____

Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
AUGUST 21, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, August 21, 2024, at 6:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 6:31 p.m.

FLAG SALUTE:
The Monterey Park Police Explorers led the flag salute. Pledge of Allegiance were presented by Civic Superstars Nia and Vless Cervantes.

ROLL CALL:
City Clerk Maychelle Yee called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Treasurer Amy Lee, City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia, Director of Finance Martha Garcia, Fire Chief Chris Thompson, Director of Human Resources and Risk Management Christine Tomikawa, Director of Community Development Jessica Serrano, Director of Recreation and Community Services Robert Aguirre, City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Police Chief Scott Wiese, Financial Services Manager Laura Borjon, Economic Development Manager Joseph Torres, Planning Manager Beth Chow, City Consultant Ziad Mazboudi, Deputy City Clerk Cindy Trang

VIRTUALLY PRESENT: None

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS
None.

PUBLIC COMMUNICATIONS

- Carol Sullivan and Bob Gin invited the Council Members and the community to the Annual Library Foundation Gala on October 25, 2024. Carol expressed her appreciation to the City Council and the community for the support and Celebration of Life for late husband Larry Sullivan.

- Maychelle Yee spoke as a resident and expressed her viewpoint on individuals who do not respect the law. She summarized leaving out information, facts, omitting details and telling half-truth is the same as lying and encouraged the behavior to stop.

STAFF COMMUNICATIONS

- City Clerk's Office: Deputy City Clerk Trang presented a PowerPoint presentation about the General Municipal Election on November 5, 2024. She spoke about key dates in the election, information that will be on the ballot, location of vote centers, resources that can be accessed through the city's website and outreach efforts through the usage of banners and social media across the city.

- Finance: Financial Services Manager Borjon presented a PowerPoint presentation regarding the transition of the new online payment program of permits, utilities and miscellaneous transactions through InvoiceCloud. She spoke about reducing staff guesswork, eliminating inbound phone calls from customers, decreasing the uncertainty in payments and standardizing the checkout experience.

- Police Department: Police Chief Wiese provided a PowerPoint presentation on updates in the Police Department. Chief Wiese spoke about the July Neighborhood Engagement Team (NET) service calls for the months of July/ August 2024 in comparison to the previous fiscal year, and the outreach efforts used to educate the residents on specific numbers they should call for certain situations and different ways parents can drop off their children at school to avoid traffic incidents.

1. PRESENTATION

The matters listed under presentation are informational content and for discussion only.

1-A. WARE UPDATES

Liya Ding, Vice President of Public Relations; and Martin Figueroa, Contract Manager of Ware Disposal provided an update about the upcoming trash service in the city. Vice President Ding expressed her appreciation for the support received from the ribbon cutting of the brand-new Ware Customer Support Center located in Monterey Park. She encouraged residents to visit the new office to educate themselves on the types of containers and services available to the neighborhood and spoke about ways Ware Disposal will be accommodating residents once services are activated after the Labor Day weekend.

Contract Manager Martin Figueroa provided updates on the status of bin distributions in the city, and the outreach efforts through the mailing of informational brochures before the launch day.

2. OLD BUSINESS – None.

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

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

Action Taken: The City Council approved and adopted Agenda Item Nos. 3A, 3B, 3C, 3E, and 3H on Consent Calendar, excluding Item Nos. 3D, 3F, and 3G which were already heard, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

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

3-A. MINUTES

Approving the minutes from the regular and special meetings of May 1, 2024.

Action Taken: The City Council approved the minutes from the regular and special meetings of May 1, 2024, on Consent Calendar.

3-B. MONTHLY INVESTMENT REPORT – JULY 2024

As of July 31, 2024, invested funds for the City of Monterey Park total $93,364,041.73.

Action Taken: The City Council received and filed the monthly investment report, on Consent Calendar.

3-C. ACCEPTANCE OF $1.5 MILLION IN FEDERAL EARMARKED FUNDS FOR UPGRADES AT FIRE STATION 61

The City of Monterey Park was notified in November 2023 that United States Senator Alex Padilla had secured $1.5 million in federal funding for upgrades at Fire Station 61. The funding will be used to upgrade the living quarters at Fire Station 61.

Action Taken: The City Council (1) accepted $1.5 million in federal earmarked funds for Fire Station 61 design and remodeling upgrades; (2) adopted Resolution No. 2024-R66 to add Fire Station 61 upgrades to the Fiscal Year 2024-25 Capital Improvement Program; and (3) authorized the Finance Department to allocate $1.5 million in earmarked grant funding to the FY 2024-25 budget, on Consent Calendar.

Resolution No. 2025-R66
A RESOLUTION AMENDING RESOLUTION NO. 2024-R48 TO ADD FIRE STATION 61 UPGRADES TO THE CAPITAL IMPROVEMENT PLAN (“CIP”) AND FINDING SUCH AMENDMENT CONFORMS WITH THE GENERAL PLAN

3-D. CONSIDERATION OF ADOPTION OF THE MONTEREY PARK ECONOMIC DEVELOPMENT STRATEGIC PLAN

The attached EDSP provides a comprehensive framework to guide the City’s economic development efforts over the next five years. The Plan aims to foster a vibrant and sustainable local economy that benefits all residents and businesses through nine key strategies.

Through input received through the community engagement process and consultants, the City prepared the EDSP (Attachment 1) for City Council consideration. A draft of the EDSP was made available for public review from July 17 through 31, 2024. The EDSP Action Plan (Attachment 2), is included as informational only and will guide the City’s implementation actions should the EDSP be adopted.

CEQA (California Environmental Quality Act):
The City reviewed the environmental impacts of the draft Resolution pursuant to 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"). CEQA Guidelines §§ 15060(c)(2), 15061(b)(3), 15378, and 15308 exempt activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, activities where there is possibility that it may have a significant effect on the environment, activities that do not constitute a "project" as defined, and actions to protect the environment, respectively. This activity is for general policies and procedure-making intended to promote economic development. Any subsequent construction or development will be evaluated separately under the CEQA Guidelines. Accordingly, the draft Resolution is exempt from further review.

Public Speaker:

- Jairo conveyed his support of the Economic Development Strategic Plan (EDSP) and highlighted the importance of creating a walkable space, that will reduce carbon dioxide emissions, increase frequency of public transits, create a protected network of bike lanes, and increase adoption of zero emission vehicles and electric bicycles.

Discussion: Economic Development Manager Joseph Torres introduced Roger Dale, Managing Principal of The Natelson Dale Group, Inc. to present the final draft of the EDSP.

Roger Dale, Managing Principal of The Natelson Dale Group, Inc. presented a PowerPoint depicting the culmination efforts from the yearlong community research to prepare an EDSP. He spoke about the interaction with the Business Improvement District Advisory Committee (BIDAC) and the Economic Development Advisory Commission (EDAC), interviews with the City Council and community workshops.

Action Taken: The City Council adopted the Monterey Park Economic Development Strategic Plan (the "EDSP") to establish a framework for guiding the City's economic development efforts over the next five years.

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

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

3-E. ONE-YEAR TIME EXTENSION FOR TENTATIVE MAP NO. 82607 (TM-20-03) – 126 NORTH NEW AVENUE, ALSO IDENTIFIED BY ASSESSOR'S PARCEL NUMBERS 5286-019-013 AND 5286-019-014

Chateau Group USA ("Applicant") submitted an application for a second one-year time extension to record the final subdivision map related to a 63-unit residential development with a subdivision of air rights for townhome purposes ("Whitmore Villas project"). The Applicant timely filed this application on June 27, 2024 to extend the effectiveness of TM-20-03 from July 21, 2024 to July 21, 2025.

CEQA (California Environmental Quality Act):
Pursuant to 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 Project is consistent with the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by City Council on July 21, 2021 per Resolution No. 12259. No additional environmental review is necessary.

Action Taken: The City Council adopted Resolution No. 2024-R67 approving a time extension for Tentative Map No. 82607 (TM-20-03), on Consent Calendar.

Resolution No. 2024-R67
A RESOLUTION APPROVING A ONE-YEAR EXTENSION FOR TENTATIVE MAP NO. 82607 (TM-20-03) TO SUBDIVIDE AND DEVELOP A 63-UNIT RESIDENTIAL DEVELOPMENT AT 126 NORTH NEW AVENUE (ASSESSOR PARCEL NUMBERS 5286-019-013 AND 5286-019-014)

3-F. AGREEMENT FOR THE COLLECTION OF CIVIC WASTE

The City must make arrangements for the collection and disposal of solid waste generated at city-owned facilities and City right-of-ways. Accordingly, the City must enter into an agreement with one of the City's approved commercial waste haulers for trash, recycling and organic waste services. It is recommended that the City Council authorize the City Manager to execute an agreement with Ware Disposal, Inc. for the collection of Civic Waste for an annual amount of $194,000, plus annual CPI adjustments for the Los Angeles-Long Beach-Anaheim region. The proposed agreement will renew annually until the term of the franchise agreements ends on August 31, 2031.

Action Taken: The City Council authorized the City Manager to execute an agreement with Ware Disposal Inc., in a form approved by the City Attorney, for collecting Civic Waste for an annual amount of $194,000; and appropriated $194,000 from Fund 506 – Building Maintenance to the FY 2024-25 Budget for waste collection services.

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

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

3-G. TRAFFIC SIGNAL AND COMMUNICATIONS PLAN AND DESIGN AGREEMENT

The City received Measure R funds from the Los Angeles County Metropolitan Transportation Authority ("LACMTA") for the Adaptive Traffic/Traffic Responsive Control System Project. In August 2023, City Council awarded a contract to Advantec Consulting Engineers to prepare Phase 1 of the City of Monterey Park's Adaptive Traffic/Traffic Response Control Systems project. Following completion of Phase 1, staff requests City Council authorize the City Manager to execute an Amendment to Agreement 2381-A with Advantec Consulting Engineers, Inc., in an amount not to exceed $689,354, for the preparation of Phase 2 of the City of Monterey Park's Adaptive Traffic/Traffic Responsive Control Systems project. The term of the Agreement would be extended through June 30, 2026.

Action Taken: The City Council received and filed the Traffic Signal Communications Plan, Adaptive Traffic/Traffic Responsive Control System Project – Phase 1; and authorized the City Manager to execute an Amendment to Agreement 2381-A with Advantec Consulting Engineers, for an additional amount of $689,654, for Phase 2 of the project to include preparation of the designs and plans for implementation of recommended improvements.

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

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

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

Pursuant to City Council Resolution No. 11701, the Public Works Director is authorized to record a Notice of Completion for Capital Improvement Projects ("CIP"). The City recently completed CIP 95018, 95019, 95020, 95021, 95022, and 95024 – City Parks Playground Replacement Project. Upon completion, the work was inspected and approved by the City Engineer. It is recommended that the City Council receive and file the Notice of Completion recorded by the Public Works Director for these projects.

Action Taken: The City Council received and filed the Notice of Completion recorded by the Public Works Director on July 23, 2024 accepting the City Parks Playground Replacements Project completed by R.E. Schultz Construction, Inc., on Consent Calendar.

4. PUBLIC HEARING

4-A. A PUBLIC HEARING TO CONSIDER INTRODUCTION AND FIRST READING OF ZONING CODE AMENDMENT NO 24-01 (ZCA-24-01), AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO IMPLEMENT THE HOUSING ELEMENT TO THE GENERAL PLAN

The Housing Element ("HE") plans the housing growth, development and redevelopment within the City. ZCA-24-01 proposes to implement the HE by amending Title 21 to the MPMC including changes to residential density limits, multi-family residential parking standards, regulations for supportive housing, emergency shelters, and group housing.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed Ordinance pursuant to 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 previous CEQA documents adopted by the City Council (*see,* Resolution Nos. 12124 and 2022-R2) adequately analyze the changes contemplated by this Ordinance. No additional CEQA review is required.

Public Speaker:

- City Clerk Yee received and filed into the record one written communication from Linda Tang, a resident of Monterey Park. Tang wrote about the City's action to amend the Monterey Park Municipal Code to implement the housing element to the general plan. She urged the city to hold a discussion on whether these sites (APN: 5255-008-900, APN: 5255-008-901, APN: 5255-008-902) are surplus sites that would be subject to the Surplus Land Act and be prioritized for the development of affordable homes for lower income families in the city. She recommended to have these sites listed on the map to allow non-profit affordable housing developers an opportunity to build affordable housing in the community.

Discussion: Community Development Director Serrano provided a PowerPoint presentation on the item.

Action Taken: The City Council opened the public hearing at 8:16 p.m and received documentary and testimonial evidence; and after closing the public hearing at 8:17 p.m. and considering the evidence submitted during that public hearing, introduced and waived the first reading of an Ordinance amending the Monterey Park Municipal Code ("MPMC") to implement the Housing Element under ZCA-24-01.

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

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

Ordinance 1st Reading, entitled:
AN ORDINANCE IMPLEMENTING THE GENERAL PLAN HOUSING ELEMENT BY MAKING CERTAIN CHANGES TO TITLE 21 OF THE MONTEREY PARK MUNICIPAL CODE (MPMC)

5. NEW BUSINESS

5-A. CONSIDERATION AND POSSIBLE ACTION TO INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE ADOPTING AN ENGINEERING AND TRAFFIC SURVEY FOR HELLMAN AVENUE BETWEEN ATLANTIC BOULEVARD AND NEW AVENUE, AND REDUCING THE SPEED LIMIT ON HELLMAN AVENUE, BETWEEN GARFIELD AVENUE AND NEW AVENUE, FROM 35 MPH TO 30 MPH

The City's consultant, Transtech Engineers, Inc., completed the ETS pursuant to California law including, without limitation, California Vehicle Code section 627, for the purpose of establishing safe and reasonable speed limits. These may be enforced using radar at pre-determined locations. The ETS recommends reducing the speed limit on Hellman Avenue, between Garfield Avenue and New Avenue from 35 miles-per-hour ("MPH") to 30 MPH. No changes are proposed to the speed limit on Hellman Avenue between Atlantic Boulevard and Garfield Avenue (which is currently at 30 MPH).

Accordingly, the Public Works Director ("Director") recommends that the City Council consider introducing and waiving first reading of the attached Ordinance which adopts the ETS, declares that the speed limit on Hellman Avenue, between Garfield Avenue and New Avenue, is 30 MPH and directs the City Manager, or designee, to erect signage to that effect.

CEQA (California Environmental Quality Act):
The City reviewed the environmental impacts of the proposed Ordinance pursuant to 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"). CEQA Guideline § 15303 exempts activity that results in new construction or conversion of small structures. If adopted, the Ordinance revises the speed limit on Hellman Avenue, between Garfield Avenue, and New Avenue, which requires installation of level street signage. Accordingly, the Ordinance is exempt from further review.

Discussion: Public Works Director, Shawn Igoe presented a staff report on the first reading of an Ordinance to reduce the speed limit on Hellman Avenue, between Garfield Avenue and New Avenue, from 35 mph to 30mph, and the types of measures that can be implemented to encourage residents to slow down on the streets.

Action Taken: The City Council introduced and waived first reading for an Ordinance reducing the speed limit on Hellman Avenue, between Garfield Avenue and New Avenue, from 35 mph to 30 mph.

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

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

Ordinance 1st Reading, entitled:
AN ORDINANCE ESTABLISHING SPEED LIMITS FOR CERTAIN LOCATIONS AS PROVIDED BY MONTEREY PARK MUNICIPAL CODE § 10.32.010(B) IN ACCORDANCE WITH VEHICLE CODE § 22357 BASED UPON AN ENGINEERING AND TRAFFIC SURVEY AS DEFINED BY VEHICLE CODE § 627

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Sanchez showed his appreciation to the Parks and Recreations team for organizing the Dodger night and is open to the idea of a second Dodger night. Council Member Sanchez mentioned his attendance at the Promotion Ceremony hosted by the Police Department and stated his appreciation of all the hard work staff has done in the city. Lastly, Council Member Sanchez addressed alleged accusations about corruption and lies and urged the public to do research before coming up with conclusions.

Council Member Lo showed his appreciation to the staff and highlighted the Parks and Recreations team for hosting events outside of the city.

Council Member Yiu spoke of her attendance at the Small Business Expo and Networking Event at the Holiday Inn & Suites located in the city and urged residents to attend these events to communicate and cater to their business needs. Council Member Yiu conveyed that she agreed with Council Member Sanchez about the allegations of corruption and lies and expressed no tolerance for it.

Mayor Pro Tem Ngo highlighted his appreciation to the Parks and Recreations team and the Police Department for all their hard work in hosting events. Mayor Pro Tem Ngo mentioned that he attended the Asian American Economic Development Enterprises (AAEDE) Job and Career Fair with Mayor Wong and spoke to a large group of attendees about the process of finding jobs and the types of jobs that are available in the San Gabriel Valley.

Mayor Wong said that he attended many of the same events as the City Council and emphasized the attendance of the upcoming Saturn Park Advisory Committee. Mayor Wong requested the city to come up with ideas to prepare the region for an increase in tourism with the 2028 Los Angeles Olympics (LA28) occurring in four years. Mayor Wong directed staff to get in contact with the LA28 team and share the city's openness for collaboration.

7. FUTURE AGENDA ITEMS

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

ADJOURNMENT
There being no further business for consideration, the meeting was adjourned at 8:40 p.m.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
SEPTEMBER 4, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, September 4, 2024, at 5:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 5:04 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
City Manager Alvarez called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia, Director of Public Works Shawn Igoe

VIRTUALLY PRESENT: None

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS: None.

[1.] OPEN SESSION

1-A. APPOINTMENT OF REAL PROPERTY NEGOTIATORS

Action Taken: By consensus, the City Council appointed the City Manager, Assistant City Manager, Director Finance, and City Attorney as the real property negotiators for Closed Session Item No. 2-A.

[2.] CLOSED SESSION
The City Council adjourned to Closed Session at 5:40 p.m.

2-A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - GOVERNMENT CODE § 54956.8: 1 item (HA)

Property:	1000 Abajo Drive, APN 5254-002-902
City Negotiators:	Inez Alvarez, City Manager Karl H. Berger, City Attorney Diana Garcia, Assistant City Manager Martha Garcia, Director of Finance
Negotiating Parties:	Christopher Kolbenschlag, Valued Housing
Under Negotiation:	Price and term of payment

2-B. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2): one.

Facts and Circumstances: No disclosure required per Government Code section 54956.9(e)(1) (not yet known to a potential plaintiff or plaintiffs).

RECONVENE & ADJOURNMENT
The City Council reconvened from Closed Session with all Council Members present. The meeting was adjourned at 6:15 p.m.

Action Taken: No reportable action taken in Closed Session.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
SEPTEMBER 4, 2024

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, September 4, 2024, at 6:30 p.m.

CALL TO ORDER:
Mayor Wong called the meeting to order at 6:32 p.m.

FLAG SALUTE:
Mayor Wong led the flag salute.

ROLL CALL:
City Clerk Maychelle Yee called the roll:

Council Members Present:	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu
Council Members Absent:	None

ALSO PRESENT: City Treasurer Amy Lee, City Manager Inez Alvarez, City Attorney Karl Berger, Assistant City Manager Diana Garcia, Director of Finance Martha Garcia, Police Chief Scott Wiese, Fire Chief Chris Thompson, Director of Human Resources and Risk Management Christine Tomikawa, Director of Community Development Jessica Serrano, Director of Recreation and Community Services Robert Aguirre, City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Fire Marshal Jessica Estrella, Economic Development Project Manager Joseph Torres, Assistant Deputy City Clerk Helena Cho, Recreation Program Coordinator Alejandra Espinosa.

VIRTUALLY PRESENT: None.

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None.

PUBLIC COMMUNICATIONS

- Ken Sesma, resident, expressed his concern regarding the legality of operating food trucks and the usage of Cascades Park's waterfall as a pool. He also spoke about the new recycle trash bins provided by Ware Disposal becoming a potential theft issue among residents.

- Maychelle Yee, resident, thanked Mayor Wong and Council Member Sanchez for reminding the public that they can share their concerns and issues with the city. She expressed her frustration about the city's attempt to overturn the voter approved general plan for Saturn Park.

STAFF COMMUNICATIONS

- City Clerk's Office: Helena Cho, Assistant Deputy City Clerk provided information on where residents can register to vote on National Voter Registration Day taking place on September 17, 2024. She talked about the key dates for the election, and the information that will be on the ballots. She specified the locations of vote centers and ballot drop-off boxes, and additional resources about the City's election that can be located through The City's website. Assistant Deputy City Clerk Cho responded to questions about outreaching to schools and social media to encourage young voters to register to vote.

- Library: Kristin Olivarez, City Librarian provided updates on the upcoming programs and outreach events to promote library sign-ups for the residents. She spoke about Library Outreach Month and encouraged residents to sign up for a free library card. City Librarian Olivarez responded to questions about a potential event for teachers to take place in the library.

- Recreation and Community Service: Recreation Program Coordinator Alejandra Espinosa spoke along with Director of Recreation and Community Services Robert Aguirre about upcoming events for the Recreation and Community Services Department. Coordinator Espinosa highlighted health screenings/seminars and after school youth programs. Director Aguirre presented the Electric Park event and the upcoming Monster Mash Family Event.

1. PRESENTATION

The matters listed under presentation are informational content and for discussion only.

1-A. WARE UPDATES

Jay Ware, General Manager of Ware Disposal, provided an update on the first week of new trash service. He talked about the influx of calls and in-person visits from residents and expressed gratitude towards the patience they have received throughout the week. He took questions and comments from the City Council about future compost service buckets that will be provided to the residents once the transition has settled.

2. OLD BUSINESS: None.

3. CONSENT CALENDAR ITEMS 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.

Action Taken: The City Council approved and adopted Agenda Item Nos. 3A, 3B, 3C, 3D, 3E, 3F, 3G, & 3H, on Consent Calendar, excluding Item Nos. 3I, 3J, and 3K which were pulled for separate discussion, reading resolutions and ordinances by the title only and waiving further reading thereof. Council Member Sanchez announced a conflict of interest for item No. 3J as he resides within 500 feet of the project site.

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

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

3-A. 2023-2024 ANNUAL INVESTMENT REPORT

The City's Investment Policy requires an annual investment report and a statement of investment policy to be submitted to the City Council for review annually. The attached annual report shows that all investment activities during 2023-24 were conducted according to the City's Fiscal Year 2023-24 Investment Policy.

Action Taken: The City Council received and file the 2023-24 Annual Investment Report and adopted Resolution No. 2024-R68 authorizing the Treasurer to implement the City's Investment Policy for FY 2024-25, on Consent Calendar.

Resolution No. 2024-R68
A JOINT RESOLUTION OF THE CITY OF MONTEREY PARK; THE SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY; THE MONTEREY PARK FINANCING AUTHORITY; THE MONTEREY PARK HOUSING AUTHORITY; AND THE GEOLOGIC HAZARD ABATEMENT DISTRICT ADOPTING AN INVESTMENT POLICY AND AUTHORIZING THE TREASURER AND CITY MANAGER TO IMPLEMENT THE POLICY

3-B. MAK FIRE PROTECTION ENGINEERING AND CONSULTING PROFESSIONAL SERVICES AGREEMENT

The Fire Department seeks City Council consideration to authorize the City Manager to execute a Professional Services Agreement with MAK Fire Protection Engineering and Consulting Inc. for plan check services for the Fire Prevention Division.

Action Taken: The City Council authorized the City Manager to execute an agreement with MAK Fire Protection Engineering and Consulting, in a form approved by the City Attorney, on Consent Calendar.

3-C. APPROVING AGREEMENT BETWEEN THE CITY AND THE MONTEREY PARK PROFESSIONAL CHIEF OFFICERS' ASSOCIATION MODIFYING MEMORANDUM OF UNDERSTANDING LANGUAGE FOR THE TERM OF JULY 1, 2023 TO JUNE 30, 2025

The Council authorized an additional Battalion Chief position during the Fiscal Year 2023- 2024 budget process. The City of Monterey Park ("City") and MPPCOA met and conferred to amend the Memorandum of Understanding ("MOU") language to incorporate language related to a 40-hour Battalion Chief position. The agreed upon MOU language provides different hourly rates of pay, leave accruals, and overtime hours.

Action Taken: The City Council authorized the City Manager to execute Amendment between the City of Monterey Park and the Monterey Park Professional Chief Officers' Association ("MPPCOA") in a form approved by the City Attorney, on Consent Calendar.

3-D. LIBRARY CARD SIGN-UP MONTH RESOLUTION

The Monterey Park Bruggemeyer Library is celebrating the month of September as Library Card Sign-Up Month. Since 1987, Library Card Sign-up Month has been held each September to mark the beginning of the school year. During the month, the American Library Association and libraries unite in a national effort to encourage everyone to register for a free card at their local public library.

Action Taken: The City Council adopted Resolution No. 2024-R69 declaring the month of September 2024 as Library Card Sign-Up Month in Monterey Park, on Consent Calendar.

Resolution No. 2024-R69
RESOLUTION DECLARING THE MONTH OF SEPTEMBER AS LIBRARY CARD SIGN-UP MONTH

3-E. AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH COSTAR REALTY INFORMATION, INC. FOR COMMERCIAL REAL ESTATE DATA SUBSCRIPTION SERVICES

The City of Monterey Park's Economic Development Division requires comprehensive and reliable commercial real estate data to support business attraction and retention efforts and other initiatives of the Division. After evaluating various commercial real estate subscription platforms, the Community Development Director determined that CoStar's data and analytical capabilities best meet the City's needs.

Action Taken: The City Council authorized the City Manager to retroactively execute an agreement with CoStar Realty Information Inc. (CoStar), in a form approved by the City Attorney, for an annual subscription to utilize its commercial real estate data services costing approximately $5,040 per year, on Consent Calendar.

3-F AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDMENT TO AN AGREEMENT WITH INGRAM KERN CONSULTING, LLC

The Community Development Director requests that the City Council to authorize the City Manager to execute an amendment to existing Agreement No. 2161-A with IK Consulting, increasing the contract amount by $73,500 for a total not to exceed amount of $207,920 for professional services related to upgrades to Accela, the City's permitting system. The term for this agreement is set to expire May 31, 2027.

Action Taken: The City Council authorized the City Manager to execute an amendment to existing Agreement No. 2161-A with Ingram Kern Consulting, LLC ("IK Consulting") to increase the contract by $73,500 for a total not to exceed amount of $207,920 for professional services related to upgrades to Accela, the City's permitting system, on Consent Calendar.

3.G WAIVE FURTHER READING AND ADOPT ZONING CODE AMENDMENT NO.24-01 (ZCA-24-01), AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO IMPLEMENT THE HOUSING ELEMENT TO THE GENERAL PLAN

The Housing Element ("HE") plans the housing growth, development and redevelopment within the City. ZCA-24-01 proposes to implement the HE by amending Title 21 to the MPMC including changes to residential density limits, multi-family residential parking standards, regulations for supportive housing, emergency shelters, and group housing.

The Ordinance was introduced and received first reading at the August 21, 2024 City Council meeting. The original staff report (from August 21, 2024) is attached for reference. Second reading and adoption of this Ordinance is recommended. If adopted, the ordinance will take effect in 30 days.

Action Taken: The City Council waived the second reading and adopted Ordinance No. 2247, on Consent Calendar.

Ordinance No. 2247
AN ORDINANCE IMPLEMENTING THE GENERAL PLAN HOUSING ELEMENT BY MAKING CERTAIN CHANGES TO TITLE 21 OF THE MONTEREY PARK MUNICIPAL CODE (MPMC)

3-H. WAIVE FURTHER READING AND ADOPT AN ORDINANCE ADOPTING AN ENGINEERING AND TRAFFIC SURVEY FOR HELLMAN AVENUE BETWEEN ATLANTIC BOULEVARD AND NEW AVENUE, AND REDUCING THE SPEED LIMIT ON HELLMAN AVENUE, BETWEEN GARFIELD AVENUE AND NEW AVENUE, FROM 35 MPH TO 30 MPH

The City's consultant, Transtech Engineers, Inc., completed the ETS pursuant to California law including, without limitation, California Vehicle Code section 627, for the purpose of establishing safe and reasonable speed limits. These may be enforced using New Business - 5A Staff Report radar at pre-determined locations. The ETS recommends reducing the speed limit on Hellman Avenue, between Garfield Avenue and New Avenue from 35 miles-per-hour ("MPH") to 30 MPH. No changes are proposed to the speed limit on Hellman Avenue between Atlantic Boulevard and Garfield Avenue (which is currently at 30 MPH). Accordingly, the Public Works Director ("Director") recommends that the City Council consider introducing and waiving first reading of the attached Ordinance which adopts the ETS, declares that the speed limit on Hellman Avenue, between Garfield Avenue and New Avenue, is 30 MPH and directs the City Manager, or designee, to erect signage to take effect.

The Ordinance was introduced and received first reading at the August 21, 2024 City Council meeting. The original staff report (from August 21, 2024) is attached for reference. Second reading and adoption of this Ordinance is recommended. If adopted, the Ordinance will take effect in 30 days.

Action Taken: The City Council waived the second reading and adopted Ordinance No. 2248, on Consent Calendar.

Ordinance No. 2248

AN ORDINANCE ESTABLISHING SPEED LIMITS FOR CERTAIN LOCATIONS AS PROVIDED BY MONTEREY PARK MUNICIPAL CODE § 10.32.010(B) IN ACCORDANCE WITH VEHICLE CODE § 22357 BASED UPON AN ENGINEERING AND TRAFFIC SURVEY AS DEFINED BY VEHICLE CODE § 627

3-I. WAIVE SPIRIT BUS FARES FOR CLEAN AIR DAY 2024

It is recommended that City Council waive the fare to the Spirit Bus on Wednesday, October 2, 2024, in celebration of California Clean Air Day. California Clear Air Day is a statewide initiative dedicated to raising awareness about and promoting a collective effort to improve air quality. Free rides on the Spirit Bus will promote public transportation and reduce traffic and the City's carbon footprint through the reduction of automobile emissions. This action will support the City's *Going Green* initiative to encourage the community to consider environmentally friendly activities such as using alternative forms of transportation. LA County Metro and Montebello Bus Lines, both who provide public transportation service to the City, also participate in free fares for California Clean Air Day.

Action Taken: The City Council waived Spirit Bus fare for riders on October 2, 2024 in honor of California Clean Air Day, as amended to waive Spirit Bus fares for the entire week starting September 30, 2024 through October 5, 2024.

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

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

3-J. FLORAL DRIVE TRAFFIC IMPROVEMENT – SHORT TERM PLAN

Staff submitted an application for the Active Transportation Program (ATP) Cycle 7 Grant to fund the Floral Drive Traffic Improvement Long-Term Plan, which aims to implement permanent traffic measures along Floral Drive. In the interim, staff have developed a short-term plan to implement the temporary measures. Staff recommends that the City Council accept plans and specifications for the Floral Drive Traffic Improvement Project– Short Term Plan.

CEQA (California Environmental Quality Act):
The City reviewed the environmental impacts of the proposed Ordinance pursuant to 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"). CEQA Guideline § 15301(c) (Existing Facilities) exempts the operation, repair, maintenance, alteration of existing public or private structures which involve negligible or no expansion of existing or former use. The proposed work will occur entirely within an existing structure. Accordingly, no further environmental review is required.

Discussion: Public Works Director Igoe presented the staff report and a PowerPoint presentation depicting the location and proposed changes for the project site.

Action Taken: The City Council adopted Resolution No. 2024-R70 and approved the plans and specifications for the Floral Drive Traffic Improvement Project – Short Term Plan. Council Member Sanchez announced a conflict of interest as his primary residence is within 500 feet of the project site and left the dais and did not participate on this item.

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

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

Resolution No. 2024-R70

A RESOLUTION APPROVING THE DESIGN AND PLANS FOR FLORAL DRIVE TRAFFIC IMPROVEMENT – SHORT TERM PLAN PROJECT PURSUANT TO GOVERNMENT CODE § 830.6

3-K. BRUGGEMEYER LIBRARY IMPROVEMENTS – AUTHORIZE PURCHASE OF 26 NEW HVAC UNITS FROM CARRIER CORPORATION

The Bruggemeyer Library HVAC units have reached the end of their useful service life and are due for replacement. Capital Improvement Project ("CIP") No. 95038 – Building Forward Library Facilities Improvements Program allows for the replacement of the City library's HVAC units. Staff recommends the City Council authorize the City Manager to waive bidding requirements and enter into an agreement, through Source well cooperative pricing, with Carrier Corporation for the purchase of 26 HVAC units in the amount of $332,435.72, plus a contingency amount not to exceed $10,000.00.

CEQA (California Environmental Quality Act**):**
The City reviewed the environmental impacts of the extension 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"). CEQA Guidelines §§ 15060(c)(2), 15061(b)(3), and 15378 exempt activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, activities where there is possibility that it may have a significant effect on the environment, and activities that do not constitute a "project" as defined, respectively. This activity contemplates

purchasing equipment only. Subsequent installation and Construction will be evaluated separately under CEQA. Accordingly, this activity is exempt from further review.

Recommendation: It is recommended that the City Council consider (1) waiving the bidding requirements pursuant to Monterey Park Municipal Code § 3.20.050(4), and authorizing the City Manager to execute a contract with Carrier Corporation, in a form approved by the City Attorney, not to exceed $332,435.72 for the purchase 26 New HVAC Units for the Bruggemeyer Library; (2) authorizing the Director of Public Works to approve change orders and contingency up to $10,000; and (3) taking such additional, related, action that may be desirable.

Discussion: Director of Public Works, Igoe, answered questions about the different HVAC unit options and the potential price difference it would be to implement the units. Director Igoe emphasized there wouldn't be a price change for the cost of the units itself, but rather the electrical improvements needed to support the new units. Director Igoe stated delaying this process will have a Consumer Price Index increase which would be about $50,000 to $100,000 more.

Action Taken: By consensus, the City Council continued this item to the next council meeting to address the recommendation raised by council to research different HVAC unit options that are more efficient and affordable.

3-L. RECEIVE AND FILE STAFF REPORT SUMMARIZING THE STATUS OF THE EMERGENCY REPAIRS OF THE WATER MAIN AT BRIGHTWOOD STREET AND TERMINATE OF LOCAL EMERGENCY

On August 5, 2024, City Council adopted Resolution 2024-R63 authorizing the City Manager to take necessary measures for emergency repair of a water main line on Brightwood Street. Construction is near complete. It is recommended that City Council adopt a resolution terminating the local emergency. This staff report also serves as a status of the work that has been completed.

Action Taken: The City Council received and filed the staff report summarizing the status of emergency repairs, and adopted Resolution No. 2024-R71 terminating the local emergency governing the emergency repairs of the water main at Brightwood Street

Resolution No. 2024-R71
A RESOLUTION ADOPTED BY THE CITY COUNCIL TERMINATING THE BRIGHTWOOD STREET WATERLINE REPAIR LOCAL EMERGENCY

4. PUBLIC HEARING

4-A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION APPROVING A SECOND ONE-YEAR TIME EXTENSION FOR CONDITIONAL USE PERMIT (CUP-18-01) TO CONSTRUCT 40-UNIT SENIOR CITIZEN HOUSING DEVELOPMENT AT 130-206 SOUTH CHANDLER AVENUE

Latigo Canyon Development, LLC ("Applicant") requests a second one-year extension for Conditional Use Permit (CUP-18-01). CUP-18-01 was approved by the City Council on February 5, 2020 to allow a 40-unit senior housing development. During the COVID-19 Pandemic (the "Pandemic"), the City Council, among other things, extended the expiration of all entitlements, including CUP-18-01, until April 1, 2023. On May 17, 2023, the Council adopted Resolution No. 2023-R40 which granted the Applicant a one-year time extension until April 1, 2024, to allow additional time to record the final map and exercise the CUP related to the construction of 40 senior housing units. It is in the best interest of the City to grant this time extension because the Applicant is demonstrating good faith efforts towards meeting the requirements for the construction of new housing units that will help provide additional housing opportunities for the community and meet the goals set forth in the General Plan, Housing Element ("HE"). Adopting the proposed resolution will retroactively extend the expiration date for CUP-18-01 from April 1, 2024, to April 1, 2025.

CEQA (California Environmental Quality Act):
The City reviewed the environmental impacts of the extension 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"). CEQA Guidelines §§ 15060(c)(2), 15061(b)(3), and 15378 exempt activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, activities where there is possibility that it may have a significant effect on the environment, and activities that do not constitute a "project" as defined, respectively. This activity contemplates extending the expiration date of a conditional use permit. Accordingly, this activity is exempt from further review. Additionally, the environmental impacts regarding this request were adequately reviewed in accordance with the IS/MND adopted by Resolution No. 12135. Consequently, the findings set forth in Section 3 of Resolution No. 12135 are incorporated by reference as if fully set forth.

Public Speakers:

- Steven Scandura and Kenny Gao, representing Latigo Canyon LLC, provided information on the current status of their project.

Discussion: Community Development Director Serrano presented a PowerPoint presentation detailing the background of the Senior Housing Development and consideration of a Conditional Use Permit (CUP-18-01) extension for the benefit of the City.

Action Taken: The City Council opened the public hearing at 7:43 p.m. to receive documentary and testimonial evidence and after closed the public hearing at 7:44 p.m. and considered the evidence, and adopted Resolution No. 2024-R72 approving a time extension for Conditional Use Permit (CUP-18-01)

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

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

Resolution No. 2024-R72
A RESOLUTION APPROVING A SECOND ONE-YEAR EXTENSION FOR CONDITIONAL USE PERMIT (CUP-18-01) TO DEVELOP A 40-UNIT SENIOR CITIZEN HOUSING DEVELOPMENT AT 130-206 SOUTH CHANDLER AVENUE

5. NEW BUSINESS- None.

6. CITY COMMUNICATIONS (CITY COUNCIL)

6-A. A RESOLUTION OF THE CITY COUNCIL OF MONTEREY PARK, CALIFORNIA, DECLARING AND PROCLAIMING SEPTEMBER 15 THROUGH OCTOBER 15, 2024 AS NATIONAL HISPANIC HERITAGE MONTH

Adopting a Resolution of the City Council of Monterey Park, California, declaring and proclaiming September 15 through October 15, 2024 as National Hispanic Heritage Month.

Action Taken: The City Council adopted Resolution 2024-R73, declaring and proclaiming September 15 through October 15, 2024 as National Hispanic Heritage Month.

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

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

Resolution No. 2024-R73
A RESOLUTION OF THE CITY COUNCIL OF MONTEREY PARK, CALIFORNIA, DECLARING AND PROCLAIMING SEPTEMBER 15 THROUGH OCTOBER 15, 2024 AS NATIONAL HISPANIC HERITAGE MONTH

CITY COUNCIL COMMUNICATIONS

Council Member Sanchez talked about the mass shooting that occurred in Apalachee High School located in the state of Georgia on September 4, 2024. Council Member Sanchez considered drafting a letter to Apalachee High School and the State of Georgia to express the City's condolences on the lives lost that day.

Council Member Lo spoke about bringing a resolution to mark next month as Domestic Violence Awareness Month. He stated his attendance at the West San Gabriel Valley Realtors Legislative Lūʻau and expressed the importance of housing in the community. Council Member Lo welcomed the opening of new business Sky One Eleven and the reopening of Daniel's Jewelers

Council Member Yiu shared her experience with the Apple Vision Pro Glasses over the Labor Day Weekend. Council Member Yiu highlighted the glasses' 3D capabilities and encouraged everyone to try the new product.

Mayor Pro Tem Ngo talked about his attendance at West San Gabriel Valley Realtors Legislative Lūʻau, Maryville's open house and Union Church's Health Fair. Mayor Pro Tem Ngo spoke about the Chinese American Citizens Alliance (C.A.C.A) Lodge Celebration where Council Member Lo is the vice president and welcomed Sky One Eleven, a new business in the city.

Mayor Wong requested the City Council to consider acting on supporting Los Angeles County Measure G. Mayor Wong also mentioned attending the same events as Mayor Pro Tem Ngo. Mayor Wong expressed his appreciation for the participants in the Saturn Park Advisory Review Committee and the City Hall staff for their efforts in the future of Saturn Park.

7. FUTURE AGENDA ITEMS None

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

ADJOURNMENT
There being no further business for consideration, the meeting was adjourned at 8:10 p.m.

_____
Maychelle Yee
City Clerk

MINUTES
MONTEREY PARK CITY COUNCIL
SPECIAL COMMUNITY MEETING
SEPTEMBER 9, 2024

The City Council of the City of Monterey Park held a Special Community Meeting of the Council at Cook's Tortas, 1944 S. Atlantic Blvd in the City of Monterey Park, California 91754 on Monday, September 9, 2024, at 5:00 p.m.

ROLL CALL:
Deputy City Clerk Cindy Trang called the roll:

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

ALSO PRESENT: City Manager Inez Alvarez, Assistant City Manager Diana Garcia, City Librarian Kristin Olivarez, Director of Public Works Shawn Igoe, Director of Recreation and Community Services Robert Aguirre, Director of Finance Martha Garcia, Community Development Director Jessica Serrano, Director of Human Resources and Risk Management Christine Tomikawa, Police Chief Scott Wiese, Fire Chief Chris Thompson, Economic Development Manager Joseph Torres, Senior Accountant June Leung, Economic Specialist Janice Huang

MEETUP WITH THE MAYOR

I. Welcome: Meeting was called to order at 5:16 p.m.

II. Community members are invited for casual conversations and to learn more about the City with the Mayor of Monterey Park

III. Adjournment at 5:45 p.m.

_____
Maychelle Yee
City Clerk

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: Consent Calendar - 3B

TO: The Honorable Mayor and City Council

FROM: Jessica Serrano, Director of Community Development

SUBJECT: Waive further reading and adopt Ordinance for Development Agreement (DA-24-01) a Development Agreement by and between the City of Monterey Park and Atlantic Square, LLC (TRC) to facilitate improvements on and adjacent to the Atlantic Square Shopping Center located at 2100 South Atlantic Boulevard; ta activate the Business Recovery Development Agreement Zone ("BRDZ") in Monterey Park Municipal Code Chapter 21.45; and to amend the zone map (ZA-24-02).

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waiving the second reading and adopting the proposed ordinance DA-24-01 and amending the zoning map (ZA-24-02); and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Ordinance was introduced and received first reading at the October 16, 2024 City Council meeting. The original staff report (from October 16, 2024) is attached for reference. Second reading and adoption of these Ordinances is recommended. If adopted, the ordinance will take effect in 30 days (December 6, 2024).

Respectfully submitted by:

Jessica Serrano
Director of Community Development

Prepared by:

Beth Chow, AICP
Planning Manager

Approved by:

Inez Alvarez
City Manager

Karl H. Berger
City Attorney

ATTACHMENTS:

1. Ordinance - Development Agreement (DA-24-01)
2. City Council Staff Report, dated October 16, 2024 (without attachments)

ATTACHMENT 1
Ordinance - Development Agreement (DA-24-01)

ORDINANCE NO. _____

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MONTEREY PARK AND ATLANTIC SQUARE, LLC, D/B/A TRC, A DELAWARE LIMITED LIABILITY COMPANY, TO FACILITATE DEVELOPMENT OF AN EXISTING SHOPPING CENTER; AND TO ACTIVATE THE BUSINESS RECOVERY DEVELOPMENT AGREEMENT ZONE ("BRDZ") IN MONTEREY PARK MUNICIPAL CODE CHAPTER 21.45.

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Recitals*. The City Council finds and declares as follows:

A. Atlantic Square, LLC, d/b/a TRC, a Delaware limited liability company ("Developer") proposes to enter into a development agreement with the City of Monterey Park (the "Development Agreement"), which is attached to this Ordinance as Exhibit "A," and incorporated by reference.

B. The Development Agreement activates the Business Recovery Development Agreement Zone ("BRDZ") which allows the Developer to add new restaurant, commercial, and entertainment uses (the "Project") to an existing shopping center commonly known as "Atlantic Square" (the "Property"). The proposed Project was reviewed by the City 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 completed its review and scheduled a public hearing regarding the proposed Project, before the City Council for October 16, 2024. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;

E. On October 16, 2024, the City Council conducted a public hearing to consider the Project including, without limitation, this Ordinance and the Development Agreement;

F. The City Council reviewed the proposed project, conditions of approval, and related environmental aspects of the Project as required by the MPMC at the October 16, 2024 public hearing; and

G. The City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing of October 16, 2024; and

H. This Ordinance, and its findings, are based upon the entire administrative record considered during the October 16, 2024 public hearing including, without limitation, the staff report and accompanying documents.

SECTION 2. *Findings*. Pursuant to Government Code § 65867.5, the City Council finds the following:

A. The Development Agreement is consistent with the General Plan of the City of Monterey Park. The Development Agreement furthers the goals of the General Plan and is in the interest of the general community welfare in that the Development Agreement will, among other things, facilitate the development of the subject site that is currently improved but is experiencing significant vacancies and is underutilized, which is consistent with the following General Plan policies:

    1. LU Policy 1.1 – to ensure zoning regulations provide flexibility regarding allowed uses.

    2. LU Policy 2.1 – to provide flexible and clear development standards to allow commercial, professional, industrial institutional, and hospitality businesses and uses to expand and thrive economically.

    3. LU Policy 10.1 – Ensure zoning regulations provide flexibility regarding allowed uses.

B. The Development Agreement also provides certainty in planning and construction as well as orderly development, while providing assurance to the Applicant that it may construct the Project.

SECTION 3. *Environmental Review*. The City conducted an environmental review of the Project under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.), and the CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) ("CEQA") and determined it is categorically exempt pursuant to CEQA Guidelines § 15302 as a Class 2, replacement or reconstruction project. Under CEQA Guidelines § 15004(b)(4), the Development Agreement comprises a preliminary agreement not subject to CEQA insofar as the Intersection Improvements and New Drive-Thru are concerned.

SECTION 4. *Notice of Determination*. The City Manager, or designee, is directed to file a notice of determination in accordance with CEQA §§ 21152, 21167(f); CEQA Guidelines § 15094; and any other applicable law.

SECTION 5. *General Plan and Zoning*. The proposed project conforms to the Monterey Park General Plan, as set forth in Section 2. In addition, the proposed Project is anticipated to increase commercial and retail uses – including eateries – within an underutilized portion of the existing Atlantic Square shopping center (the "Shopping Center").

SECTION 6. *Public Benefits.* The Development Agreement provides for public benefits including, without limitation:

A. Development of new and relevant land uses within the Shopping Center that is currently experiencing vacant buildings.

B. Development of land uses that will complement surrounding commercial land uses with low impacts on existing infrastructure and minimal burdens on surrounding properties.

C. Generation of additional sales tax and property tax.

D. Improvement of the public right of way along South Atlantic Avenue.

E. Installation of enhanced landscaping along the Shopping Center's northern portion and right of way.

F. Construction of a traffic signal and other intersection improvements adjacent to the north side of the Shopping Center.

SECTION 7. *Incorporation of Development Agreement; Changes; Execution*. In accordance with Government Code §§ 65864, *et seq*. this Ordinance approves the Development Agreement in substantially the form attached as Exhibit "A," and incorporated into this Ordinance by reference.

A. The Development Agreement may be changed before execution as authorized by the City Council during the public hearings for the Project.

B. The Development Agreement may be changed before execution for minor clarifications and technical, clerical, corrections as approved by the City Attorney including, without limitation, completion of references, status of planning approvals, and completion and conformity of all exhibits to the Development Agreement.

C. The City Council authorizes the Mayor to execute the Development Agreement on the City's behalf in a form approved by the City Attorney. The City Manager, or designee, is authorized to execute amendments or operating

memoranda as permitted by the Development Agreement, in a form approved by the City Attorney.

SECTION 8. *BRDZ Activation*. Pursuant to MPMC § 21.45, the BRDZ is activated for the Project Site identified in the DA. Combined with the regulations governing the Project Site by the MPMC and this Ordinance, the DA will regulate all land uses on the Project Site.

SECTION 9. *Zone Map Amendment*. Pursuant to MPMC § 21.45.020 (F), the Monterey Park Zoning Map is amended to reflect the BRDZ overlays as set forth in attached Exhibit "B," which is incorporated by reference.

SECTION 10. *Construction*. This Ordinance must be broadly construed in order 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 11. *Enforceability*. Repeal of any provision of the Monterey Park Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 12. *Reliance on Record*. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the matter. The 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 13. *Limitations*. The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 14. *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 15. *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 16. *Publications*. The City Clerk is directed to certify the passage and adoption of this Ordinance; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 17. *Recording.* The City Clerk 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 fifteen days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 18. *Effective Date.* This Ordinance becomes effective on the 30th day following its passage and adoption.

ORDINANCE NO. ___ HAD ITS FIRST READING ON OCTOBER 16, 2024, ITS SECOND READING ON NOVEMBER 6, 2024 AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF OCTOBER 16, 2024.

Thomas Wong, Mayor

ATTEST:

_____
Maychelle Yee, City Clerk

APPROVED AS TO FORM:

_____
Karl H. Berger, City Attorney

Exhibit A: Development Agreement - DA 24-01
Exhibit B: Zone Map Amendment - ZA 24-02

Exhibit A:
Development Agreement -
DA-24-01

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

CITY OF MONTEREY PARK
320 West Newmark Avenue
Monterey Park, CA 91754

Attention: City Clerk

EXEMPT FROM RECORDER'S FEES

Pursuant to Government Code § 6103

(Space Above For Recorder's Use)

DRAFT

DEVELOPMENT AGREEMENT

By And Among

City of Monterey Park

And

Atlantic Square, LLC

DEVELOPMENT AGREEMENT

This DEVELOPMENT AGREEMENT (this "Agreement") is entered into as of the Effective Date (defined below) by and between (1) the CITY OF MONTEREY PARK, a general law city and municipal corporation ("City"), and (2) ATLANTIC SQUARE, LLC, d/b/a TRC, a Delaware limited liability company ("TRC" or "Developer"), as follows:

RECITALS

A. To strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs and risk of development, the California Legislature enacted Government Code §§65864, *et seq*. ("Development Agreement Statute"). The Development Agreement Statute authorizes City to enter into binding development agreements with developers having a legal or equitable interest in real property, establishing certain development rights in such property.

B. Pursuant to the Development Agreement Statute, City adopted regulations implementing the Development Agreement Statute as codified in the Monterey Park Municipal Code ("MPMC").[1] This Agreement was processed and approved in accordance with the Development Agreement Statute and MPMC.

C. TRC owns and operates the Atlantic Square Shopping Center (the "Shopping Center") at 2100 S. Atlantic Boulevard, Monterey Park, CA 91754. The real property comprising the Shopping Center is legally described in attached Exhibit A, which is incorporated by reference (the "Property").

D. Developer proposes to implement or allow tenants or others to implement various improvements at the Shopping Center and for City to consider whether to implement certain improvements adjacent to, and serving, the Shopping Center, and for City to consider whether to approve certain entitlements for the Shopping Center, as follows (together, these comprise the "Combined Improvements"):

1. Developer will apply for City approval of a new signalized intersection as generally depicted in attached Exhibit B, which is incorporated by reference ("Intersection Improvements"). The Parties acknowledge that the Intersection Improvements may, at Developer's option, be undertaken by Developer's tenant or other entity, in which case Developer must cause such tenant or other entity to comply with all applicable provisions of this Agreement.

2. Developer will apply for City approval of a new drive-thru restaurant use within the Shopping Center as generally depicted in attached Exhibit C, which is incorporated by reference ("New Drive-Thru"). The Parties acknowledge that the New Drive-Thru may, at Developer's option, be undertaken by Developer's tenant or other entity, in which case Developer must cause such tenant or other entity to comply with all applicable provisions of this Agreement.

[1] *See* MPMC Chapter 21.44.

3. This Agreement allows certain restaurant, commercial, entertainment and other uses at the Shopping Center and imposes custom development standards appropriate for each, all in accordance with the allowable uses and development standards described in attached Exhibits D ("Atlantic Square Allowable Uses (BRDZ)") and E ("Atlantic Square Development Standards (BRDZ)"), which are incorporated by reference. Developer anticipates remodeling and reconstructing Building C to accommodate such uses, as generally described in Exhibit H (collectively, the "Shopping Center Modernization Improvements" project), which is incorporated by reference.

E. City and Developer determined a development agreement is appropriate for the Combined Improvements to activate the Business Recovery Development Agreement Zone ("BDRZ").[2]

F. The City Council determined that the Shopping Center Modernization Improvements and, if approved by City, the Intersection Improvements and New Drive-Thru will provide certain public benefits to warrant entering into this Agreement. Those benefits are listed in Section 5.1 of this Agreement. In addition, this Agreement will facilitate orderly growth and quality development of the Combined Improvements in conformance with the goals and policies of the Monterey Park General Plan, Land Use Element.[3]

H. City conducted an environmental review of the Shopping Center Modernization Improvements project under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq*.), and the CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq*.) ("CEQA") and determined it is categorically exempt pursuant to CEQA Guidelines § 15302 as a Class 2, replacement or reconstruction project. Under CEQA Guidelines § 15004(b)(4), this Development Agreement comprises a preliminary agreement not subject to CEQA insofar as the Intersection Improvements and New Drive-Thru are concerned.

I. Pursuant to MPMC § 2.56.020(c), the City Council found this Agreement and its purposes are consistent with the goals, policies, standards, and land use designations specified in the Monterey Park General Plan and will provide for an orderly development of the Shopping Center Modernization Improvements and, if approved, the Intersection Improvements and New Drive-Thru in accordance with the objectives set forth in the Monterey Park General Plan and MPMC.

J. On _____ 2024, the City Council adopted Ordinance No. _____ approving this Agreement including rezoning of the Property as BRDZ (the "Initial Project Approvals" for the Shopping Center Modernization Combined Improvements). The Initial Project Approvals became effective on _____ 2024.

K. The term or duration of this Agreement has a commensurate relationship to the benefit(s) provided to City.

[2] As codified in MPMC Chapter 21.45.
[3] As adopted pursuant to Measure JJ on November 3, 2020.

ARTICLE 1

DEFINITIONS

1.1. Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this Agreement. Words and phrases not defined in this Section have the meaning set forth in this Agreement; the MPMC; the Development Agreement Statute; or in common usage.

1.2. "Applicable Rules" means all of the ordinances, rules, regulations and officials policies governing the Combined Improvements as set forth in Article 3. without limitation, the City's zoning regulations and building regulations, adopted as of the Effective Date. Among other matters, the Applicable Rules set forth and govern the permitted uses of land, the density or intensity of use, subdivision requirements, setbacks, and development standards, the provision for reservation or dedication of land for public purposes, and the design, improvement and construction guidelines, standards and specifications applicable to the development of the Property.

1.3. "CEQA" has the meaning defined in Recital H.

1.4. "City" means the City of Monterey Park and its successors and assigns.

1.5. "City Council" means the City Council of Monterey Park, its governing body.

1.6. "Combined Improvements" has the meaning established in Recital D and the exhibits referenced therein, which are incorporated by reference.

1.7. "Combined Improvements Approvals" has the meaning set forth in Section 3.4.

1.8. "Developer" means, individually, and "Developers" means, collectively, the Parties who have signed this Agreement as Developer, and, subject to the restrictions on assignment set forth herein, successor owners.

1.9. "Development Impact Fees" means fees established and adopted pursuant to the Mitigation Fee Act (Government Code §§ 66000, *et seq*.) and the MPMC. Development Impact Fees do not mean or include Processing Fees. The Development Impact Fees to be paid for the Combined Improvements are set forth in attached Exhibit F, which is incorporated by reference.

1.10. "Development Agreement Regulations" means MPMC Chapter 21.44.

1.11. "Development Agreement Statute" has the meaning set forth in Recital A.

1.12. "Discretionary" means a City action or approval requiring the exercise of judgment, deliberation, or discretion on City's behalf, including that of any board, agency, commission, officer, or employee in the process of approving or disapproving a particular activity, as distinguished from any ministerial activity which merely requires City to determine whether there has been compliance with statues, ordinances, or regulations.

1.13. "Effective Date" means _____, which is the date the Term commences and is the date the Initial Project Approvals become effective.

1.14. "General Plan" means the City of Monterey Park General Plan, as it exists as of the Effective Date.

1.15. "Initial Project Approvals" has the meaning set forth in Recital J.

1.16. "Intersection Improvements" has the meaning set forth in Recital D.

1.17. Minor Change" means changes, modifications, or adjustments which are consistent with the overall intent of the Combined Improvements Approvals and which do not materially alter the overall nature, scope, or design of the Combined Improvements including, without limitation, minor changes in locations of the Combined Improvements Buildings or infrastructure, relocation of no more than 30% of the total approved leasable Combined Improvements Building square footage, the construction or provision of additional parking spaces within the building envelope of any Parking Areas, and/or the configuration of internal circulation elements.

1.18. "New Drive-Thru" has the meaning set forth in Recital D.

1.19. "Party" means, individually, and "Parties" means, collectively, the parties to this Agreement, consisting of City (and its successors and assigns) and Developer (including, subject to the restrictions on assignment set forth herein, successor owners).

1.20. "Processing Fees" means all processing fees and charges required by City that are applied uniformly to all construction or development related activity including, without limitation, fees for land use applications, building permit applications, building permits, grading permits, shoring and excavation permits, hauling permits, encroachment permits, demolition permits, subdivision or parcel maps, lot line adjustments, street vacations, inspections, certificates of occupancy, and plan check. Processing Fees does not mean or include Developer Fees.

1.21.

1.22. "Property" has the meaning set forth in Recital D.

1.23. "Shopping Center Modernization Project" has the meaning set forth in Recital D.

1.24. "Subsequent Permits" is defined in Section 4.1.1.

1.25. "Uniform Codes" means those uniform codes adopted by reference in the MPMC in accordance with Government Code §§ 50022.2, *et seq*. as required by applicable law including, without limitation, Health and Safety Code § 18944.5 and Title 24 of the California Code of Regulations. The Uniform Codes govern building and construction standards including, without limitation, the building, plumbing, electrical, mechanical, grading, sign, and fire standards.

1.26. "Vested Rules" are defined in Section 3.1.

ARTICLE 2

GENERAL PROVISIONS

2.1. Property Subject to This Development Agreement. This Agreement benefits and encumbers the Property. The Property is to be developed with the Shopping Center Modernization Improvements and, if approved by City, the Intersection Improvements and New Drive-Thru, subject to the terms and conditions set forth herein.

2.2. Term of Agreement. The Term of this Agreement commences upon the Effective Date and continues in full force and effect for five years pursuant to MPMC § 21.44.020(E) unless terminated earlier by its terms ("Term").

ARTICLE 3

APPLICABLE RULES, REGULATIONS, AND POLICIES

3.1. Vested Rules. "Vested Rules" mean, collectively, the ordinances, resolutions, rules, regulations, requirements, and official policies of City in effect as of the Effective Date which govern the following, to the extent applicable to the Property: development agreements; permitted uses; density and building intensity; growth control; zoning designations and regulations; subdivision, improvement, grading, landscaping and signage; design, development, improvement, and construction standards and specifications; standards and requirements for public reservations and dedications, public improvements and facilities; transit, parking, open space, employee housing and affordable housing; standards and requirements for processing of Subsequent Permits (as defined in Section 4.1.1); and the Combined Improvements Approvals described in Section 3.4. The Vested Rules do not include: (i) Uniform Codes, or changes thereto from time to time; (ii) Development Impact Fees or fee calculation methods; or (iii) fees imposed by other governmental agencies, whether or not collected by City on behalf of such agencies. A list of the Vested Rules as of the Effective Date is attached as Exhibit G, and incorporated by reference. Various Subsequent Permits, such as tentative subdivision maps, grading permits and use permits, are or may be required in order to implement the development of the Combined Improvements under the terms of the Vested Rules. In addition, Subsequent Permits, such as a change in zoning

standards, may be desirable due to changes in development products or standards or for other reasons during the Term of this Agreement. This Agreement and the vested right to develop are not intended to preclude changes or additions to the Vested Rules which are mutually acceptable. Developer takes notice pursuant to Government Code § 66020(d) that City is imposing exactions upon the Combined Improvements in accordance with the Mitigation Fee Act (Government Code § 66000, *et seq*.). Developer is informed that it may protest exactions in accordance with Government Code § 66020. Developer knowingly and willingly waives any rights it may have under Government Code § 66020 or any other provision of law to protest the imposition of any fees, dedications, reservations, or exactions imposed on the Combined Improvements as authorized by this Agreement.

3.2. Uniform Codes Not Vested. Section 3.1 does not apply to City's enforcement of the "Uniform Codes" regulating building or construction standards which will apply to the Combined Improvements at the time City issues building permits.

3.3. Changes to the Vested Rules. All Subsequent Permits will be processed in accordance with the procedures, standards, and requirements set forth in the Vested Rules, except to the extent changes to the Vested Rules are proposed by the Subsequent Permit. In that case, the processing of the Subsequent Permit is not subject to the Vested Rules. Any approved Subsequent Permit will be incorporated into (and amend or supplement, as appropriate) the Vested Rules upon adoption by City and approval by the affected Developer. If Developer proposes any amendment or addition to the Vested Rules, then the application therefor will clearly indicate such request, and, if the application is approved by City, then City's action will clearly state the Vested Rules were amended or supplemented. City must consider any such request in its sole discretion. If an amendment or supplement to the Vested Rules is adopted by City other than pursuant to an application by Developer, then it may amend or supplement to Vested Rules only if the affected Developer approved the same in writing.

3.4. Combined Improvements Approvals. "Combined Improvements Approvals" means: (a) the Initial Project Approvals; (b) the CEQA Determination; (c) any amendments or additions to the Initial Project Approvals applied for by Developer and approved by City; and (d) and any Subsequent Permits (as defined in Section 4.1.1) which are subsequently issued by City upon application by Developer (or with Developer's written consent in Developer's sole and absolute discretion), in accordance with the procedures described in Section 3.1. The Combined Improvements Approvals are included in the Vested Rules. The permitted uses, the density or intensity of use, the zoning, the maximum height and size of buildings, the provisions for reservation and dedication of land, and the subdivision or use permit improvement requirements for the Combined Improvements are set forth in Exhibits D and Exhibit E as supplemented by Subsequent Permits issued in conformance with the Vested Rules.

3.5. Vested Right to Develop. During the Term of this Agreement, with regard to the Combined Improvements listed in Recital D and the Property legally defined in Exhibit A, Developer is assured, and City agrees, the development rights, obligations, terms and conditions specified in the Combined Improvements Approvals, the other Vested Rules, and this Agreement are fully vested in Developer and may not be changed or modified by City, whether by

administrative action, legislative action, or vote of the electorate, except as may be expressly permitted by and in accordance with the terms and conditions of this Agreement, or as may be expressly consented to by Developer. Developer has the vested right to develop and construct the Combined Improvements on the Property and each portion thereof, in accordance with the Combined Improvements Approvals, the other Vested Rules, and this Agreement.

3.6. No Conflicting Enactments. Except as provided in Section 3.5 of this Agreement, during the Term of this Agreement, City will not, without the prior written consent of Developer, do any of the following:

3.6.1 Apply to the Property, or any portion thereof, any change in the Vested Rules or any new or amended rule, ordinance, resolution, regulation, requirement, or official policy which conflicts with or is inconsistent with this Agreement, or which reduces the development rights provided by this Agreement, or which limits or reduces the permitted uses allowed under the Vested Rules, or which discriminates against Developer or the Combined Improvements or any portion thereof, or which applies only to the Combined Improvements or a portion thereof;

3.6.2 Apply to the Property any new rule, ordinance, resolution, regulation, requirement, or official policy which requires any additional Discretionary review or approval; or

3.6.3 Apply to the Property any new or amended rule, ordinance, resolution, regulation, requirement, or official policy that materially, adversely affects the timing or phasing of construction or development or that limits the availability of utilities, infrastructure, or public services for the Property.

3.7. Term of Combined Improvements Approvals. The term of any Combined Improvements Approvals approved for any portion of the Property, whether existing or subsequently approved, is hereby automatically extended for the Term of this Agreement. A development moratorium adopted or implemented by City does not apply to the Property, as further described in Section 3.9. The term of this Agreement and all Combined Improvements Approvals are extended for a period equal to any period of time during which: (a) a development moratorium exists including, without limitation, a water or wastewater moratorium, or the actions of public agencies (other than City) that regulate land uses, development or providing services to the Property, that prevents, prohibits, or delays the construction of the Combined Improvements; or (b) a lawsuit involving any development approvals or permits for the Combined Improvements is pending. In addition, pursuant to Government Code § 66452.6(a)(1), the term of any tentative map approved for any portion of the Property, whether as stated in the existing Combined Improvements Approvals, or as stated in any subsequent amendment or addition to the Combined Improvements approvals including, without limitation, any tentative parcel map, tentative map, vesting tentative map, or vesting tentative parcel map, any amendment of any such map, and any subdivision improvement agreement entered into in connection with any of the aforementioned maps, will be automatically extended for the Term of this Agreement.

3.8. Initiatives/Referendum. Any law enacted or imposed after the Effective Date by initiative or referendum, or by the City Council, directly or indirectly, in connection with any

proposed initiative or referendum, which law would conflict with the vested rights to develop granted to Developer under this Agreement will, to the maximum extent permitted by law, not apply to the Property.

3.9. Moratoria; Growth Control Measures. Developer's rights to develop the Combined Improvements on the Property in conformance with the Vested Rights under this Agreement prevails over any growth control measure or development moratorium adopted or implemented by City after the Effective Date, whether adopted specifically to prohibit construction of the Combined Improvements or any portion thereof, or as an interim measure during the processing of contemplated General Plan, Specific Plan, or zoning changes, or as a general growth control management measure.

3.10. Effect of Inconsistent State or Federal Laws. This Agreement may be modified or suspended as may be necessary to comply with the State of California or Federal legislation, case law, codes, or regulations enacted/issued after the Effective Date, which preempt local jurisdiction and which prevent or preclude compliance with one or more provisions of this Agreement; provided, however, that such modification or suspension will be made to the minimum extent necessary and only after the Parties have met and conferred in good faith to determine the feasibility of such modification or suspension and to minimize its effect on the rights of the Parties and fulfillment of the purposes and intent of this Agreement. The Parties will cooperate to process applications for any City or governmental approvals which may be required as a result of any such modification or suspension of this Agreement.

3.11. Public Works. Developer must construct any facilities or improvements which will be dedicated to City or any other governmental agency upon completion in the same manner and to the same standards as would be applicable to City or such other governmental agency should it have undertaken construction.

3.12. Business Recovery Development Agreement Zone ("BRDZ"). This Agreement is intended to activate the BRDZ as set forth in the MPMC. Pursuant to MPMC Chapter 21.45, this Agreement allows for the following:

3.12.1 Land Uses. See Exhibit D.

3.12.2 Development Standards. See Exhibit E.

ARTICLE 4

PROCESSING AND IMPLEMENTATION OF SUBSEQUENT PERMITS

4.1. Subsequent Permits.

4.1.1 Defined. "Subsequent Permits" means the land use, development, and building approvals which are to be processed for approval by City and which are necessary or

appropriate in order to develop the Combined Improvements in accordance with the Vested Rules, this Agreement, and the Initial Combined Improvements Approvals, including, without limitation, zone changes, master plans or amendments thereto, any and all permits and/or approvals that are part of development maps, subdivision improvements plans and agreements, design review, site plans, landscape plans, preliminary grading plans, grading plans and permits, building plans and permits, and environmental determinations. The Subsequent Permits include any permits and approvals required to complete the infrastructure and improvements necessary to develop the Property (collectively, the "Improvements"), in accordance with this Agreement and the Vested Rules including, without limitation, (a) if and when approved by the City Council, (1) the Proposed Intersection Improvements (as defined in Section 4.2.3(a) below); (2) the Proposed Drive-Thru Approvals (as defined in Section 4.2.3(b) below); and (b) those related to: (1) clearing the Property; (2) preliminary grading or grading of the Property; (3) construction of roads and storm drainage facilities; (d) construction of all commercial structures and all structures and facilities accessory thereto, subject to the limitations set forth in this Agreement. The grant of vested rights to Developer pursuant to this Agreement does not waive or remove any requirement to process and obtain Subsequent Permits for the Combined Improvements, to the extent required under the Vested Rules, this Agreement, and the Initial Combined Improvements Approvals.

4.1.2 Standard of Review. City agrees applications for Subsequent Permits will be processed in good faith and granted on terms and conditions in conformance with this Agreement, the Initial Project Approvals, and the Vested Rules. In the event any conflict arises between the terms and conditions of a Subsequent Permit and this Agreement, the provisions of this Agreement prevail unless otherwise agreed to in writing by City and the affected Developer.

4.2. Obligations Relating to Certain Subsequent Permits.

4.2.1 Shopping Center Modernization Improvements City Obligations. City and Developer acknowledge that City has approved, as of the Effective Date, the Shopping Center Modernization Improvements project, consisting of both the Initial Approvals and all Subsequent Permits necessary for the infrastructure improvements to Building C as generally described in Exhibit H., which is incorporated by reference City agrees to cooperate with Developer as necessary, subject to the Parties' obligations in Section 10.9.1, to cause such Initial Approvals to become Final Approvals.

4.2.2 Shopping Center Modernization Improvements Developer Obligations. Upon the Initial Approvals becoming Final Approvals, Developer must commence construction of the infrastructure improvements to Building C within 180 days as generally described in Exhibit H.

4.2.3 Intersection Improvements and New Drive-Thru City Obligations. City and Developer acknowledge that Developer previously submitted engineering and design plans for the Intersection Improvements and City has conducted its preliminary review of such engineering and design plans. City will:

(a) By April 30, 2025, bring forward to the City Council for its consideration, all permits and approvals necessary for the Intersection Improvements as generally depicted on Exhibit B with all required encroachment permits and other authorizations for

Developer to construct and dedicate to City, and for City to accept, the Intersection Improvements (together, the "Proposed Intersection Approvals").

(b) By April 30, 2025, bring forward to the City Planner for consideration, all permits and approvals for development of the New Drive-Thru as generally depicted on Exhibit C (together, the "Proposed Drive-Thru Approvals") in accordance with MPMC § 21.32.200.

(c) Subject to City granting the Proposed Intersection Approvals, accept, without unreasonable delay, upon completion, those components of the Intersection Improvements proposed for dedication to the City in the Proposed Intersection Approvals.

4.2.4 Intersection Improvements and New Drive-Thru Developer Obligations. Developer must, subject to the additional provisions of Section 4.2.5:

(a) Within 60 days of the Effective Date of this Agreement, submit an application to City for demolition of Building A to the extent necessary to accommodate the New Drive-Thru with a request that this demolition permit be processed concurrently with applications for the New Drive-Thru, once submitted.

(b) By December 15, 2024 submit, or cause to be submitted, a design review application and any other permit application required for development of the New Drive-Thru.

(c) Subject to City granting the Proposed Intersection Approvals, and the demolition permit described in Section 4.2.4(a) having been approved and becoming Final Approvals, commence demolition of Building A within 30 days of the Proposed Drive Thru-Approvals,.

(d) Subject to City granting the Proposed Drive-Thru Approvals and the Proposed Intersection Approvals having been approved and becoming Final Approvals, commence construction of the Intersection Improvements within 60 days of such approvals.

4.2.5 Additional Provisions Relating to Intersection Improvements and New Drive-Thru Obligations.

(a) Developer must within 30 days of the Effective Date of this Agreement obtain a cost estimate for completion of the Intersection Improvements shown in Exhibit B. None of Developer's obligations pursuant to Sections 4.2.4(b) through (d) arise unless and until Developer, in its sole discretion, approves in writing such cost estimate, including any contingency included in such estimate. If Developer has not approved a cost estimate for the Intersection Improvements within 45 days of the Effective Date (the "Intersection Estimate Date"), the parties' respective obligations described in Sections 4.2.3 and 4.2.4 shall be excused and the parties shall meet and confer for 30 days following the Intersection Estimate Date to determine whether there is a mutually agreeable set of alternative obligations relating to Developer's plans for the Shopping Center.

(b) The parties acknowledge and agree that, notwithstanding anything to the contrary in this Agreement, termination or expiration of this Agreement or of Developer's obligations pursuant to Section 4.2.5(a) above or default by Developer of any of its obligations under this Agreement including, without limitation, Section 4.2.4, will not result in termination of the BRDZ zoning designation established for the Property or the allowable land uses and development standards established for the Property reflected in Exhibit D and Exhibit E, provided Developer satisfies its obligations pursuant to Section 4.2.2. Notwithstanding anything to the contrary elsewhere in this Agreement, this Section 4.2.5(b) will survive termination or expiration of this Agreement.

4.3. Processing. Subject to compliance with the Vested Rules and other applicable laws, the Subsequent Permits will be reviewed, processed, and acted upon by City, provided that: (a) applications for such approvals are submitted to City during the Term of this Agreement; (b) the applications are deemed complete pursuant to the Vested Rules; and (c) there is no uncured Event of Default under the terms and conditions of this Agreement with respect to the portion of the Property for which such approval is sought. City agrees it will not unreasonably withhold or unreasonably condition any Subsequent Permit or other required City action, whether Discretionary or ministerial, necessary in order for the Combined Improvements to proceed, provided that Developer reasonably and satisfactorily complies with all preliminary procedures, actions, payments of Processing Fees, and criterial generally required of developers by City for processing applications for developments and consistent with this Agreement.

4.4. Development Fees. Due to the consideration and benefits as described in Section 5.1, the following apply to the development fees described below:

4.4.1 Development Impact Fees. Developer will pay those Development Impact Fees established and adopted pursuant to the Mitigation Fee Act (Government Code §§ 66000, *et seq*.) and the MPMC to the extent listed, and in the amounts shown, in Exhibit E. Except for Processing Fees, Developer's obligations with regard to the payment of any fees in connection with the Combined Improvements or the Combined Improvements Approvals is limited to those Development Impact Fees listed in Exhibit E.

4.4.2 Processing Fees. Developer must pay the Processing Fees in effect on the date the City Council approves this Development Agreement.

4.5. Other Local, State, Federal Approvals. The Parties contemplate that development of the Combined Improvements pursuant to this Agreement may be subject to the approval of other governmental agencies. The Parties will act in good faith and use reasonable effort and diligence to process and obtain such approvals in a manner and on terms and conditions that are consistent with, and implement, this Agreement, the Combined Improvements Approvals and the Vested Rules. If any revisions or corrections of plans for Combined Improvements Approvals approved by City is required by any other governmental agency, then the Parties will cooperate reasonably and in good faith to develop a mutually acceptable solution.

ARTICLE 5

PUBLIC BENEFITS

5.1. Public Benefits. The Parties acknowledge and agree that Developer's agreement to perform and abide by the covenants and obligations set forth herein is material consideration for City's agreement to perform and abide by the covenants set forth herein, including without limitation the following specific public benefits for this Agreement:

- Development of new and relevant uses in the northern portion of the existing Shopping Center, which has had recent vacancies.
- Development of land uses complementary to surrounding commercial land uses and with low impacts on existing infrastructure and minimal burdens on surrounding properties.
- Generation of retail sales tax and property tax.
- Improvement of the public right-of-way along S. Atlantic Boulevard.
- Installation of enhanced landscaping along the S. Atlantic Square right-of-way and northern portion of the Shopping Center in connection with the Combined Improvements.
- Payment of operation and maintenance costs for the Intersection Improvements.

5.1.1 Construction and Funding of Combined Improvements Facilities and Infrastructure. Developer must fund or ensure the funding of the construction of the Combined Improvements at the time improvements are needed to satisfy the requirements of the Combined Improvements Approvals. All obligations in Section 5.1 regarding the Intersection Improvements are contingent upon City's approval of the Intersection Improvements. Except as otherwise specifically set forth herein, Developer has no responsibility for the operation, maintenance, repair or replacement of the Intersection Improvements once construction of such Intersection Improvements is complete. Nevertheless, Developer understands and agrees that it must reimburse City for all regular operation and maintenance costs related to the Intersection Improvements, subject to the limitations in Section 5.1.3 below, and any unanticipated maintenance costs. Developer's obligations shall not include the costs of repairing damage to the Intersection Improvements caused by third parties.

5.1.2 Dedications. Except as may be shown by Developer on applications submitted to City for Proposed Intersection Approvals and/or Proposed Drive-Thru Approvals, no dedications to City of rights-of-way or other interests in real property owned by Developer within the Property are proposed or required.

5.1.3 Operations and Maintenance Costs. Developer must reimburse City for the operations and maintenance ("O&M") costs of the Intersection Improvements for the projected lifetime of such Intersection Improvements. The annual O&M costs are projected to be $1,200, annually; the projected lifetime of the Intersection Improvements is 20 years. Developer may reimburse City on a monthly basis or as an annual lump sum amount payable on or before

December 31st of each year during the Intersection Improvement lifetime. The O&M costs will increase on an annual basis based upon consumer price index, not to exceed 4% per annum. This Section will survive termination of this Agreement. Developer's obligation for reimbursement to City of O&M costs is capped at 150% of the projected amounts set forth in this Section 5.1.3 regardless of the amount of actual costs incurred by the City.

5.1.4 Extraordinary Maintenance Costs. In addition to the O&M costs, Developer must reimburse City for an extraordinary maintenance costs for the Intersection Improvements resulting from unforeseen events such as fire, storm, or other calamity. City will prepare an invoice for such extraordinary maintenance costs and provide it to Developer within 30 days after maintenance is completed. Developer must pay City within 30 days after receiving such invoice. Any dispute regarding the amount of such extraordinary maintenance costs will be resolved in accordance with the dispute provisions of this Agreement. This Section will survive termination of this Agreement.

5.1.5 Surety. To secure Developer's obligations as to the O&M costs, Developer must provide a surety to City, in a form approved by the City Attorney, equal to five years of estimated O&M costs. The surety must remain in place during the duration of the Intersection Improvements lifetime. This Section will survive termination of this Agreement.

ARTICLE 6

REVIEW OF COMPLIANCE

6.1. Annual Review. City will conduct reviews in accordance with applicable law to determine whether Developer is acting in good faith compliance with the provisions of this Agreement. Appropriate fees to cover City's costs to conduct the annual review will be collected from Developer in compliance with the MPMC.

6.2. Procedure for Review. The City Manager, or designee, will conduct the review contemplated by this Article 6 to ascertain whether Developer reasonably complied in good faith with the material terms and conditions of this Agreement during the period for which the review is conducted. The City Manager, or designee, will give Developer notice that any such review has been commenced, and give Developer at least 20 days to provide the City Manager such information as Developer deems relevant for such review. In addition, upon written request, Developer must furnish such documents or other information reasonably requested by the City Manager.

6.3. Result of Review. If, following such a review, the City Manager, or designee, finds good faith compliance by Developer with the terms and conditions of this Agreement, the City Manager, or designee, will issue to Developer an executed certificate of compliance. The certificate of compliance will state: (a) the Agreement is unmodified and in full force and effect (or identifying any modifications); (b) there are no uncured defaults under the Agreement by the certifying Party or, to the certifying Party's knowledge, by any other Party (or specifying any such

defaults); and (c) any other information reasonably requested regarding the status of the Agreement and performance by the Parties.

If, following such a review, the City Manager, or designee, finds that Developer has not complied in good faith with the terms and conditions of the Agreement, the City Manager, or designee, will provide notice to Developer detailing such non-compliance. Upon receipt of such notice, Developer may commence to cure the stated non-compliance in accordance with the terms of this Agreement including, without limitation, Section 8.1. If Developer fails to cure the non-compliance pursuant to the terms of this Agreement including, without limitation, Section 8.1, the City Manager, or designee, may notify the City Council. Developer may dispute any such claim of non-compliance or failure to cure at a public hearing before the Agreement may be modified or terminated.

ARTICLE 7

ASSIGNMENTS; MORTGAGEE PROTECTION

7.1. Right to Assign

7.1.1 Right to Assign. Subject to Section 7.2 of this Agreement with respect to the rights of a mortgagee, Developer may assign or transfer any portion of its interests, rights, or obligations ("Rights") under this Agreement and the Initial Project Approvals and Subsequent Permits to third parties acquiring successor interests in the Combined Improvements or Property, or any portion thereof including, without limitation, purchasers or long-term ground lessees of the parcels or facilities located on or within the Property.

7.1.2 Assumption of Assigned Obligations and Rights. As a condition to any assignment or transfer under this Agreement, any person or entity accepting such assignment ("Assignee") must assume all of the obligations and rights of this Agreement as they pertain to the portion of the Property being transferred to the Assignee.

7.2. Right to Mortgage. Developer or its successors may assign, pledge, or otherwise encumber its rights and interests under this Agreement for security purposes to a mortgagee of any defined lot(s) without City's consent. Nothing contained in this Agreement restricts Developer from encumbering all or any portion of the Property with a mortgage, deed of trust, or other security device (collectively, "Mortgage"). No breach of this Agreement will default, render invalid, diminish, or impair the lien of any Mortgage or the rights of any mortgagee, but all of the terms and conditions of this Agreement are binding upon and effective against any person, including any mortgagee or any person, who acquires title to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu for defaults or monetary obligations arising before its acquisition of title to the Property or portion thereof.

7.3. Notice of Default. If City receives written notice from a mortgagee requesting a copy of any notice of default given to Developer and specifying the address for service thereof, then City will deliver to such Mortgagee, concurrently with the delivery to Developer, any notice given to Developer with respect to any claim by City that such Developer is in default hereunder.

If City makes a determination of noncompliance hereunder and a Mortgagee has requested notice of such determination, City will also serve notice of such noncompliance on such Mortgagee concurrently with service on Developer. Each Mortgagee may, without obligation, during the same period available to Developer hereunder, to cure or remedy, or to commence to cure or remedy, the event of default claimed or the areas of noncompliance set forth in City's notice.

ARTICLE 8

DEFAULT; REMEDIES

8.1. Events of Default. Subject to the provisions of Section 10.17 regarding Unavoidable Delays, Section 7.1 regarding assignment and assumption, and Section 7.2 regarding Mortgagee Protection, the failure by any Party to pay any sum or to perform any obligation required under this Agreement including, without limitation, City's failure to issue Subsequent Permits for the Combined Improvements in conformance with this Agreement, and such Party's failure to cure such default within the specified cure period after receipt of a Notice of Default pursuant to Section 8.2 below, constitutes an "Event of Default" under this Agreement. Except for its obligations under Section 4.2.4, failure by Developer to construct or delay in constructing the Combined Improvements or any portion thereof is not a default or Event of Default under this Agreement, and Developer is not liable to City for damages for failure to construct any portion of the Combined Improvements, unless such failure or delay constitutes a default under the terms of any Final Map, building permit or similar approval, in which event City may exercise any of its normal remedies for default under such permit or approval.

8.2. Notice of Default and Cure. Any Party claiming a default under this Agreement must deliver to the defaulting Party a written notice of default ("Notice of Default"). The Notice of Default must specify the reasons for the allegation of default with reasonable particularity and the manner in which the default can be cured. The defaulting Party has the right to cure the default within 30 days after receiving the Notice of Default; provided, however, that if the nature of the alleged default is such that it cannot be reasonably cured within 30 days, then the 30-day period will be extended for the time reasonably required to complete the cure, so long as the defaulting Party commences the cure within the 30-day period and diligently prosecutes the cure to completion thereafter.

8.3. Procedure Upon and Event of Default. After the occurrence of an Event of Default, the other Party may give notice of its intent to terminate this Agreement pursuant to Government Code § 65868 and the MPMC implementing said section. Following notice of intent to terminate, or before instituting legal proceedings, the matter must be scheduled for consideration and review at a public meeting of the City Council within 30 days after that notice. Following consideration of the evidence presented in the review before the City Council, the Party alleging the default by the other Party may institute legal proceedings or may give written notice of termination of this Agreement to the other Party; provided, however, Developer may only terminate this Agreement with respect to such portion of the Property then owned by Developer. Evidence of default may also arise in the course of an annual review of this Agreement pursuant to Section 6.1. If Developer is determined by City to be in default pursuant to the procedures for annual review, and after giving

effect to Developer's right of appeal of such determination to the City Council as provided in Section 6.3, then City may give a written Notice of Default pursuant to Section 8.1. If the alleged default is not cured within the cure period set forth in Section 8.2 or within such longer period specified in City's Notice of Default, or if Developer waives its right to cure such alleged default in writing, then this Agreement may be terminated by City with respect to the portion of the Property then owned by the defaulting Developer.

8.4. Remedies for Non-Defaulting Party. If either Party is in default under the terms of this Agreement, subject to any applicable requirements under Section 8.6 of this Agreement, the other Party may elect to pursue any of the following courses of action: (i) waive such default; (ii) pursue administrative remedies as provided in this Agreement; (iii) pursue any judicial remedies available under the law; or (iv) terminate this Agreement.

8.4.1 Unless otherwise provided in this Agreement and subject to applicable requirements under Section 8.6 of this Agreement, either Party, in addition to any other rights or remedies, may institute legal action to cure, correct, or remedy any default by the other party to this Agreement, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation hereunder or to seek specific performance. All remedies available to a Party under this section are cumulative and not exclusive of the other, and the exercise of one or more of these remedies do not constitute a waiver or election with respect to any other available remedy. In general, each of the Parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that City is not liable in damages to Developer, or to any successor in interest of Developer, or to any other person, and Developer, on behalf of itself and all successors in interest, covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action that arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement; or

(d) For any personal or property injuries of third-persons arising from the Intersection Improvements.

8.4.2 No City elected or appointed official, employee, or representative is personally liable to Developer in the event of any Event of Default by City or for any amount which may become due to Developer, or for any obligations under the terms of this Agreement, or for any claims of breach of contract related to this Agreement, or for any claims in the nature of tort related to this Agreement (such as fraud in the inducement).

8.4.3 **Informal Discussions**. With regard to any dispute between or among the Parties contemplated by this Agreement, within seven days written notice from ether Party, the City Manager and Developer's senior executives must meet and attempt in good faith to resolve

any such disputes through informal discussions, which discussions will not exceed 10 business days unless extended by mutual agreement.

8.5. Mediation. If the Parties are unable to resolve their dispute through informal discussion, then either Party may commence mediation by providing to JAMS (or other mediator mutually agreed to by the Parties) and the other Parties a written request for mediation, setting forth the subject of the dispute and the relief requested. The Parties will cooperate with JAMS and with one another in selecting a mediator from JAMS' panel of neutrals, and in scheduling the mediation proceedings. The Parties covenant that they will participate in all phases of the mediation in good faith. The mediation process will occur in two phases, if necessary, as described below. During the first phase of the mediation, which in no event will exceed 30 days unless otherwise agreed to by the Parties, the Parties will attempt to resolve their dispute in accordance with JAMS standard mediation procedures. If the Parties are unable to resolve their dispute during this first phase of the mediation process, then the second phase of the mediation process will be conducted in a manner consistent with this Section. If the Parties are unable to resolve their dispute through the first phase of mediation, as described above, the Party that commenced mediation (the "Complaining Party"), will have 10 business days from the expiration of the 30 day period described above to file a brief with the other Party (the "Responding Party") and with the mediator presiding over the first phase of the mediation process (the "Mediator"), which brief must set forth the merits of the Complaining Party's position regarding the issues raised during the first phase of mediation (the "Initial Brief"). The Responding Party will have 10 business days from its receipt of the Initial Brief to file a brief with the Mediator and the Complaining Party responding to the issues raised in the Initial Brief and setting forth the merits of the Responding Party's position regarding the issues raised during the first phase of mediation (the "Responding Brief"). The Complaining Party will have five business days from its receipt of the Responding Brief to file a reply brief with the Mediator and the Responding Party replying to the issues raised in the Responding Brief (the "Reply Brief"). In no event will the Initial Brief and the Responding Brief be longer than 15 pages and in no event will the Reply Brief be longer than 10 pages. Except as otherwise set forth in this Section 7.05.03, the Initial Brief, the Responding Brief and the Reply Brief will be formatted in accordance with requirements of Rule 3.1110 of the California Rules of Court, unless otherwise agreed to by the Parties. The Mediator will have two weeks following its receipt of the Reply Brief to consider the arguments set forth by the Complaining Party and the Responding Party in their respective briefs and issue an opinion stating which party the Mediator would consider to be the prevailing party if the Mediator were a judge presiding over the dispute in a court of law (the "JAMS Opinion").

8.5.1 All offers, promises, conduct and statements, including the JAMS Opinion, whether oral or written, made in the course of the mediation by any of the Parties, their agents, employees, experts and attorneys, and by the mediator and any JAMS employees, are confidential, privileged and inadmissible for any purpose, including impeachment, in any litigation or other proceeding involving the Parties, provided that evidence that is otherwise admissible or discoverable will not be rendered inadmissible or non-discoverable as a result of its use in the mediation. Notwithstanding the foregoing, the JAMS Opinion will serve as the basis solely for determining whether, in the event a dispute between the Parties is litigated, either Party will be awarded attorneys' fees in accordance with this Agreement.

8.5.2 Nothing in this Article will in any way be interpreted as requiring that Developer and City and/or City's designee reach agreement with regard to those matters being addressed, nor will the outcome of these meetings be binding in any way on City or Developer unless expressly agreed to in writing by the Parties to such meetings. Notwithstanding the forgoing, the JAMS Opinion will be binding on the Parties solely for the purposes of determining whether, in the event a dispute between or among the Parties is litigated, either party will be awarded Attorneys' Fees (as defined below) in accordance with this Agreement.

8.5.3 Should any judicial remedy be sought by any Party because of any default under this Agreement or to enforce any provision hereof, or to obtain a declaration of rights hereunder (each individually a "**Judicial Action**"), the prevailing Party in such Judicial Action is entitled to reasonable attorney's fees, court costs and such other costs as may be fixed by the court (collectively, "**Attorneys' Fees**"), provided the prevailing Party in the Judicial Action was also determined to be the prevailing Party in the JAMS Opinion. For purposes of this Agreement, Attorneys Fees will be calculated from the start of the first phase of mediation and will include all reasonable costs related to the first and second phases of mediation. If the prevailing Party in a Judicial Action was determined to be the losing Party in the JAMS Opinion, then each Party will assume the cost of their own Attorneys' Fees. Not in limitation of the foregoing, the Parties will assume their own costs related to the informal dispute resolution process described above.

8.6. Extension of Agreement Term. The Term of this Agreement as set forth in Section 2.2 will automatically be extended for the period of time in which the Parties are engaged in dispute resolution to the degree that such extension of the Term is reasonably required because activities which would have been completed before the expiration of the Term are delayed beyond the scheduled expiration of the Term as a direct result of such dispute resolution.

ARTICLE 9

AMENDMENTS; TERMINATION

9.1. Amendments. Except as set forth in Section 3.1, this Agreement may be modified, amended and/or extended only by mutual written consent of the Parties and must be approved in the same manner as adoption of this Agreement, by ordinance as set forth in the Development Agreement Statute.

9.2. Operating Memoranda. The Parties acknowledge that the provisions of the Agreement require a close degree of cooperation and that new information and future events may demonstrate that changes are appropriate with respect to the details of performance of the Parties under this Agreement. The Parties desire, therefore, to retain a certain degree of flexibility with respect to the details of performance for those items covered in general terms under this Agreement. If and when, from time to time, the Parties find that refinements or adjustments are desirable, such refinements or adjustments will be accomplished through operating memoranda or implementation agreements approved by the Parties which, after execution, will be attached to this Agreement as addenda and become a part hereof.

9.3. Execution of Memoranda. Operating memoranda or implementation agreements may be executed on behalf of City by the City Manager and the City Attorney. In the event a particular subject requires notice or hearing, such notice or hearing will be appropriately given. Any significant modification to the terms of performance under this Agreement will be processed as an amendment of this Agreement in accordance with this Agreement and must be approved by the City Council.

9.4. Effect of Expiration/Termination. Except for the obligations as to the Intersection Improvements including, without limitation, the defense and indemnification obligations, upon expiration or termination of this Agreement: (a) no Party has any further rights or obligation hereunder except for matters which accrued before such expiration or termination and matters which specifically survive expiration or termination under the express terms of this Agreement; and (b) the underlying Combined Improvements Approvals remain in full force and effect.

ARTICLE 10

MISCELLANEOUS

10.1. Insurance. Before the commencement of any work, Developer must furnish evidence to City that all of the following insurance requirements have been satisfied.

10.2. General. Developer must, throughout the duration of this Agreement, maintain, or cause to be maintained, the insurance specified below, to insure Developer and its employees for liability arising out of the work in connection with the Property, Combined Improvements and this Agreement at the minimum levels set forth herein, with City being an additional insured on the CGL and excess or umbrella liability insurance.

10.2.1 Commercial General Liability. Commercial General Liability ("CGL") insurance with coverage in an amount not less than $2,000,000.00 general aggregate, $2,000,000.00 per occurrence and $2,000,000.00 products/completed operations, and including contractual liability insurance for the indemnification heretofore provided to City (subject to the policy terms, conditions, definitions and exclusions).

10.2.2 Business Auto Coverage. Business Automobile Liability insurance with coverage in an amount not less than $1,000,000.00 per accident for bodily injury and property damage, covering all vehicles used by Developer (personal, company) and its employees, on or within the Combined Improvements or Property or associated therewith.

10.2.3 Excess or Umbrella Liability Insurance (Over Primary Coverage). Such excess coverage must be at least as broad as the underlying coverage and be provided on a "pay on behalf" basis. The excess or umbrella coverage can be not less than $5,000,000 per occurrence/annual aggregate.

10.2.4 Workers' Compensation. Coverage must be maintained as required by the State of California.

10.2.5 Insurance Coverage to be Maintained by Developer's Contractors and Subcontractors. Developer must require by contract that its contractors and subcontractors maintain the same CGL, business auto, excess or umbrella liability and workers' compensation insurance as set forth in subsections 10.2.1 through 10.2.4, inclusive, hereof, except that the required minimum limits for the CGL coverage will be $2,000,000 general aggregate, $2,000,000 per occurrence and $2,000,000 products/completed operations, with excess or umbrella liability insurance in the amount of $2,000,000 per occurrence/annual aggregate. The CGL policy must include, contractual liability insurance (subject to the policy terms, conditions, definitions and exclusions).

10.3. Construction; Interpretation. This Agreement has been reviewed and revised by legal counsel for Developer and City, and no presumption or rule that ambiguities may be construed against the drafting party apply to the interpretation or enforcement of this Agreement.

10.4. Agreement Constitutes Legislative Act. Developer acknowledges and agrees that City has approved and entered into this Agreement in the sole exercise of its legislative discretion and that the standard of review of the validity and meaning of this Agreement will be that accorded legislative acts of City.

10.5. Cooperation; Further Assurances. Each Party will: (a) deal fairly and in good faith with the other Party; (b) not impede the other Party's right to receive the benefits of this Agreement; (c) cooperate with and provide reasonable assistance to the other Party in the performance of this Agreement; and (d) execute such documents or take such further actions as may be reasonably necessary to consummate the performance or to carry out the purpose and intent of this Agreement.

10.6. Counterparts. This Agreement, and any documents implementing this Agreement, may be executed in multiple counterpart originals, each of which is deemed to be an original and all of which when taken together shall constitute one and the same instrument.

10.7. Entire Agreement. The Recitals set forth above in this Agreement and the Exhibits attached hereto are incorporated by references into this Agreement as an integrated portion hereof. This Agreement, including all such Recitals and Exhibits, constitutes the entire agreement of the Parties regarding the subject matter hereof, and all prior or contemporaneous agreements and understandings, whether written or oral, are superseded.

10.8. Governing Law/Jurisdiction. This will shall be governed, construed and enforced in accordance with the laws of the State of California, and the state courts of Los Angeles County have jurisdiction.

10.9. Legal Challenges—Defense and Indemnification.

10.9.1 Cooperation in the Event of a Legal Challenge

In the event of any administrative, legal or equitable action or other proceeding instituted by any person or entity not a party to the Agreement challenging the validity of any provision of this Agreement; challenging any agreement between City and other government agencies entered into at the request of Developer to facilitate the development of the Property; challenging any of the Combined Improvements Approvals; challenging the sufficiency of any environmental review of either this Agreement or any Combined Improvements Approval under CEQA; or seeking damages because of the Intersection Improvements (each a "Third Party Challenge"), each party must cooperate in the defense of such Third Party Challenge, in accordance with this Section. In light of the Parties' mutual interests in successfully defending against a Third Party Challenge, the Parties will enter into a joint nondisclosure, indemnity, and litigation defense agreement, which, among other things, will require all communications between Developer and City concerning a Third Party Challenge be kept confidential and not be disclosed by either Party without the written consent of the other Party. Developer agrees to pay City's costs of defending a Third Party Challenge, including all court costs and reasonable attorney's fees expended by City (including the time and cost of the City Attorney) in defense of any Third Party Action, as well as the time of City's staff spent in connection with such defense. Developer may select its own legal counsel to represent Developer's interests in any Third Party Challenge at Developer's sole cost and expense. City agrees that it will not enter into a settlement agreement to any Third Party Challenge without Developer's written consent. Developer's obligation to pay City's costs in the defense of a Third Party Challenge does not extend to those costs incurred on appeal unless otherwise authorized by Developer in writing. If Developer elects, in its sole and absolute discretion, not to contest such litigation challenges, City does not have any obligation to contest such challenges. If City elects to contest such challenges after Developer elects not to contest, City will do so at its sole cost.

10.9.2 Third Party Challenges Related to the Applicability of City Laws.

The provisions of this Section will apply only in the event of a legal or equitable action or other proceeding, before a court of competent jurisdiction, instituted by any person or entity not a party to this Agreement challenging the applicability to the Combined Improvements or Property of a conflicting City Law (a "Third Party Enforcement Action"):

10.9.3 Cooperation in Case of a Third Party Enforcement Action.

In the event of a Third Party Enforcement Action, City must (i) promptly notify Developer of such action or proceeding, and (ii) cooperate with Developer so as to most effectively respond to the Third Party Enforcement Action. In no event will City take any action that would frustrate, hinder, or otherwise complicate Developer's efforts to respond. The Parties to this Agreement agree to cooperate, to the maximum extent permitted by law, in the defense of such action or proceeding. For purposes of this Section, the required cooperation between the Parties includes, without limitation, developing litigation strategies, preparing litigation briefs and other related documents, conferring on all aspects of the litigation, developing settlement strategies, and, to the extent permitted by law, jointly making significant decisions related to the relevant litigation, throughout the course thereof. In light of the Parties' mutual interests in successfully defending against a Third Party Enforcement Action, all communications between Developer and City concerning a Third Party Enforcement Action must be kept confidential and cannot be disclosed by either Party without the written consent of the other Party.

10.9.4 Litigation Costs.

City's costs of defending any Third Party Enforcement Action, including all court costs, and reasonable attorney's fees expended by City (including the time and cost of the City Attorney) in defense of any Third Party Enforcement Action, as well as the time of City's staff spent in connection with such defense (the "Enforcement Action Defense Costs"), will be paid in accordance with this Agreement. Notwithstanding the forgoing, in no event will the Enforcement Action Defense Costs extend to, nor will Developer or the Combined Improvements be obligated to pay, any costs incurred on appeal unless otherwise authorized by Developer in writing.

10.9.5 Settlement.

City must not enter into a settlement agreement or take any other action to resolve any Third Party Enforcement Action without Developer's written consent. City cannot, without Developer's written consent, take any action that would frustrate, hinder or otherwise prevent Developer's efforts to settle or otherwise resolve any Third Party Enforcement Action.

10.9.6 Effect of a Judgment.

Provided that City complies with this Section and provided that Developer is a party to the relevant Third Party Enforcement Action, Developer agrees to be bound by any final judgment (i.e., following all available appeals) arising out of a Third Party Enforcement Action and further agrees that no default under this Agreement will arise if such final judgment requires City to apply to the Combined Improvements or Property a City Law that conflicts with Applicable Law or this Agreement.

10.9.7 Defense and Indemnity.

Developer must defend and indemnify City from and against any and all damages, claims, costs and liabilities arising out of the personal injury or death of any third party, or damage to the property of any third party, to the extent such damages, claims, costs or liabilities result from the construction of the Combined Improvements or the Intersection Improvements by Developer or by Developer's contractors, subcontractors, agents or employees. Nothing in this Section will be construed to mean that Developer must defend or indemnify City from or against any damages, claims, costs or liabilities arising from, or alleged to arise from, activities associated with the maintenance or repair by City or any other public agency of improvements that have been offered for dedication and accepted by City or such other public agency or for any other public improvements constructed by City or constructed by Developer at direction of City. City and Developer may from time to time enter into subdivision improvement agreements, as authorized by the Subdivision Map Act, which agreements may include defense and indemnity provisions different from those contained in this Section. In the event of any conflict between such provisions in any such subdivision improvement agreement and the provisions set forth above, the provisions of such subdivision improvement agreement will prevail.

10.9.8 Effect on Term. The Term of this Agreement will be tolled from the initiation of any litigation challenging this Agreement or any of the Combined Improvements Approvals until final court action is taken in such Litigation.

10.10. Notices. All notices, demands, correspondence and communications ("Notice") must be in writing and be either personally delivered or sent by certified mail, postage prepaid, return receipt requested, or delivered by a nationally recognized overnight courier service (which provides a delivery receipt), at the addresses set forth below. Any such Notice will be deemed received on the date of personal delivery or on the date of receipt (or refusal to accept delivery) set forth in the certified mail receipt if sent by U.S. mail or in the receipt provided by the overnight courier service if sent by such service.

City: City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754
Attn: Ms. Inez Alvarez, City Manager

with a copy to: Burke, Williams & Sorensen LLP
444 South Flower Street, Suite 2400
Los Angeles, CA 90071
Attn: Mr. Karl H. Berger, City Attorney

TRC: Atlantic Square, LLC
dba TRC
4695 MacArthur Court, Suite 700
Newport Beach, CA 92660
Attn: Tim Pettit, CEO and
Scott Grady, EVP of Development

with a copy to: Matthew S. Gray
Perkins Coie LLP
505 Howard Street, Suite 1000
San Francisco, CA 94105

10.11. Private Undertaking. It is expressly understood and agreed by the Parties that the development contemplated by this Agreement is a private development, no Party is acting as the agent of any other Party in any respect hereunder, and Developer has full power and exclusive control over its properties including the Property subject only to the limitations and obligations of Developer under the Vested Rules and this Agreement. Nothing contained in this Agreement or in any document executed in connection with this Agreement will be construed as making City and Developer joint venturers or partners.

10.12. Recordation. City will cause this Agreement to be recorded with the Los Angeles County Recorder within 10 days after the Effective Date, pursuant to Development Agreement

Statute § 65868.5. Thereafter, if this Agreement is terminated, modified or amended as provided herein, City will record notice of such action with the Los Angeles County Recorder.

10.13. Section Headings. Article and Section headings in this Agreement are inserted for convenience only and are not intended to be used in interpreting or construing the terms, covenants or conditions of this Agreement.

10.14. Severability. If any provision or term of this Agreement, or the application of any provision or term of this Agreement to any particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, then the remainder of the Agreement is unaffected and will remain in full force and effect unless enforcement of the Agreement, with such invalidation, would be unreasonable or inequitable under the circumstances or would frustrate the purposes of the Agreement or the rights and obligations of the Parties there under.

10.15. Successors and Assigns; Covenants Running with the Land. Subject to the provisions of Section 7.1 governing assignment, the rights and obligations of Developer under this Agreement will be binding upon and inure to the benefit of successor owners of all or any portion of the Property and shall be covenants running with the land.

10.16. Third-Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the Parties and their successors and assigns. No other person has any right of action based upon any provision of this Agreement.

10.17. Unavoidable Delays or Events. In addition to specific provisions of this Agreement, performance by any Party hereunder shall not be deemed to be in default where delays or defaults are due to war, terrorism, pandemic, insurrection, riots, floods, earthquakes, fires, casualties, governmental restrictions imposed or mandated by governmental entities (but only as to delays or performance by Developer), enactment of conflicting state or federal laws or regulations (but only if the Party claiming delay complies at all times with the provisions of this Agreement pertaining to such conflicting laws), litigation against this Agreement or any of the Combined Improvements Approvals, referendum of this Agreement or any of the Combined Improvements Approvals or similar bases for excused performance ("Unavoidable Delay" or "Unavoidable Event"). Upon the occurrence of an Unavoidable Event, the time for performance will be extended, for the duration of the Unavoidable Delay. Notwithstanding the foregoing, none of the following constitutes an Unavoidable Event: (i) delays caused by market forces beyond the Parties' control; (ii) delays caused by the delay or failure by any entity other than the Party claiming such delay to provide financing for construction of the Combined Improvements or any portion thereof; (iii) delays related to the cost or unavailability of financing, construction contractors, consultants, or labor; or (iv) delays related to economic conditions locally, regionally, statewide, nationwide, or worldwide.

10.18. Waiver. No waiver of any provision of this Agreement is effective unless it is in writing and signed by a duly authorized representative of the Party against whom enforcement of the waiver is sought. No waiver of any right or remedy is deemed a waiver of any right or remedy with respect to any other occurrence or event.

10.19. Authorization. Each person executing this Agreement represents and warrants that he or she is authorized and has the legal capacity to execute and deliver this Agreement on behalf of the Party for which execution has been made.

DRAFT

IN WITNESS WHEREOF, the Parties have executed this Development Agreement to be effective as of the Effective Date first set forth above.

"CITY"

CITY OF MONTEREY PARK
a municipal corporation

Dated: _____, 2024

By: _____
Thomas Wong, Mayor

ATTEST:

_____

Maychelle Yee, City Clerk

APPROVED AS TO FORM:

_____

Karl H. Berger, City Attorney

"TRC" or "Developer"

Atlantic Square, LLC
a Delaware limited liability company

Dated: _____, 2024

By: _____

APPROVED AS TO FORM:

PERKINS COIE, LLP

By: _____

Matthew S. Gray, Esq.

Developer's Attorney

DRAFT

Exhibit A:
The Property

DRAFT

THAT PORTION OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 12 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, TOGETHER WITH THOSE PORTIONS OF RANCHO SAN ANTONIO, AS SHOWN ON MAP RECORDED IN BOOK 1 PAGE 389 OF PATENTS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE SOUTHERLY TERMINUS OF THE WEST LINE OF LOT 35 OF TRACT NO. 15044, AS PER MAP RECORDED IN BOOK 330 PAGES 28 TO 30 INCLUSIVE OF MAPS, RECORDS OF SAID COUNTY, AS SHOWN ON SAID MAP AS HAVING A BEARING AND DISTANCE OF NORTH O DEGREES 39 MINUTES 50 SECONDS WEST 7.42 FEET; THENCE LEAVING SAID WEST LINE AND ALONG THE BOUNDARY LINES OF THE LAND DESCRIBED IN DEED TO THE CITY OF MONTEREY PARK, FOR PUBLIC STREET PURPOSES, RECORDED IN BOOK 46376 PAGE 125 OF OFFICIAL RECORDS, NORTH 37 DEGREES 44 MINUTES 38 SECONDS WEST 6.23 FEET; THENCE SOUTH 52 DEGREES 13 MINUTES 16 SECONDS WEST 50.00 FEET; THENCE SOUTH 37 DEGREES 44 MINUTES 38 SECONDS EAST 50.55 FEET; THENCE SOUTH O DEGREES 37 MINUTES 53 SECONDS EAST 267.83 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89 DEGREES 58 MINUTES 19 SECONDS, AN ARC DISTANCE OF 47.11 FEET; THENCE TANGENT FROM SAID CURVE, SOUTH 89 DEGREES 20 MINUTES 26 SECONDS WEST 63.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 560.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52 DEGREES 52 MINUTES 09 SECONDS, AN ARC DISTANCE OF 516.73 FEET; THENCE TANGENT FROM SAID CURVE, NORTH 37 DEGREES 47 MINUTES 25 SECONDS WEST 55.31 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 30.00 FEET, AS SAID CURVE BEING TANGENT AT ITS POINT OF ENDING WITH THE SOUTHEAST LINE OF ATLANTIC BOULEVARD, 100 FEET WIDE, AS ESTABLISHED BY DECREE OF CONDEMNATION ENTERED IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN SAID COUNTY, AS CASE NO. 24-9026, A CERTIFIED COPY OF SAID DECREE WAS RECORDED IN BOOK 9388 PAGE 323 OF OFFICIAL RECORDS; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90 DEGREES 01 MINUTES 28 SECONDS, AN ARC DISTANCE OF 47.14 FEET; THENCE ALONG SAID SOUTHEAST LINE, NORTH 52 DEGREES 14 MINUTES 03 SECONDS EAST 1,346.48 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 750.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31 DEGREES 43 MINUTES 33 SECONDS, AN ARC DISTANCE OF 415.29 FEET TO A BRASS CAP MONUMENT IN THE SOUTHWEST CORNER OF LOT 190 OF TRACT NO. 15897, AS PER MAP RECORDED IN BOOK 363 PAGES 9 TO 11 INCLUSIVE OF MAPS, RECORDS OF SAID COUNTY; THENCE ALONG THE SOUTH LINE OF SAID TRACT NO. 15897, NORTH 89 DEGREES 12 MINUTES 26 SECONDS EAST 219.69 FEET TO A POINT IN THE WEST LINE OF BRADSHAWE AVENUE, 60 FEET WIDE, AS SHOWN ON THE MAP OF TRACT NO. 14993, AS PER MAP RECORDED IN BOOK 318 PAGES 45 AND 46 OF MAPS, RECORDS OF SAID COUNTY; THENCE ALONG SAID WEST LINE, SOUTH O DEGREES 39 MINUTES 39 SECONDS EAST 239.09 FEET TO THE MOST NORTHERLY CORNER OF SAID ABOVE MENTIONED TRACT NO. 15044, SAID CORNER BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 1050.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 61 DEGREES 32 MINUTES 47 SECONDS WEST; THENCE SOUTHWESTERLY ALONG THE NORTHWEST LINE OF SAID TRACT NO. 15044 AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23 DEGREES 46 MINUTES 03 SECONDS, AN ARC DISTANCE OF 435.56 FEET; THENCE TANGENT FROM

SAID CURVE AND CONTINUING ALONG SAID NORTHWEST LINE, SOUTH 52 DEGREES 13 MINUTES 16 SECONDS WEST 319.10 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF FLORAL DRIVE, 60 FEET WIDE, AS SHOWN ON THE MAP OF SAID TRACT; THENCE CONTINUING SOUTH 52 DEGREES 13 MINUTES 16 SECONDS WEST 528.66 FEET TO THE NORTHWEST CORNER OF SAID LOT 35 OF SAID TRACT; THENCE ALONG THE WEST LINE OF SAID LOT 35, SOUTH 0 DEGREES 37 MINUTES 53 SECONDS EAST 7.81 FEET TO THE POINT OF BEGINNING.

EXCEPT ALL GAS, OIL AND OTHER MINERALS OR HYDROCARBON SUBSTANCES, IN OR FROM SAID LAND PROVIDED, HOWEVER, NO RIGHT IS RESERVED TO THE GRANTORS, THEIR SUCCESSORS OR ASSIGNS, TO ENTER ON OR FROM THE SURFACE OF SAID LAND, THE RIGHT TO ENTER THE SUBSURFACE OF SAID LAND, WHICH IS ALSO RESERVED, SHALL BE AT ANY POINT BELOW A DEPTH OF 100 FEET FROM THE SURFACE THEREOF, (MEASURED VERTICALLY FROM THE SURFACE THEREOF), TO TAKE SAME FROM SAID LAND AND REDUCE SAME TO POSSESSION, AS RESERVED BY WELLS FARGO BANK & UNION TRUST CO., AND OTHERS, IN THE DEED RECORDED ON MARCH 30, 1953 IN BOOK 41333 PAGE 157, OFFICIAL RECORDS.

Exhibit B:
Intersection Improvements

DRAFT



STREET IMPROVEMENT NOTES:

1. PROTECT IN PLACE (ITEM AS NOTED ON PLAN).
2. CONSTRUCT 4.5" THICK A.C. PAVEMENT ON 4" MIN. C.A.B. FOR A T.I. OF 7.0.
3. CONSTRUCT 4" THICK CONCRETE SIDEWALK PER SPPWC STD. 112-2. CONTRACTOR TO MAINTAIN ADA COMPLIANT SLOPES AND WIDTHS.
4. SAW CUT AND REMOVE EXISTING AC PAVEMENT.
5. CONSTRUCT NEW DRIVEWAY PER MODIFIED SPPWC STD. 110-2. FOLLOW PLAN FOR RADII ON CURB RETURNS. DRIVEWAY WIDTH AND WING LENGTH PER PLAN.
6. CONSTRUCT CURB RAMP PER SPPWC STD. 111-5. CASE B, TYPE 1.
7. ADJUST TO GRADE EXISTING UTILITY (UTILITY TYPE NOTED ON PLAN).
8. RE-LOCATE EXISTING ELECTRICAL PULL BOX. KEEP PULL BOX OFF ADA COMPLIANT RAMPED SURFACES. CONTRACTOR TO ENSURE EX. CONDUITS ARE EXTENDED AND/OR NEW CONDUITS ARE RUN.
9. CONSTRUCT 8" CURB & GUTTER PER SPPWC STD. 120-2, A1-8.
10. GRIND EXISTING AC PAVEMENT (2" MIN.) AND CONSTRUCT VARIABLE THICKNESS AC OVERLAY (2" MIN.)
11. FURNISH AND INSTALL DETACTABLE WARNING PLATE PER SPPWC STD. 111-5.
12. PROPOSED PARKWAY LANDSCAPING PER SEPARATE PLANS.
13. CONSTRUCT VARIABLE HEIGHT 6" CURB PER SPPWC STD. 120-2, A1-6. SEE PLAN FOR CURB FACE HEIGHT.
14. RE-CONNECT EXISTING CURB FACE DRAIN.
15. REMOVE EXISTING LIGHT POLE.
16. INSTALL NEW INTERSECTION TRAFFIC LIGHTING PER SEPARATE PLAN AND PERMIT. SEE TRAFFIC SIGNALIZATION PLANS.

PUBLIC UTILITY NOTES:

1. REMOVE EXISTING DCDA, PIV AND FDC.
2. FURNISH AND INSTALL 2" COPPER WATER SERVICE AND METER PER CITY OF MONTEREY PARK WATER DIVISION STD. W-4 SHOWN ON SHEET #.
3. CONNECT 6" FIRE SERVICE LATERAL TO EXISTING 10" C.I.P. WATER MAIN PER CITY OF MONTEREY PARK WATER DIVISION STD. W-11 SHOWN ON SHEET #.
4. FURNISH AND INSTALL 6" PVC, CLASS 200, C-900 PIPE AND CAP FOR FUTURE PRIVATE CONNECTION. SEE PRIVATE CONTINUATION ON SHEET 4.
5. FURNISH AND INSTALL 2" COPPER WATER SERVICE LINE AND CAP FOR FUTURE CONNECTION. SEE PRIVATE CONTINUATION ON SHEET 4.

ABBREVIATIONS:

TG	TOP GRATE
EX	EXISTING
EG	EDGE OF GUTTER
TC	TOP OF CURB
FL	FLOW LINE
FS	FINISHED SURFACE
SL	STREET LIGHT
PP	POWER POLE
FH	FIRE HYDRANT
WV	WATER VALVE
GW	GUY WIRE
L#	CORRESPONDING TABLE VALUE
C#	CORRESPONDING TABLE VALUE
R/W	RIGHT OF WAY
C/L	CENTERLINE
P/L	PROPERTY LINE
TYP	TYPICAL
VLT	ELECTRICAL VAULT
BEG	BEGIN WORK
DWY	DRIVEWAY
PROP	PROPOSED

LEGEND:

- PROPOSED PCC DRIVEWAY APPROACH OR SIDEWALK
- PROPOSED SLOT PAVE
- PROPOSED GRIND AND OVERLAY
- SAW-CUT LINE
- EX. LIGHT POLE
- ELECTRIC POLE
- EX. STORM DRAIN MANHOLE
- EX. TELECOMM. MANHOLE
- EXISTING SIGN
- EXISTING GUY WIRE
- EXISTING VALVE
- EXISTING FIRE HYDRANT

0 10 15 20
(IN FEET)
1 INCH = 10 FEET

FOR REVIEW ONLY - NOT FOR CONSTRUCTION

UNDERGROUND SERVICE ALERT
811
Call: TOLL FREE 1-800-422-4133
KNOW WHAT'S BELOW. CALL BEFORE YOU DIG.
TWO WORKING DAYS BEFORE YOU DIG

UNAUTHORIZED CHANGES & USES:

THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.

ENGINEERS NOTE TO CONTRACTOR:

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES, PIPES, AND/OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR SHALL ASCERTAIN THE TRUE VERTICAL AND HORIZONTAL LOCATION OF THOSE UNDERGROUND UTILITIES TO BE USED AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ANY PUBLIC OR PRIVATE UTILITIES, SHOWN OR NOT SHOWN HEREON. IF THE CONTRACTOR ENCOUNTERS ANY DISCREPANCIES, CONFLICTS OR AREAS WHICH HE FEELS UNWORKABLE, HE SHALL NOTIFY THE GRADING ENGINEER IMMEDIATELY PRIOR TO CONTINUING OR DEVIATING FROM THIS PLAN.

STAMP

PREPARED BY:
TAIT & ASSOCIATES
Since 1964
701 North Parkcenter Drive
Santa Ana, CA 92705
p: 714.560.8200
www.tait.com
ENGINEERING ENVIRONMENTAL BUILDING LAND
Orange County, San Luis Obispo, Denver, Boise, Sacramento, Riverside, Dallas, Atlanta

UNDER THE SUPERVISION OF:

JACOB VANDERVIS, RCE 46301 DATE

REVISION

NO.	DESCRIPTION	DATE

CITY OF MONTEREY PARK

DESIGN BY: RT
DATE: 12/15/23
CHECKED BY: SW/JV
SCALE: AS SHOWN

STREET IMPROVMENT PLAN
STREET IMPROVEMENT PLAN
ATLANTIC BLVD.
MONTEREY PARK, CA

PREPARED FOR:
TRC-RETAIL (949)662-2142
4695 MACARTHUR COURT, SUITE 700, NEWPORT BEACH, CA 92660

SUBMITTED:
xxx, P.E.
ASSISTANT CITY ENGINEER RCE xxx

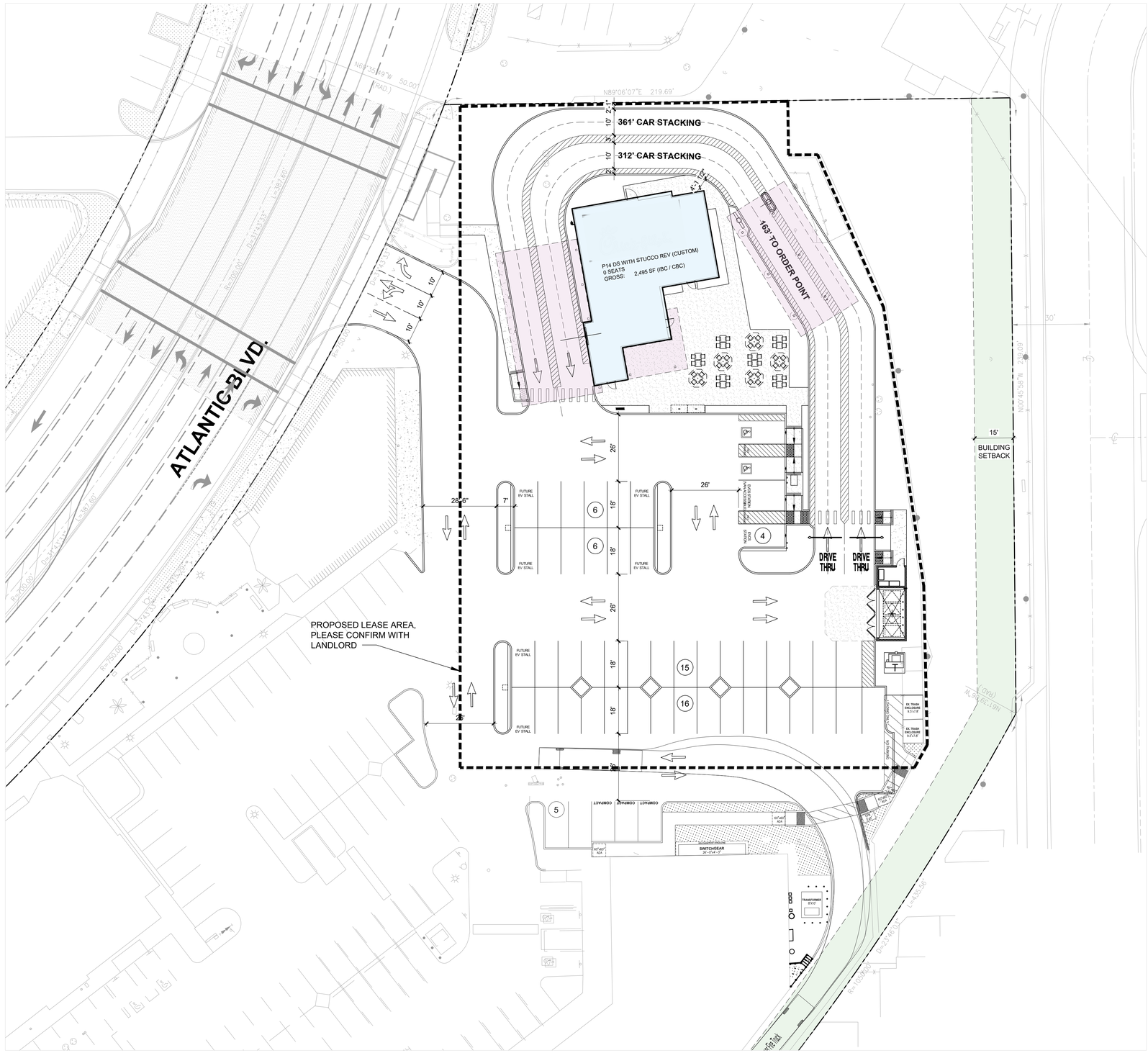
SHT. 3 OF 7
DWG. NO.

FOR REVIEW ONLY NOT FOR CONSTRUCTION

Dec 22, 2023 - 11:58am by RICHARD LOCAL C:\Users\rtemp\Documents\WORK\TAIT\DRAWINGS\SP8569 - Monterey Park\ENG\Construction Drawings\Street Improvements\SP8569-St-RP.dwg

Exhibit C:
New Drive-Thru

DRAFT



PRELIMINARY SITE PLAN

1" = 20'-0"

NORTH

SITE INFORMATION

SIR:	YES	DATE: 07-02-24
SURVEY:	YES/ NO	DATE: XX-XX-XX
4G PM:	TROY SCHMIDT	
BUILDING SETBACK:	N: 0' COMMERCIAL	
	S: 0' COMMERCIAL	
	E: 0' RESIDENTIAL	
	W: 0' ATLANTIC BLVD.	
LANDSCAPE SETBACK:	N: 0' COMMERCIAL	
	S: 0' COMMERCIAL	
	E: 15' RESIDENTIAL	
	W: 0' ATLANTIC BLVD.	

D/T STACKING:	NOT SPECIFIED
STANDARD 90° STALL SIZE:	9' W X 18' L
DRIVE AISLE WIDTH:	26' - 90°
OVERHANG ALLOWED?	NO
BIKE REQUIREMENT:	4 - 4 RACKS PER 50,000 SF OF COMMERCIAL DEVELOPMENT
NEW CURB CUT?	N/A, CURBS OUTSIDE OF PL
LOADING ZONING:	NO
TE FRONT OR SIDE	SUBJECT TO APPROVAL BY THE CITY
LOADING:	PLANNER
LANDSCAPE ISLAND:	EVERY 3 SPACES, MIN. 3'

EASEMENT NOTES

XX -

XX -

TABLE 5.106.5.3.1

TOTAL NUMBER OF ACTUAL PARKING SPACES	NUMBER OF REQUIRED EV CAPABLE SPACES	NUMBER OF EVCS (EV CAPABLE SPACES PROVIDED WITH EVSE)[2]
0-9	0	0
10-25	4	0
26-50	8	2
51-75	13	3

1. Calculation for spaces shall be rounded up to the nearest whole number
2. The number of required EVCS (EV capable spaces provided with EVSE) in column 2 count toward the total number of required EV capable spaces shown in column 2.

TABLE 11B-228.3.2.1 ELECTRIC VEHICLE CHARGING STATIONS FOR PUBLIC USE AND COMMON USE

TOTAL NUMBER OF EVCS AT A FACILITY [1]	VAN ACCESSIBLE		
	VAN ACCESSIBLE	STANDARD ACCESSIBLE	AMBULATORY
1-4	1	0	0
5-25	1	1	0
26-50	1	1	1
51-75	1	2	2

1. Where an EV charger can simultaneously charge more than one vehicle, the number of EVCS provided shall be considered equivalent to the number of electric vehicles that can be simultaneously charged.

SITE STATISTICS

47 SPACES TOTAL

PROPOSED LEASE AREA APPROX. : 44,103 S.F. (1.01 AC)

CAR STACK LENGTH: 673 FT TOTAL (33 CARS)

ORDER POINT: 163 FT INNER LANE (8TH CAR)

crho architects
1833 E. 17th Street
3rd Floor - Suite 301
Santa Ana, CA 92705
Phone 714.832.1834

ATLANTIC & FLORAL DTO
2012 S ATLANTIC BLVD.
MONTEREY PARK, CA

STORE # **05993**

REVISION SCHEDULE

NO.	DATE	DESCRIPTION
	06-05-24	PSP 15
	06-12-24	PSP 16
	06-24-24	PSP 17
	06-26-24	PSP 18
	07-10-24	PSP 19
	07-16-24	PSP 20
	08-01-24	PSP 21

ARCHITECT'S PROJECT # 22-228

PRINTED FOR Plan'g, Building, Etc.

DATE 11-14-22

DRAWN BY SL

Information contained on this drawing and in all digital files produced for above named project may not be reproduced in any manner without express written or verbal consent from authorized project representatives.

SHEET
PRELIMINARY SITE PLAN

SHEET NUMBER
PSP-21

Exhibit D:
Atlantic Square Allowable Uses (BRDZ)

DRAFT

ATLANTIC SQUARE BUSINESS RECOVERY DEVELOPMENT ZONE

Land Use Regulations

The Land Uses listed in Permitted Uses Table XX.XX are permitted by right, or by Conditional and Administrative Use permit, or by Limitations and Special Standards, and/or as an Accessory Use within the Atlantic Square Business Recovery Development Zone project site as described in the Atlantic Square Business Recovery Development Agreement.

Uses indicated with a **'P'** are permitted by right. Uses indicated with a **'C'** are permitted following approval of a Conditional Use Permit. Uses indicated with an **'L'** are permitted subject to limitations or special standards. Uses indicated with an **'AUP'** are permitted following approval of an Administrative Use Permit.

In the event a proposed use is not listed herein, the Zoning Administrator shall have the discretion to determine that the proposed use is substantially similar to a listed use, and upon such determination, the proposed use shall be treated for purposes of this Development Agreement as the substantially similar listed use.

Permitted Uses Table XX.XX

Land Use	Use Regulations	Footnotes
Retail		
Small Retail, General (≤ 10,000 Sq. Ft.)	P	(F1)
Large Retail, General (≥ 10,000 Sq. Ft.)	P	(F1)
Art Gallery/Picture Framing	P	
Bicycle/Motor Scooter Sales and Supplies	P	
Catering Service/Ghost Kitchen	P	
Outdoor Sales	AUP	MPMC 21.32.200
Plant Nursery	P	
Swimming Pool Supplies	P	
Service Business		
Adult Care Facility	C	MPMC 21.32.020
Animal Services • Animal Grooming • Veterinary Services/Animal Hospital • Kennel/Animal Boarding	 P P P	
ATM Kiosk	P	
Barber Shop/Beauty Salon/Nail Salon	P	
Copy Center/Parcel Service/Mailbox Service Center	P	
Checking Cashing Facility	P	
Day Care Center	C	MPMC 21.32.020
Day Health Spa • w/ Massage Establishment	P L	 MPMC 21.10.040(T)
Dry Cleaning (including laundry)	P	

DRAFT

Land Use	Use Regulations	Footnotes
Fitness Center (≤ 5,000 Sq. Ft.)	P	
Fitness Center (≥ 5,000 Sq. Ft.)	P	
Laundromat	P	
Locksmith/Keys	P	
Massage Establishment	L	MPMC 21.10.040(T)
Money Transfer Facility (Wire Service)	P	
Printing and Publishing	P	
Service/Fueling Station	C	MPMC 21.32.020
Studio (Art/Dance/Music/Photo/Martial Arts)	P	
Tailor	P	
Tattoo Parlor/Body Piercing	C	MPMC 21.32.020
Eating and Drinking Establishment		
Alcohol Sales (on-sale and off-sale)	L	MPMC 21.10.040(B) MPMC 21.10.230
Bar, Tavern, Cocktail Lounge	C	MPMC 21.32.020 MPMC 21.10.230 MPMC 21.10.40(G)
Microbrewery/Brew Pub/Wine Room	L	MPMC 21.10.040(B) MPMC 21.10.230
Restaurant w/ Outdoor Dining more than 10% of Gross Floor Area	P AUP	- MPMC 21.10.040(Y) MPMC 21.32.200
Restaurant, Fast Food • w/ Drive-through	P AUP	- MPMC 21.32.200
Retail Eating Establishment	P	
Entertainment		
Amusement/Game Arcade	C	MPMC 21.32.020
Concert Hall	C	MPMC 21.32.020
Comedy Club	C	MPMC 21.32.020
Commercial Recreation - Indoor	AUP	MPMC 21.32.200
Commercial Recreation - Outdoor	AUP	MPMC 21.32.200
Community Center	AUP	MPMC 21.32.200
Internet Arcade	C	MPMC 21.32.020
Theater (motion picture)	P	
Office		
Bank/Financial Institution • w/ Drive-Up ATM Teller	P AUP	 MPMC 21.32.200
Bank, Virtual Teller Branch/Indoor ATM	AUP	MPMC 21.32.200
Office, Administrative	P	
Office, Government	P	
Office, Medical	P	
Office, Professional	P	
Office, Service	P	
Notary Public	P	
Stockbroker/Trader	P	
Medical Uses		
Acupuncture/Acupressure Clinic/Office	P	
Clinic (Medical, dental, psychologist, social work)	P	

DRAFT

Medical Spa	P	
Optometrist/Ophthalmologist	P	
Physical Therapy/Sports Medicine	P	

Land Use	Use Regulations	Footnotes
Education		
Business College (Office or Medical/Dental)	P	
School, Commercial	P	
School, Private	P	
School, Vocational or Trade	P	
Tutoring	P	

Footnotes:

(F1) All land uses listed as Permitted and Conditional Uses under the Retail subheading in **Table 21.10(A) – Permitted Uses in Commercial Zones** of Monterey Park Municipal Code Section 21.10.030 shall be designated General Retail Uses permitted by right within the Atlantic Square Business Recovery Development Zone.

DRAFT

Exhibit E:
Atlantic Square Development Standards (BRDZ)

DRAFT

ATLANTIC SQUARE BUSINESS RECOVERY DEVELOPMENT ZONE

EXHIBIT E – STANDARDS OF DEVELOPMENT

Lot Size (minimum)		
Width	Depth	Area
50 ft.	100 ft.	15,000 sq. ft.

Setbacks (minimum)		
Front	Side	Rear
0 ft.	Abuts Street: 0 ft. Abuts Commercial Property: 0 ft. Abuts Residential Zone: 15 ft.	Abuts Street: 15 ft. Abuts Commercial Property: 0 ft. Abuts Residential Zone: 15 ft. Separated from Residential Zone by an alley: 15 ft.

Building Height (maximum)		
Maximum	25 ft. from residential zone	35 feet from residential zone
40 ft./3 Stories	28 ft./2 Stories	40 ft./3 stories

Floor Area Ratio (maximum)
1.0

Off-Street Parking Regulations
No Minimum Required*

*Project site is exempt from minimum parking requirements per Government Code Section 65863.2 (AB2097 – "Residential, commercial, or other development types: parking requirements.")

Drive-Through Business
Generally: • Drive-through business is conditionally permitted as an accessory to an established restaurant or commercial business and subject to a written determination by the City Planner, including findings that the proposed drive-through restaurant is consistent with the Monterey Park Municipal Code. City Planner's written determination is not final until it is received and filed, or acted upon by the Planning Commission. • Drive-through aisles shall provide sufficient stacking area behind the menu board to accommodate a minimum of six cars. • Where pedestrian walkways intersect with drive-through drive aisles, walkways shall have clear visibility and shall be emphasized by striping. Specifically for Drive-Through Restaurants: • Structures, drive-through drive aisles, setbacks, landscaping, lighting and menu boards will be constructed as proposed by applicant, subject to a written determination by the City Planner, including findings that the proposed drive-through restaurant is consistent with the Monterey Park Municipal Code. City Planner's written determination is not final until it is received and filed or acted upon by the Planning Commission.

DRAFT

Lighting	
General	Parking Lot
All outdoor lighting must be located and shielded so as to prevent the direct spillage of light or glare onto adjacent lots and streets.	Parking lots and all areas of open parking must be provided with the following illumination: • An average lighting level of no less than two foot-candles as measured from the parking surface • A minimum individual lighting level of no less than one foot-candle as measure from the parking surface.

Mechanical Equipment
Any mechanical equipment to be located on the roof of a commercial building, or at grade, must provide adequate screening from public rights-of-way and adjacent properties through the use of parapets or a solid, non-combustible, screening material. Such screening may either be painted to match the exterior color of the commercial building or treated as an architectural feature.

Trash and Waste Facilities
• Project site must include facilities for the storage and collection of trash. Trash enclosures must be located such that sight distances, circulation, parking space access and driveway access are not impeded. • Adequate vehicular access to and from such trash areas must be provided to facilitate collection by the trash hauler. • Trash enclosure structures must be designed to fit the standardized container as provided by the trash hauler; the interior dimensions of the enclosure must be a minimum of four feet in depth and seven feet in width. • Trash enclosures must be maintained in a closed manner at all times to prohibit visibility of trash containers from public rights-of-way or adjacent properties.

DRAFT

Exhibit F:
Development Impact Fees

[TRC & Willdan to coordinate on determination of appliable Development Impact Fees and applicable amounts to be established here.]

Exhibit G:
Vested Rules as of the Effective Date

DRAFT

Exhibit G:
Vested Rules as of the Effective Date

Vested Rules include all provisions, as they exist as of the Effective Date, of the City's General Plan, Municipal Code (including but not limited to Zoning Ordinance and Subdivision Ordinance), and any other ordinances, resolutions, rules, regulations, requirements, and official policies governing:

> Development agreements; permitted uses; density and building intensity; growth control; zoning designations and regulations; subdivision, improvement, grading, landscaping and signage; design, development, improvement, and construction standards and specifications; standards and requirements for public reservations and dedications, public improvements and facilities; transit, parking, open space, employee housing and affordable housing; standards and requirements for processing of Subsequent Permits (as defined in Section 4.1.1); and the Combined Improvements Approvals described in Section 3.4.

For avoidance of doubt, Vested Rules do not include: (i) Uniform Codes, or changes thereto from time to time; (ii) Development Impact Fees or fee calculation methods (which shall be as set forth in Exhibit F; or (iii) fees imposed by other governmental agencies, whether or not collected by City on behalf of such agencies.

Exhibit H:
Subsequent Permits Approved for the Shopping Center Modernization Improvements

DRAFT

Exhibit B:
Zone Map Amendment -
ZA-24-02

Exhibit B
Atlantic Square (Current)

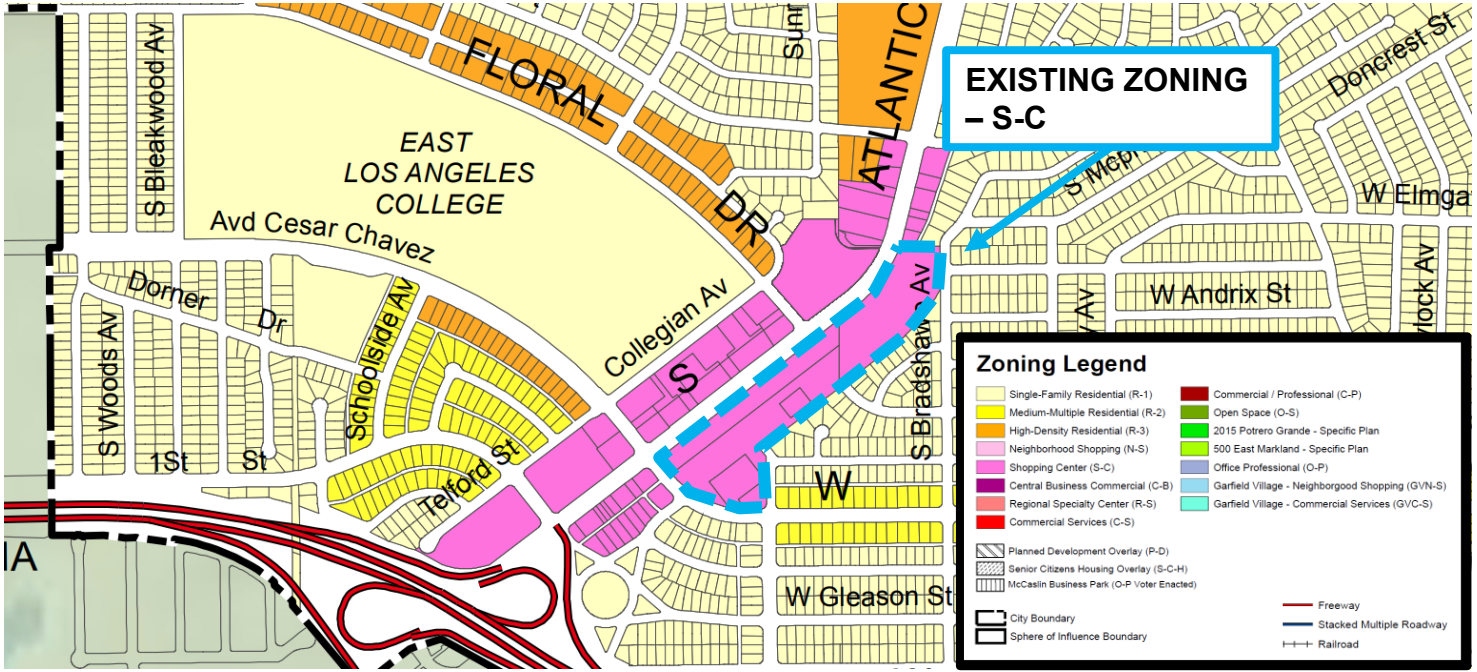
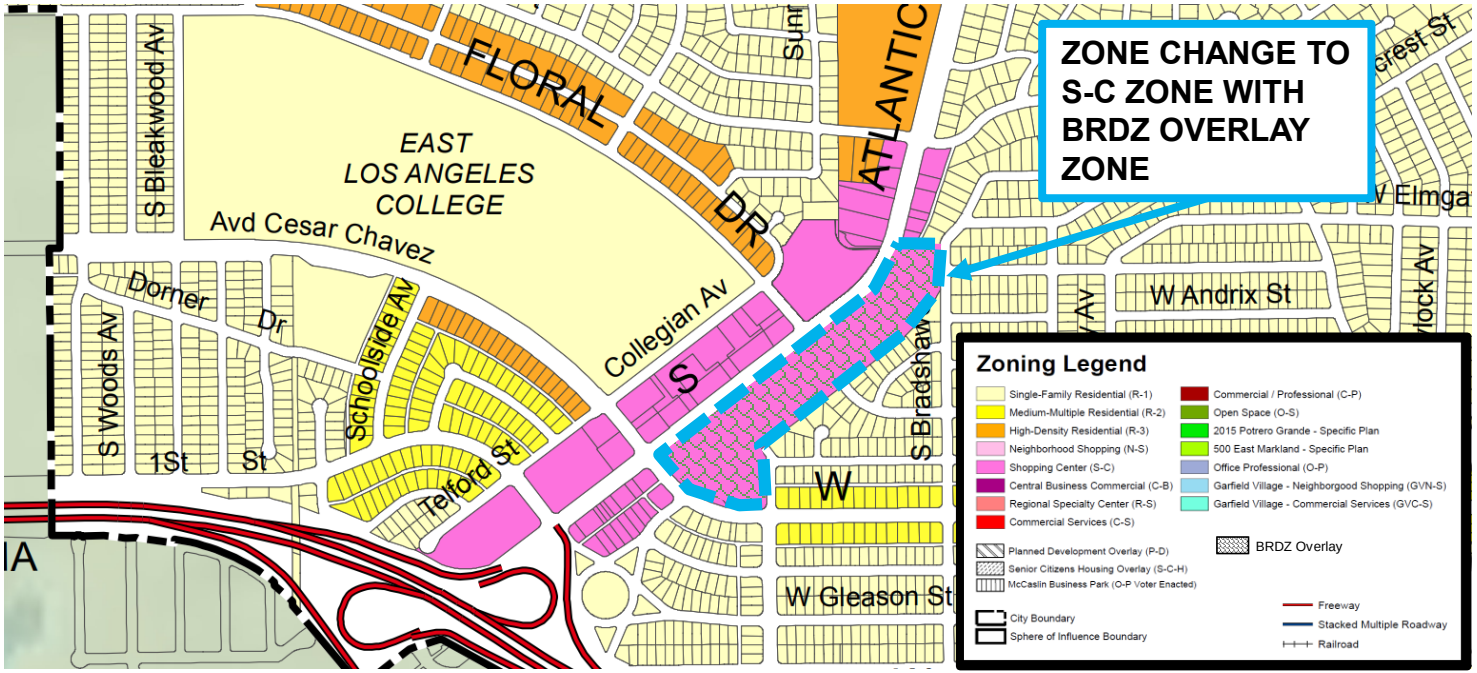


Exhibit B
Atlantic Square (Proposed)



ATTACHMENT 2

City Council Staff Report, dated October 16, 2024 (without attachments)

City Council Staff Report

DATE: October 16, 2024

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 introducing an ordinance approving a Development Agreement (DA-24-01) by and between the City of Monterey Park and Atlantic Square, LLC (TRC) to facilitate improvements on and adjacent to the Atlantic Square Shopping Center located at 2100 South Atlantic Boulevard; to activate the Business Recovery Development Agreement Zone ("BRDZ") in Monterey Park Municipal Code Chapter 21.45; and to amend the zone map (ZA-24-02).

RECOMMENDATION:

It is recommended that the City Council consider:

1. Opening the public hearing;
2. Receiving documentary and testimonial evidence;
3. Closing the public hearing;
4. Introducing and waiving first reading of an ordinance adopting DA-24-01 and amending the zoning map (ZA-24-02). Second reading and adoption would occur on November 6, 2024. The DA would become effective December 6, 2024; and
5. Taking such additional, related action that may be desirable.

CEQA (California Environmental Quality Act):

The City conducted an environmental review of the proposed project under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq*.), and the CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq*.) ("CEQA") and determined it is categorically exempt pursuant to CEQA Guidelines § 15302 as a Class 2, replacement or reconstruction project. Under CEQA Guidelines § 15004(b)(4), this Development Agreement comprises a preliminary agreement not subject to CEQA insofar as the Intersection Improvements and New Drive-Thru are concerned.

EXECUTIVE SUMMARY:

By letter dated December 22, 2023, the owner of the Atlantic Square shopping center located at 2100 S. Atlantic Boulevard ("Shopping Center"), Atlantic Square, LLC, d/b/a/ TRC ("TRC") submitted an application to the City to amend the existing Conditional Use Permit (CUP) that governs the development and types of uses allowed at the shopping center. The existing CUP was issued in 1989 (with subsequent amendments).

Starting in 2023, the City Council considered the Shopping Center in a series of meetings. On March 26, 2024, the City Council created an ad hoc committee (comprised of Mayor Thomas Wong and Council Member Jose Sanchez) to meet with TRC representatives regarding the Shopping Center's future. Following those meetings, the City Manager, City Attorney, and other officials negotiated the proposed Development Agreement between the City and TRC.

TYPE OF ACTION (LEGISLATIVE)

Decision-Making Body: The City Council is the planning agency for this project pursuant to Monterey Park Municipal Code ("MPMC") § 2.56.020(c). Additionally, the City Council is the sole decision-maker regarding activating the Business Recover Development Zone ("BRDZ") pursuant to MPMC § 21.45.020(G).

Legislative: The recommended action includes an amendment to the zoning (the "BRDZ") via an Ordinance. In considering such actions, the City Council acts in its discretionary legislative capacity (formulating rules that apply to all future cases). For the proposed zone change, the City Council must make these findings (MPMC § 21.38.050):

- That the proposed zone change is consistent with the goals, policies, and objectives of the General Plan;
- That the proposed zone change will not adversely affect surrounding properties; and
- That the proposed zone change promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC's zoning regulations.

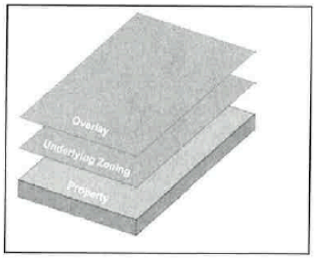
These findings are included in the draft Ordinance; the facts upon which these findings rely are also included with the draft documents.

BACKGROUND:

If approved, the Development Agreement would both establish zoning for the Shopping Center (by activating the BRDZ as authorized by MPMC Chapter 21.45) and obligate TRC to develop certain uses (and buildings). This would reconcile the City Council's concerns (expressed during multiple public meetings) regarding the lack of development in the Shopping Center's north end with TRC's desire to update its land use approvals to meet current economic conditions. This circumstance is one of the reasons that the City Council adopted the BRDZ in 2020 as part of the 2020 Monterey Park Business Recovery Program. As outlined in the City Council's July 15, 2020 Staff Report:

➢ *Business Recovery Development agreement Zone ("BRDZ").*

The Program would create a new overlay zone entitled "Business Recover Development agreement Zone (BRDZ)." The BRDZ would allow projects at certain sites and areas within the City to be subject to a development agreement to alter requirements of the underlying zone. A recent example of a project that used an overlay zone is the Chandler Senior Housing project, located at 130-206 South Chandler Ave, that utilized the City's existing senior citizen housing overlay zone. Since not all projects fit neatly into the MPMC's zoning regulations, the BRDZ provides flexibility for otherwise strict development regulations applicable to the underlying zone. The development agreement would implement those changes to the underlying zone through an overlay zone. The BRDZ is considered a "floating zone" because once the need is identified, this zone can be activated for a specific property. The graphic below provides an image of the concept: the green layer represents the BRDZ overlay zone. That overlay would be reconciled with the blue layer which represents the underlying zone (e.g., commercial).



Other requirements proposed as part of the BRDZ include: 1) combining the BRDZ with any underlying zone; 2) specifying the allowable land uses on a site within the BRDZ; 3) applying the same land use permit requirements of the primary zone within the BRDZ, unless otherwise specified in the applicable development agreement; 4) establishing development and land use standards on a site within the BRDZ in the applicable development agreement; and 5) amending the Zoning Map to show the overlay designation once the BRDZ is activated.

This policy provides flexibility to existing zoning and land use regulations and will help streamline the development process for future developments within the City. Some projects may be more desirable to the City and the needs of such projects can be accomplished with the BRDZ. Approval of the BRDZ and any development agreement associated with the BRDZ rests solely within the City Council's discretion.

Here, the proposed Development Agreement for the Shopping Center would activate the BRDZ and govern the following:

- TRC may, at its own expense, construct a new traffic signal where Atlantic Boulevard intersects the northern portion of the Shopping Center.

- TRC will develop plans for a new drive drive-thru restaurant facility within the Shopping Center.

- TRC may add new restaurant, commercial and entertainment uses to the Shopping Center with the allowable use and development standards appropriate for each. The uses are described in detail in Attached Exhibits D and E.

- The term of the Development Agreement would be five years from the date of execution.

Additionally, TRC would cause demolition of existing Building A and provide for improvements to Building C – both included in Exhibit H of the draft Development Agreement.

The Development Agreement identifies the following public benefits:

- Development of new and relevant land uses within the Shopping Center that is currently vacant.

- Development of land uses that will complement surrounding commercial land uses with low impacts on existing infrastructure and minimal burdens on surrounding properties.

- Generation of additional sales tax and property tax.

- Improvement of the public right of way along South Atlantic Avenue.

- Installation of enhanced landscaping along the Shopping Center's northern portion and right of way.

- Construction of a traffic signal and other intersection improvements adjacent to the north side of the Shopping Center.

In addition to these public benefits, the Development Agreement would address a long-standing City goal of improving the Shopping Center in the City that the City Council previously identified as a development priority.

2024-25 STRATEGIC PLAN GOAL:

This project meets the strategic plan goal to "Strengthen our local economy and enhance housing opportunities" because the Development Agreement and zone change would facilitate enhancements to Atlantic Square which would improve the aesthetic appearance of the Shopping Center, help fill vacancies, attract more businesses, and positively impact the City's local economy.

FISCAL IMPACT:

All costs associated with the Project are borne by TRC. It is paying for all costs associated with processing the Project application and is financially responsible for all improvements allowed via the Development Agreement including, without limitation, a proposed traffic signal. Future benefits include anticipated increases to sales tax revenue for the City.

Respectfully submitted by:

Jessica Serrano
Director of Community Development

Prepared by:

Jeffrey L. Stewart
Willdan Engineering

Reviewed by:

Martha Garcia
Director of Finance

Approved by:

Inez Alvarez
City Manager

Reviewed by:

Karl H. Berger
City Attorney

ATTACHMENT:

1. Ordinance No._____, including Draft Development Agreement between City and TRC and attachments referenced in the staff report.
2. Map of Atlantic Square area referenced in the staff report.

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: Consent Calendar - 3C

TO: The Honorable Mayor and City Council

FROM: Jessica Serrano, Director of Community Development

SUBJECT: Receive and file the Monterey Park Business Improvement District No. 1 (BID) 2024 Annual Report and approve the proposed BID assessment and budget for the 2025 program year.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receiving and filing the 2024 Annual Report with the City Clerk;
2. Approving the proposed BID assessment and budget for the 2025 program year; and
3. Taking such additional, related, action that may be desirable.

BOARD/COMMISSION REVIEW:

The Downtown Business Improvement District Advisory Committee (BIDAC) is presenting its 2024 Business Improvement District No. 1 (BID) Annual Report outlining activities and expenditures for 2024 and the proposed assessment for 2025. The BIDAC recommends maintaining the current assessment levels for 2025.

EXECUTIVE SUMMARY:

The Business Improvement District No. 1 (BID), established in 1986, is required by California law to submit an annual report to the City Clerk detailing its activities, expenditures for the current program year, and proposed budget for the following program year. Additionally, BID assessments must be renewed annually. Per the California Streets and Public Highways Code 54954.6, an ongoing assessment, if imposed at the same or lower amount as any previous year, does not require a public hearing or resolution to adopt and may be approved by minute order.

BACKGROUND:

The Business Improvement District Advisory Committee (BIDAC), comprised of business and property owners within the assessed area, serves as an advisory board to the City Council, offering insights into the needs of BID businesses and is responsible for making a recommendation on the BID's annual report.

In compliance with BID law, the BIDAC is presenting its 2024 Annual Report, outlining activities and expenditures for the 2024 program year and the proposed assessment,

programs and budgets for 2025. The BIDAC recommends maintaining the current assessment levels for the 2025 program year.

The significant expenditures in 2024 were the installation of Holiday decorations on Garvey Avenue, janitorial services for the Downtown area, and a promotion program to increase foot traffic to the Downtown BID. The BID's 2024 revenue is estimated at $56,000,and the estimated expenditures for 2024 total $48,607.

Key Goals for the 2025 BID Annual Report and budget include:

- Collaborate with BID businesses to enhance the attractiveness of the Downtown District.
- Continue funding janitorial services and street maintenance within the BID area.
- Install, remove, and store Holiday lights and decorations along Garvey Avenue.
- Partner with the City to offer BID business workshops and business assistance activities.
- Support City projects benefitting the BID area (e.g., parking structure discussions, wayfinding signage, security initiatives, among others).
- Identify strategies to promote the BID businesses.

The BIDAC is proposing the following 2025 program year estimated budget:

Budget Item	Description	2025 Estimated Budget
Administration	Postage	$400.00
	Business Cards	$150.00
	Office Supplies	$300.00
BID Promotion	Incentives, marketing, & promotions	$12,000.00
Holiday Decoration	Holiday lights & decorations	$9,425.00
Custodial Contract	Maintenance of the BID area	$23,322.00
	Pressure washing	$7,360.00
	TOTAL ESTIMATED EXPENDITURES	**$52,975.00**

	2025 Estimated Revenue	$56,000.00
	Reserves as of 09/2024	$204,068

It is recommended that the City Council receive and file the BID 2024 Annual Report and approve the 2025 BID annual assessment by minute order.

2024-25 STRATEGIC PLAN GOAL:

The BID annual assessment meets the 2024-2025 Strategic Plan Goal of strengthening our local economy and housing opportunities by supporting and promoting the businesses in Downtown Business Improvement District No. 1.

FISCAL IMPACT:

Monies received are for a special assessment district and do not affect the City's general fund.

Respectfully submitted by:

Jessica Serrano
Director of Community Development

Prepared by:

Joseph Torres
Economic Development Manager

Approved by:

Inez Alvarez
City Manager

Approved as to form: Karl Berger, City Attorney
Reviewed by:

Solange Fortenbach
Deputy City Attorney

ATTACHMENT:

1. 2024 BID Annual Report

ATTACHMENT 1
2024 BID Annual Report

CITY OF MONTEREY PARK

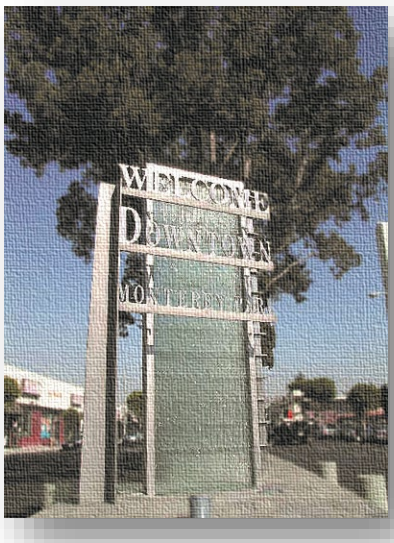
BUSINESS IMPROVEMENT DISTRICT NO. 1

2024 ANNUAL REPORT



JANUARY 2024 – DECEMBER 2024

DOWNTOWN
Garvey – Garfield



VISION STATEMENT

The Downtown Business Improvement District (BID) No. 1
was established to improve and preserve the business
community in the heart of the City.

The Downtown area of the City is an important destination point
for the business community and residents of Monterey Park. Through continued efforts
in organization, beautification, promotion, and revitalization, the City leaders
and its business community will work together to preserve
and improve the quality of life for future generations.

BID Board Members:
Elizabeth Yang, Chairperson
Gene Jeng, Vice Chair
Josephine Louie
Jesse Li
Zhen Wu

OVERVIEW

The Business Improvement District Advisory Committee (BIDAC) meets quarterly and during special meetings to discuss issues of concern to businesses located within the BID area. Programs addressing cleanliness, promotions, and marketing are all reflected in the budget for the BID. In addition to the issues discussed, the Committee also researches and plans innovative ways to promote businesses and maintain the goals and budget outlined in the Annual Report.

HISTORY

Comprised of approximately 343 small businesses, the Monterey Park Business Improvement District No. 1 encompasses the area extending along Garvey Avenue from Ramona Avenue to Nicholson Avenue and on Garfield Avenue from south of Newmark Avenue to Emerson Avenue (refer to Exhibit A). The Monterey Park City Council established the BID in 1986 at the request of local businesses and the Downtown Merchants Association (DMA) under the California Streets and Highway Code Section 36500 et seq.

The primary responsibility of the BIDAC is to make recommendations to the City Council on the methods and ways by which revenues derived from the annual assessment are used for the betterment of the BID businesses and the BID area.

The BIDAC comprises five (5) members appointed by the City Council for one year and may serve for up to eight (8) years if reinstated by a Council member. Each City Council member appoints one Committee member. The BIDAC meets quarterly and as needed and hosts an annual meeting of the BID members-at-large at the end of the year when needed before the following year's assessments.

ACCOMPLISHMENTS

This section of the Annual Report reflects the activities during 2024 to promote or enhance the BID area and its businesses.

Holiday Promotion

Holiday decorations installed and displayed along Garvey Avenue and the medians to provide a bright seasonal atmosphere for shoppers in the downtown BID.

Janitorial Services

Valley Maintenance Corporation, taking over Chrysalis Corporation in December 2020, continues to perform the janitorial services in the BID area four days a week at a significantly reduced rate. In 2023, the City added the cleaning of the Downtown parking lot on Garvey and Garfield to the City's Valley Maintenance contract with the same significantly reduced rate.

Taste of Downtown MPK Promotion

The Taste of Downtown MPK promotion will launch in November & December 2024 to boost foot traffic and stimulate economic activity for BID businesses.

BUDGET

2025 Program Year

The Annual Report contains an estimated budget for the BID for January 1, 2025, to December 31, 2025, and is tied to the programs and activities scheduled during the calendar year.

The City budgeted approximately $59,147 in revenue from the BID for the program year 2024. Exhibit B reflects the actual expenditures for the program year 2024, and Exhibit D reflects the BID's Estimated Annual Program Budget for the program year 2025. The BIDAC voted to keep the BID assessment fee unchanged for 2025 (refer to Exhibit E).

GOALS for 2025

This section of the Annual Report shows the programs or activities intended for 2025.

- Collaborate with BID businesses to enhance the attractiveness of the Downtown District.
- Continue funding janitorial services and street maintenance within the BID area.
- Install, remove, and store Holiday lights and decorations along Garvey Avenue.
- Partner with the City to offer BID business workshops and business assistance activities.
- Support City projects benefitting the BID area (e.g., parking structure discussions, wayfinding signage, security initiatives).
- Identify strategies to promote the BID businesses.

Exhibits:

A: BID Area Map
B: 2024 Estimated Budget
C: 2024 Actual Expenditures
D: 2025 Estimated Budget
E: 2025 Fee Schedule

EXHIBIT A

BUSINESS IMPROVEMENT DISTRICT NO. 1 MAP



EXHIBIT B

Business Improvement District No. 1

2024 Estimated Budget

Budget Item		Description		2024 Est. Expenditures
Administration		Postage		$400.00
		Business Cards		$150.00
		Translation Services		$1,200.00
		Office Supplies		$300.00
BID Promotion		Incentives, marketing, & promotions		$12,860.00
Holiday Decoration		Holiday light bulb replacement		$500.00
		Holiday light storage & installation		$5,577.00
Trash Receptacles		Liners & lids		$200.00
Landscaping		Additional planting supplies		$1,000.00
Custodial Contract		Maintenance of the BID area		$ 21,840.00
		Pressure Washing		$15,120.00
		TOTAL ESTIMATED EXPENDITURES:		**$59,147.00**

EXHIBIT C

Business Improvement District No. 1

2024 Actual Expenditures

Beginning Fund Reserves Balance: $173,192.00

Budget Item		Description		2024 Actual Expenses
Administration		Postage		$0.00
		Business Cards		$0.00
		Translation Services		$0.00
		Office Supplies		$0.00
BID Promotion		Taste of Downtown MPK		$7,990.00
Holiday Decoration		Holiday lights & decorations		$9,425.00
Custodial Contract		Maintenance of the BID area		$23,322.00
		Pressure Washing		$7,360.00
		TOTAL EXPENDITURES:		**$48,097.00**
2024 Estimated Revenue				**$56,000.00**
Reserves as of 09/2024				**$204,068.00**

EXHIBIT D

Business Improvement District No. 1

2025 Estimated Budget

Budget Item		Description		2025 Estimated Budget
Administration		Postage		$400.00
		Business Cards		$150.00
		Office Supplies		$300.00
BID Promotion		Incentives, marketing, & promotions		$12,000.00
Holiday Decoration		Holiday lights & decorations		$9,425.00
Custodial Contract		Maintenance of the BID area		$23,322.00
		Pressure Washing		$7,360.00
		TOTAL:		**$52,975.00**

EXHIBIT E

2025 BID Fee Schedule (same as last year)

Business Type	Fee	Employee/Seat	Formula
Retail	$105.17	$13.52	
Service (Includes Financial)	$105.17	$13.52	
Restaurant			
Without ABC	$105.17	$ 6.57	(1)
With ABC	$105.17	$ 7.87	(2)
Professional (inc. Insurance)	$105.17	$13.52	
Theater	$105.17		
Wholesale	$105.17		
Manufacturing	$105.17		
Contractor	$105.17		
Commercial Rental	$23.00 + .006574 sq. ft.		(3)
Residential Rental	$23.00		(4)
Hotel	$23.00 per unit		
Laundromat	$105.17		

1) 20 seats or less, no seat assessment fees. Over 20 seats, $6.57 per seat starting with Seat 21. Eg. For 50 seats, total charge is $105.17 (base fee) + $197.10 (30 seats x $6.57) = $302.27.

2) 20 seats or less, no seat assessment fees. Over 20 seats, $7.87 per seat starting with Seat 21. Eg. For 50 seats, total charge is $105.17 (base fee) + $236.10 (30 seats x $7.87) = $341.27.

3) Base fee is $23.00 per unit. For every additional sq. ft. over 2,000; multiply excess by $.006574. Eg. 2,500 sq. ft., total charge is $23.00 + $3.29 (500 sq. ft. x $0.006574) = $26.29 (calculations are rounded up)

4) If you own 1-3 units, there is no charge. If you own more than 3 units, you pay $23.00 per unit more than 3 units. Eg. You own 5 units. You pay $23.00 x 2 (5 units – 3 units) = $56.00

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: Consent Calendar - 3D

TO: The Honorable Mayor and City Council

FROM: Shawn Igoe, Director of Public Works

SUBJECT: 2024 Curb Ramp Improvements – Award of Public Works Contract to Onyx Paving Company, Inc.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute a public works contract, in a form approved by the City Attorney, with Onyx Paving Company, Inc. in the contract amount of $169,000 for the 2024 Curb Ramp Improvements Project;
2. Authorizing the Director of Public Works to approve change orders not to exceed $17,000 over the total contract amount; and
3. Taking such additional, related action that may be desirable.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed Ordinance pursuant to 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"). CEQA Guideline § 15301(c) (Existing Facilities) exempts the operation, repair, maintenance, alteration of existing public or private structures which involve negligible or no expansion of existing or former use. The proposed work will occur entirely within an existing structure. Accordingly, no further environmental review is required.

EXECUTIVE SUMMARY

Capital Improvement Project ("CIP") No. 96048 – 2024 Curb Ramp Improvements Project includes curb ramp construction at various street intersections. Pursuant to Resolution No. 2024-R48, the Public Works Director solicited bids for the 2024 Curb Ramp Improvements (Specification No. 2024-004).

The public bid opening for the 2024 Curb Ramp Improvements project was held on October 1, 2024. Seven bids were received: Onyx Paving, Kalban Inc, Aguilar and Calderon, NPL Construction, Komex Construction, CT&T, and Axiom. As required by HUD for the use of CDBG funds, staff held a pre-bid meeting and was attended by 10 potential bidders including Onyx Paving Company, Inc. It is recommended that City Council authorize the City Manager to execute a Public Works contract with Onyx Paving Company Inc., the lowest responsible bidder, for the 2024 Curb Ramp Improvements project in the amount of $169,000, plus a contingency amount not to exceed $17,000.

BACKGROUND

The proposed work includes the reconstruction of twenty (20) existing curb ramps in order to meet current ADA standards.

The public works bid was opened on October 01, 2024, and includes the following bid:

RANK	BIDDER	BASE BID AMOUNT
1	Onyx Paving Company, Inc.	$ 169,000.00
2	Kalban Inc	$ 178,128.00
3	Aguilar and Calderon	$ 178,312.00
4	NPL Construction	$ 189,932.00
5	Komex Construction	$ 228,240.00
6	CT&T	$ 248,288.60
7	Axiom	$ 268,420.00

The bid submitted by Onyx Paving Company, Inc. is the lowest responsive bid from a responsible bidder. Onyx Paving Company's contractor's license was verified with the California State Contractor's License Board to be current, active and in good standing. Registration with the California Department of Industrial Relations (DIR) was verified. Staff also checked the contractor's references and received positive feedback. Additionally, the contractor submitted all documents and met federal requirements.

It is recommended that the City Council awards the project to Onyx Paving Company, Inc. for a total of $169,000.

2024-25 STRATEGIC PLAN GOAL

The curb ramps reconstruction project supports the City's goal to maintain City facilities to support the current and future needs of our City and community.

FISCAL IMPACT

The proposed project is budgeted in the 2024-2025 fiscal year Capital Improvement Program under CIP 96048 funded by CDBG funds. There are sufficient funds to award the contract.

CIP 95048 – Curb Ramp Improvements Project	
Curb Ramp Improvements (Onyx Paving Company, Inc)	$169,000
Contingency (not to exceed)	$17,000
Construction management/Construction Inspection	$10,000
Labor compliance	$4,000
Total Estimated Project Cost	$200,000

Respectfully submitted and prepared by:

Shawn Igoe
Director of Public Works

Reviewed by:

Martha Garcia
Director of Finance

Approved by:

Inez Alvarez
City Manager

Approved as to Form: Karl H. Berger, City Attorney
Reviewed by:

Solange Fortenbach
Deputy City Attorney

ATTACHMENTS

1. Onyx Paving Company, Inc. Proposal – 2024 Curb Ramp Improvements

ATTACHMENT 1

Onyx Paving Company, Inc. Proposal
2024 Curb Ramp Improvements

CITY OF MONTEREY PARK
CALIFORNIA

ADDENDUM NO. 2

2024 CURB RAMP IMPROVEMENTS

CDBG IDIS #616

SPECIFICATION NO. 2024-004

(QUEST CDN PROJECT # 9297869)

Bids must be received **before 10:00 a.m. on Tuesday, October 01, 2024,** via QuestCDN for the City of Monterey Park, 320 West Newmark Avenue, Monterey Park, CA 91754, to provide services for the 2024 Curb Ramp Improvements Specification No. 2024-003 (QuestCDN # 9297869).

This Addendum reissues the following:

PRE-BID MEETING. There will be a **HUD Section 3 Mandatory Pre-Bid Meeting** held for this project at 9:00 am on Thursday September 19, 2024 using the Teams meeting ID below. All questions should be submitted on or before Tuesday September 24, 2024 by 5:00 p.m. Answers to questions shall be provided by end of day on September 26, 2024. Bidder will attend a Pre-Bid Conference where the City will discuss the Bidding Documents, answer questions, and accept comments. The City requires all Pre-Bid Conference attendees to arrive for the meeting on time and to sign an attendance list which is used to determine if Bidders meet this requirement. Every Bidder is required to attend the pre-bid meeting. **Failure of a Bidder to attend will render that Bidder's Bid non-responsive.** Any Bidder not attending the Pre-Bid Conference in its entirety will be deemed to have not complied with the requirements of the Bidding Documents and its Bid will be rejected.

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 293 518 010 980

Passcode: xiGb3A

For further Information please email Anthony Bendezu at abendezu@montereypark.ca.gov

---

CITY OF MONTEREY PARK
CALIFORNIA

ADDENDUM NO. 1

2024 CURB RAMP IMPROVEMENTS

CDBG IDIS #616

SPECIFICATION NO. 2024-004

(QUEST CDN PROJECT # 9297869)

Bids must be received **before 10:00 a.m. on Tuesday, October 01, 2024,** via QuestCDN for the City of Monterey Park, 320 West Newmark Avenue, Monterey Park, CA 91754, to provide services for the 2024 Curb Ramp Improvements Specification No. 2024-003 (QuestCDN # 9297869).

This Addendum reissues and adds the following:

Addendum 1 reissues Bid Schedule, page C.2 – C.3. See Attachment A – Revised Bid Schedule per Addendum 1. Contractors shall submit revised Bid Schedule and Federal Documents as part of their bid to be considered responsive.

Addendum 1 reissues Appendix 5. Curb Ramp Locations. See Attachment B – Revised Appendix 5 per Addendum 1.

Attachments:

Attachment A – Revised Bid Schedule per Addendum 1.
Attachment B – Revised Appendix 5 per Addendum 1.

For further Information please email Anthony Bendezu at
abendezu@montereypark.ca.gov

CITY OF MONTEREY PARK

BIDDING DOCUMENTS
For

2024 Curb Ramp Improvements
CDBG IDIS #616

Specification No. 2024-004

MANDATORY SECTION 3 PRE-BID MEETING ON SEPTEMBER 17TH AT 9:00 A.M.

Bid Due Date:

10:00 AM
October 01, 2024

Submit bids to:
Quest Construction Data Network (QuestCDN)
www.questcdn.com

2024 Curb Ramp Improvements
Specification No. 2024-004

Approved by: Okan Demirci

Okan Demirci, PE
Acting City Engineer
City of Monterey Park

TABLE OF CONTENTS

SECTION TITLE	SECTION
NOTICE INVITING SEALED BIDS	A
INSTRUCTIONS TO BIDDERS	B
BIDDER'S PROPOSAL (Entire section C shall be submitted with the bid)	C
GENERAL PROVISIONS	D
TECHNICAL SPECIFICATIONS	E
APPENDIX 1. CITY OF MONTEREY PARK PUBLIC WORKS CONTRACT	A1
APPENDIX 2. CONTRACT FOR SECURITY DEPOSITS IN LIEU OF RETENTION	A2
APPENDIX 3. CONTACT INFORMATION	A3
APPENDIX 4. FEDERAL REQUIREMENTS	A4
APPENDIX 5. CURB RAMP LOCATIONS	A5

SECTION A. NOTICE INVITING SEALED BIDS

The City of Monterey Park is receiving and accepting sealed bids only via the online electronic bid service, Quest Construction Data Network (QuestCDN), www.questcdn.com, until **10:00 AM, October 01, 2024 for the 2024 Curb Ramp Improvements Project Specification No. 2024-004.** Late bids will not be accepted.

There will be a **Mandatory HUD Section 3 Pre-Bid Meeting** held for this project at **9:00 am on Tuesday September 17, 2024 at City of Monterey Park City Hall located at 320 W. Newmark, Monterey Park, CA.** All questions should be submitted on or before Thursday, September 19, 2024 by 5:00 p.m. Answers to questions shall be provided by end of day on September 24, 2024.

As described in the Bidding Documents, the bids are for a public works project which consists of curb ramp construction and all related work on file with the City's Public Works Department. Bids will be publicly opened in approximately 5 minutes after the bid due date and time.

Copies of the Plans, Specifications and contract documents can be obtained as follows:

1. Prospective Bidders must purchase contract documents through Quest Construction Data Network (QuestCDN). This can be done via a link on the Public Works' Bids & Proposal's page at *http://www.montereypark.ca.gov/444/Bids-Proposals* and/or on the QUESTCDN website (www.questcdn.com). QuestCDN is a web-based platform for construction project advertisements, bid documents distribution and plan holder lists. Prospective bidders will need the seven-digit QuestCDN project number (Quest Project #9297869) to locate the job on the QuestCDN website search page. There is a $22 nonrefundable cost for downloading the contract documents in PDF format, however documents may be viewed for free. Bids will not be accepted from any prospective bidder who has not purchased contract documents through QuestCDN.

Please contact QuestCDN Customer Support at 952-233-1632 or info@questcdn.com for assistance in Regular membership registration, downloading and working with this digital information.

The terms and conditions for bidding on the Project are described in the attached Bidding Instructions.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS: This is a Federally-assisted construction project.

Federal Labor Standards Provisions, including the prevailing wage requirements of the Davis- Bacon and Related Acts will be enforced. Current Wage Decision is provided at

the time of the bid advertisement. Bidders shall download updated Wage Decision 10 days prior to Bid Opening, which will be applicable to the contract. Wage Decision can be downloaded from https://sam.gov/content/wage-determinations. On the web site, select the following: State:

CALIFORNIA, County: LOS ANGELES, Construction Type: BUILDING, HEAVY & HIGHWAY. In the event of a labor dispute, when Federal and State wage rates are in conflict, the higher of the two will prevail.

This is a HUD Section 3 Contract and all Bidders/Proposers must commit to achieving established requirements, including benchmarks, for Section 3 Workers and Section 3 Targeted Workers to be considered a responsive bidder/proposer and eligible for a contract award.

The Contractor(s) must comply with the requirement of Build America, Buy America (BABA) Act,41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Agency's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.

PREVAILING WAGE: Notice is hereby given that in accordance with the provisions of California Labor Code 1771, Division 2, Part 7, Chapter 1, Articles 1 and 2, the Contractor is required to pay not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work. In that regard, the Director of the Department of Industrial Relations of the State of California is required to and has determined such general prevailing rates of per diem wages. Copies of such prevailing rates of per diem wages are on file with the City. The City also shall cause a copy of such determinations to be posted at the job site.

Pursuant to Labor Code § 1775, the Contractor shall forfeit, as penalty to the City, not more than fifty dollars ($50.00) for each laborer, workman, or mechanic employed for each calendar day or portion thereof, if such laborer, workman, or mechanic is paid less than the general prevailing rate of wages hereinbefore stipulated for any work done under the attached contract, by him or by any subcontractor under him, in violation of the provisions of said Labor Code.

In accordance with the provisions of § 1777.5 of the Labor Code, as amended, and in accordance with the regulations of the California Apprenticeship Council, properly indentured apprentices may be employed in the prosecution of the work.

Attention is directed to the provisions in §§ 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by the Contractor or any subcontractor under him.

SUBCONTRACTED WORK: The name, Contractor License Number and

location of business of any subcontractor who will perform work exceeding 1/2 of 1% of the prime contractor's total bid or ten thousand dollars ($10,000), whichever is greater, must be submitted with the bid. Any other information regarding the foregoing subcontractors that is required by City to be submitted may be submitted with the bid, or may be submitted to City up to 24 hours after the deadline established herein for receipt of bids. The additional information must be submitted by the bidder to the same address and in the same form applicable to the initial submission of bid.

INELIGIBLE SUBCONTRACTORS: The successful bidder shall be prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Section 1999.1 or 1777.7 of the Labor Code.

SB 854 Requirements:

This project is subject to the requirements of SB 854. No prime contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered and qualified with the Department of Industrial Relations pursuant to Labor Code section 1725.5. No prime contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered and qualified with the Department of Industrial Relations pursuant to Labor Code section 1725.5. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. The bid proposal must include a print out from the DIR registration website showing that the prime contractor and each subcontractor is currently registered and qualified. No bid proposals will be accepted nor any contract entered into with a prime contractor without proof of registration as required above. [Unless within the limited exceptions from this requirement for bid proposals only under Labor Code Section 1771.1(a)]

DBE:

There is no mandatory DBE Participation requirement. All bidders are required to comply with all applicable competitive bidding and labor compliance laws including, but not limited to, active solicitation of subcontract bids from minority-owned businesses, women-owned businesses, and businesses owned by disabled veterans. The City hereby notifies all qualified bidders that it will affirmatively insure that qualified minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the basis of race, color, national origin, ancestry, sex, religion, or handicap in consideration for an award. Attention is directed to the provisions of Section 1777.5 (Chapter 1411, Statutes of 1968) and 1777.5 of the Labor Code concerning the employment of apprentices by the Contractor's or any such subcontractors under hire. The bidders and the selected Contractor shall not allow discrimination in employment practices on the basis of race, color, national origin, ancestry, sex, religion, or handicap.

Note that the Project is subject to compliance monitoring and enforcement by the California Department of Industrial Relations. Pursuant to California law, the City must find bids failing to comply with all applicable Labor Code requirements including, without limitation, Labor Code §§ 1725.5 and 1771.4, to be nonresponsive.

This project requires payment of State prevailing rates of wages for Los Angeles County. The contractor shall post copies of the prevailing schedule at each job site. Copies of these rates of wages are available from the State of California Department of Industrial Relations Prevailing Wage Unit, Telephone No. (415) 703-4774. The website for this agency is currently located at www.dir.ca.gov.

The contractor to whom the contract is awarded must assist in locating, qualifying, hiring and increasing the skills of minority group employees and applicants for employment, as set forth in Executive Order 11246 and 11375.

A Bid Bond equal to minimum Ten Percent (10%) of the Bid Amount is required.

Engineer's Estimate is in the range of $200,000.

Construction Days is 20 working days.

Liquidated Damages is $1,000 per calendar day.

Required State of California Contractors License Classification is Class **A**.

Five percent (5%) will be deducted from each progress payment and retained by the City. The remainder less the amount of all previous payments will be paid to the Contractor. Pursuant to Public Contracts Code ("PCC") § 22300, the Contractor may substitute securities for retention monies held by the City or request that the City place such monies into an escrow account. The Contractor is notified, pursuant to PCC § 22300, any such election will be at the Contractor own expense and will include costs incurred by the City to accommodate the Contractor's request.

For questions, contact via e-mail only:

ANTHONY BENDEZU – ABENDEZU@MONTEREYPARK.CA.GOV

DATED this September 3rd, 2024.

–END OF SECTION–

SECTION B. BIDDING INSTRUCTIONS

1. **DEFINITIONS.** Unless provided otherwise, the definitions in the Greenbook, Special Conditions, or other Contract Documents are applicable to all Bidding Documents.

   1.1. "Addenda" means written or graphic instruments issued by the City before the Bid Deadline that modify or interpret the Bidding Documents by additions, deletions, clarifications, or corrections.

   1.2. "Alternate" means a proposed change in the Work, as described in the Bidding Documents which, if accepted, may result in a change to either the Contract Sum or the Contract Time, or both.

   1.3. "Bid Deadline" means the date and time designated in the Notice for Bids as the last date and time for receipt of Bids, as may be revised by Addenda.

   1.4. "Bidder" means a person or firm that submits a Bid.

   1.5. "Bidding Documents" means the construction documents prepared and issued for bidding purposes including all Addenda.

   1.6. "Lump Sum Base Bid" means the sum stated in the Bid for which Bidder offers to perform the Work described in the Bidding Documents, but not including unit price items or Alternates.

   1.7. "Unit Price" means an amount stated in the Bid for which Bidder offers to perform the Unit Price Work for a fixed price per unit of measurement.

2. **BIDDER'S REPRESENTATIONS.** By making its Bid, Bidder represents that:

   2.1. Bidder read, understood, and made the Bid pursuant to the requirements in the Bidding Documents.

   2.2. Bidder visited the Project site and is familiar with the conditions under which the Work will be performed and the local conditions as related to the Contract Documents.

   2.3. The Bid is based upon the materials, equipment, and systems required by the Bidding Documents.

   2.4. Bidder and all Subcontractors, regardless of tier, have the appropriate current licenses issued by the State of California Contractor's State License Board for the Work to be performed. If Bidder is a joint venture, the Bidder will have a joint venture license appropriate for the performance of the work, and each member of the joint venture will likewise have the appropriate license. Business and Professions Code §§ 7000-7191 establish licensing requirements for contractors. If a Bidder, that is a specialty contractor,

submits a Bid involving 3 or more specialized building trades, the work of which is more than incidental and supplemental to the performance of the Work for which Bidder holds a specialty contractor license, Bidder shall also hold either (1) a specialty contractor "C" license in each such trade, (2) a General Engineering contractor "A" license, or (3) a General Building contractor "B" license. This requirement is applicable whether or not Bidder lists a Subcontractor for each such trade.

2.5. If licensure or proper licensure is controverted, then proof of licensure pursuant to this section shall be made by production of a verified certificate of licensure from the Contractors' State License Board which establishes that the individual or entity bringing the action was duly licensed in the proper classification of contractors at all times during the performance of any act or contract covered by the action. Nothing in this subdivision requires any person or entity controverting licensure or proper licensure to produce a verified certificate. When licensure or proper licensure is controverted, the burden of proof to establish licensure or proper licensure is on the licensee.

2.6. Bidder has the expertise and financial capacity to perform and complete all obligations under the Bidding Documents.

2.7. The person executing the Bid Form is duly authorized and empowered to execute the Bid Form on Bidder's behalf.

2.8. Bidder is aware of and, if awarded the Contract, will comply with Applicable Code Requirements in its performance of the Work.

2.9. The Bidder has paid the City's business license fee(s).

3. BIDDING DOCUMENTS.

3.1. Bidders may obtain complete sets of the Bidding Documents from the City's Public Works Department for the sum stated in the Notice for Bids.

3.2. Bidders will use a complete set of Bidding Documents in preparing Bids.

3.3. The City makes copies of the Bidding Documents available, on the above terms, for the sole purpose of obtaining Bids for the Work and does not confer a license or grant permission for any other use of the Bidding Documents.

4. INTERPRETATION OR CORRECTION OF BIDDING DOCUMENTS.

4.1. Before submitting its Bid, Bidder will carefully study and compare the various documents comprising the Bidding Documents and compare them

with any other work being bid concurrently or presently under construction which relates to the Work for which the Bid is submitted; will examine the Project site, the conditions under which the Work is to be performed, and the local conditions; and will at once report to the City's Representative errors, inconsistencies, or ambiguities discovered.

4.2. Requests for clarification or interpretation of the Bidding Documents will be addressed to the City's Representative.

4.3. Clarifications, interpretations, corrections, and changes to the Bidding Documents will be made by Addenda. Clarifications, interpretations, corrections, and changes to the Bidding Documents made in any other manner will not be binding and Bidders will not rely upon them.

5. PRODUCT SUBSTITUTIONS. No substitutions will be considered before award of Contract. Substitutions will only be considered after award of the Contract and as provided for in the Contract Documents.

6. SUBCONTRACTORS.

6.1. Each Bidder will list in the Bid Form all first-tier Subcontractors that will perform work, labor or render such services. The Bid Form contains spaces for the following information when listing Subcontractors: (1) Work Activity; (2) name of Subcontractor; (3) city of Subcontractor's business location. Failure to list any of these items on the Bid Form will result in the City treating the Bid as if no Subcontractor was listed for the Work and that Bidder represents to the City that it is fully qualified to perform that portion of the Work and will perform do so.

6.2. Subcontractors listed in the Bid Form will only be substituted after the Bid Deadline with the City's written consent in accordance with California law.

7. ADDENDA.

7.1. All addenda shall be written and issued by the City through www.QuestCDN.com. An email notification will be distributed by QuestCDN to all Plan holders regarding posting of Addenda, but it shall be the bidder's responsibility to make inquiry as to Addenda issued. Failure of the bidder to receive any such Addenda shall not relieve the bidder from any obligation under his bid as submitted.

7.2. Copies of Addenda will be made available for inspection at the City's Public Works Department.

7.3. The City will issue Addenda so that they are received by prospective Bidders not later than three (3) business days before the Bid Deadline. Addenda that withdraw the request for Bids or postpone the Bid Deadline may be issued any time before the Bid Deadline.

7.4. Each Bidder is responsible for ensuring that it has received all issued Addenda before issuing a Bid.

8. PRE-BID MEETING. There will be a **HUD Section 3 Mandatory Pre-Bid Meeting** held for this project at 9:00 am on Tuesday September 17, 2024 at City of Monterey Park City Hall located at 320 W. Newmark, Monterey Park, CA. All questions should be submitted on or before Thursday September 19, 2024 by 5:00 p.m. Answers to questions shall be provided by end of day on September 24, 2024. Bidder will attend a Pre-Bid Conference where the City will discuss the Bidding Documents, answer questions, and accept comments. The City requires all Pre-Bid Conference attendees to arrive for the meeting on time and to sign an attendance list which is used to determine if Bidders meet this requirement. Every Bidder is required to attend the pre-bid meeting. **Failure of a Bidder to attend will render that Bidder's Bid non-responsive.** Any Bidder not attending the Pre-Bid Conference in its entirety will be deemed to have not complied with the requirements of the Bidding Documents and its Bid will be rejected.

9. FORM AND STYLE OF BIDS.

9.1. Bids will be submitted on the Bid Form included with the Bidding Documents. Bids not submitted on the City's Bid Form will be rejected.

9.2. All blanks on the Bid Form will be filled in legibly in ink or by typewriter.

9.3. Bidder's failure to submit a price for any Alternate or unit price will result in the Bid being considered as nonresponsive. If Alternates are called for and no change in the Lump Sum Base Bid is required, enter "No Change."

9.4. Each Bidder shall fill out the "Bidders Statement of Past Contract Disqualifications" form stating any and all instances of contract disqualifications due to a violation of a law or safety regulation. The Bidder shall explain the circumstances of each disqualification. The City may reject the bid based on such information.

9.5. Bidder will make no stipulations on the Bid Form nor qualify the Bid in any manner.

9.6. The Bids will be based upon full completion of all the Work as shown on the plans and specifications. It is expressly understood that the plans are drawn with as much accuracy as is possible in advance, but should errors, omissions or discrepancies exist in the plans which show conditions that vary from those encountered in construction, the Bidder (if awarded the Contract) specifically agrees to construct a completed work ready for the use and in the manner which is intended. In the event of increasing or decreasing of work, the total amount of work actually done or materials or equipment furnished shall be paid for according to the unit or lump sum price established for such work under the contract, wherever such unit or lump sum price has been established. In the event no prices are named in

the contract to cover such changes or alterations, the cost of such changes shall be covered as extra work.

9.7. The Bid Form will be signed by a person or persons legally authorized to bind Bidder to a contract. Bidder's Representative will sign and date the Declaration included in the Bid Form. Failure to sign and date the declaration will cause the Bid to be rejected.

10. BID SECURITY.

10.1. Each Bid will be accompanied by Bid Security, in the amount of 10% of the Lump Sum Base Bid as security for Bidder's obligation to enter into a Contract with the City on the terms stated in the Bid Form and to furnish all items required by the Bidding Documents. Bid Security will be a Bid Bond on the form provided by the City or a certified check made payable to "City of Monterey Park." When a Bond is used for Bid Security, failure to use the City's Bid Bond form will result in the rejection of the Bid.

10.2. If the apparent lowest responsible Bidder fails to sign the Agreement and furnish all items required by the Bidding Documents within the time limits specified in these Instructions to Bidders, the City will disqualify such Bidder and select the next apparent lowest responsible Bidder until all bids have been exhausted or the City may reject all bids. In such an event, the disqualified Bidder will be liable for and forfeit to the City the amount of the difference, not to exceed the amount of the Bid Security, between the amount of the disqualified Bid and the larger amount for which the City procures the Work.

10.3. If a Bid Bond is submitted and an attorney-in-fact executes the Bid Bond on behalf of the surety, a notarized and current copy of the power of attorney will be affixed to the Bid Bond. The surety issuing the Bid Bond will be listed in the latest published State of California, Department of Insurance list of, "Insurers Admitted to Transact Surety Insurance in This State."

10.4. The City will retain Bid Security until the occurrence of one of the following:

10.4.1. All items required by the Bidding Documents have been furnished and the Agreement has been signed by the successful Bidder and the City.

10.4.2. The specified time has elapsed during which Bids may be withdrawn.

10.4.3. All Bids have been rejected.

10.5. The Bid Form, Bid Security, and all other documents required to be submitted with the Bid will be submitted electronically via the online electronic bid service, Quest Construction Data Network (QuestCDN),

www.questcdn.com.

10.6. If the Bidder provides a copy of a Bid Security or a copy of a certified cashier's check electronically via the online electronic bid service, the original must be provided to the City by the end of the fifth business day after the bid opening. Not submitting the original Bid Security, the Bid will be considered as non-responsive bid.

10.7. Bidder will assume full responsibility for timely delivery at the location designated for receipt of Bids.

10.8. Oral, telephonic, facsimile, or telegraphic Bids are invalid and will not be accepted.

11. MODIFICATION OR WITHDRAWAL OF BID.

11.1. Before the Bid Deadline, a submitted Bid may be modified or withdrawn. Notice of such action will be given to the City in writing and signed by the Bidder's authorized representative. A change so made will be so worded as not to reveal the amount of the original Bid.

11.2. A withdrawn Bid may be resubmitted up to the Bid Deadline, provided that it then fully complies with the Bidding Requirements.

11.3. Bid Security will be in an amount sufficient for the Bid as modified or resubmitted.

11.4. Bids may not be modified, withdrawn, or canceled within sixty (60) days after the Bid Deadline unless otherwise provided in Supplementary Instructions to Bidders.

12. OPENING OF BIDS. Bids submitted in the manner required by these instructions and are received on or before the Bid Deadline will be opened publicly.

13. REJECTION OF BIDS.

13.1. The City will have the right to reject all Bids.

13.2. The City will have the right to reject any Bid not accompanied by the required Bid Security or any other item required by the Bidding Documents, or a Bid which is in any other way materially incomplete or irregular.

14. AWARD.

14.1. The City may retain all bids for a period of sixty (60) days for examination and comparison, and to delete any portion of the work from the contract.

14.2. The City will have the right to waive nonmaterial irregularities in a Bid and

to accept the lowest responsive Bid as determined by The City.

14.3. The City will have the right to accept Alternates in any order or combination, unless otherwise specifically provided in the Bidding Documents.

14.4. The City will determine the low Bidder on the basis of the sum of the Lump Sum Base Bid plus all unit prices multiplied by their respective estimated quantities as stated in the Bid Form, if any, plus the Contractor Delay Damages multiplied by the "multiplier" as stated in the Bid Form, plus the amounts of all accepted Alternates.

14.4.1. Inclusion of Contractor Delay Damages within the Bid Form is solely for the purpose of determining the low bidder and establishing the City's maximum daily liability as a result of City delays to Contractor, if any, and City has no obligation to pay any daily Contractor Delay Damages except as provided for in these Contract Documents for Compensable Delays. In the event that City becomes liable to Contractor for compensable delays, City agrees to pay Contractor the daily Contractor Delay Damages set forth in the Proposal Form or Contractor's actual daily delay damages, whichever is less, for each day of Compensable Delay as provided for by these Contract Documents.

14.5. The City will select the apparent lowest responsive and responsible Bidder and notify such Bidder within thirty (30) days (unless number of days is modified in Supplementary Instructions to Bidders) after the Bid Deadline or reject all bids. Within ten (10) days after receiving the City's notice that Bidder was selected as the apparent lowest responsible Bidder, Bidder will submit to the City all of the following items:

14.5.1. Three originals of the Agreement signed by Bidder.

14.5.2. Three originals of the Payment Bond.

14.5.3. Three originals of the Performance Bond.

14.5.4. Certificates of Insurance on form provided by the City.

14.5.5. Names of all Subcontractors, with their addresses, telephone number, facsimile number, trade on Bidders' company stationery. Evidence, as required by the City, of the reliability and responsibility of the proposed Subcontractors such as statements of experience, statements of financial condition, and references.

14.5.6. Preliminary Contract Schedule.

14.5.7. Selection of Retention Options and Escrow Agreement for Deposit of Securities in Lieu of Retention and Deposit of Retention.

If not submitted, the City will withhold retention.

14.5.8. Cost Breakdown.

14.6. Before award of the Contract, the City will notify Bidder in writing, if the City objects to a Subcontractor proposed by Bidder, in which case Bidder will propose a substitute acceptable to the City. Failure of the City to object to a proposed Subcontractor before award will not preclude the City from requiring replacement of any Subcontractor based upon information received subsequent to award, information which cannot be properly evaluated before award due to time constraints, or information relating to a failure to comply with the requirements of the Contract.

14.7. If Bidder submits the three original signed Agreements and all other items within ten (10) days after receiving the City's notification, and all such items comply with the requirements of the Bidding Documents, the City will award the Contract to Bidder by signing the Agreement and returning a signed copy of the Agreement to Bidder.

14.8. If the City consents to the withdrawal of the Bid of the apparent lowest responsible Bidder, or the apparent lowest responsible Bidder fails or refuses to sign the Agreement or submit to the City all of the items required by the Bidding Documents, within ten (10) days after receiving the City's notification, or the City determines that the Bidder is not financially or otherwise qualified to perform the Contract, the City may reject such Bidder's Bid and select the next apparent lowest responsible Bidder, until all bids are exhausted, or reject all Bids.

--END OF SECTION--

SECTION C. BIDDERS PROPOSAL
(Entire section C shall be submitted with the bid)

BIDDER'S NAME: ONYX PAVING COMPANY, INC.

In accordance with the City's Notice Inviting Sealed Bids, the undersigned BIDDER, hereby proposes to furnish all materials, equipment, tools, labor, and incidentals required for the above stated project as set forth in the Plans, Specifications, and contract documents therefore, and to perform all work in the manner and time prescribed therein.

BIDDER declares that this proposal is based upon careful examination of the work site, Plans, Specifications, Instructions to Bidders, and all other contract documents. If this proposal is accepted for award, BIDDER understands that failure to enter into a contract in the manner and time prescribed will result in forfeiture to the City of Monterey Park of the guarantee accompanying this proposal.

BIDDER understands that a bid is required for the entire work. The contract will be awarded on the prices shown on the bid schedule. It is agreed that the unit and/or lump sum prices bid include all appurtenant expenses, taxes, royalties and fees. In the case of discrepancies in the amounts of bid, unit prices shall govern over extended amount, and words shall govern over figures.

If awarded the Contract, the undersigned further agrees that in the event of the BIDDER'S default in executing the required contract and filing the necessary bonds and insurance certificates within ten working days after the date of the City's notice of award of contract to the BIDDER, the proceeds of the guarantee accompanying this bid shall become the property of the City and this bid and the acceptance hereof may, at the City's option, be considered null and void.

BID SCHEDULE

To the Monterey Park's City Council, herein called the "Council".

Pursuant to and in compliance with your Notice Inviting Bids and the other documents relating thereto, the undersigned bidder, having familiarized himself with the work, and with the terms of the contract, the local conditions affecting the performance of the contract, and the cost of the work at the place where the work is done, and with the drawings and specifications and other contract documents, hereby proposes and agrees to perform, within the time stipulated, the contract, including all of its component parts, and everything required to be performed, and to provide and furnish any and all of the labor, materials, tools, expendable equipment, and all applicable taxes, utility and transportation services necessary to perform the contract and complete in a workmanlike manner, all in strict conformity with the Contract Documents on file at the office of the City Clerk of said City, per the following bid schedule:

BID SCHEDULE

For 2024 Curb Ramp Improvements Project

Specification 2024-004

2024 Curb Ramp Improvements Project Specification No. 2024-004					
No.	Bid Item Description	Quantity	Unit	Unit Bid	Total Bid
1	Construct PCC ADA Ramps per SPPWC Standard Plan No. 111-5	20	EA	$ 6,600	$ 132,000
2	Remove existing and construct new PCC Sidewalk, 4" thick per SPPWC, Std. Plan No. 112-2. (Located next to proposed new curb ramps, to chase if required)	1,152	SF	$ 13	$ 14,976
3	Mobilization	1	LS	$ 22,024	$ 22,024
TOTAL BASE BID AMOUNT IN NUMBERS $ 169,000					
TOTAL BASE BID AMOUNT IN WORDS One hundred sixty-nine thousand dollars even.					

<table>
<tr><td colspan="2">The award of Contract shall be based on the TOTAL BASE BID AMOUNT.</td></tr>
<tr><td colspan="2">In the case of discrepancies in the amount of bid, unit prices shall govern over extended amounts, and words shall govern over figures.</td></tr>
<tr><td rowspan="5">Full compensation for the items listed to the right as Items A, B, C, D and E are considered as inclusive in each Bid Item listed above in the Bid Schedule as applicable, and no additional and/or separate compensation will be allowed.</td><td>A. Mobilization / Demobilization</td></tr>
<tr><td>B. Traffic Control</td></tr>
<tr><td>C. NPDES, WWECP, and Best Management Practices (BMPs), Public Convenience and Safety</td></tr>
<tr><td>D. Construction Staking by Land Surveyor</td></tr>
<tr><td>E. Clearing and Grubbing</td></tr>
<tr><td colspan="2">The bid prices shall include any and all costs, including labor, materials, appurtenant expenses, taxes, royalties and any and all other incidental costs to complete the project, in compliance with the Bid and Contract Documents and all applicable codes and standards.</td></tr>
<tr><td colspan="2">The City reserves the right to add, delete, increase or decrease the amount of any quantity shown and to delete any item from the contract and pay the contractor at the bid unit prices so long as the total amount of change does not exceed 25% (plus or minus) of the total bid amount for the entire project. If the change exceeds 25%, a change order may be negotiated to adjust unit bid prices.</td></tr>
<tr><td colspan="2">All other work items not specifically listed in the bid schedule, but necessary to complete the work per bid and contract documents and all applicable codes and standards are assumed to be included in the bid prices.</td></tr>
<tr><td colspan="2">A bid is required for the entire work, that the quantities set forth in the Bid Schedule are to calculate total bid amount, and that final compensation under the contract will be based upon the actual quantities of work satisfactorily completed.</td></tr>
</table>

DESIGNATION OF SUBCONTRACTORS

BIDDER proposes to subcontract certain portions of the work which are in excess of one-half of one percent of the bid and to procure materials and equipment from suppliers and vendors as follows:

Subcontractor Information	Work to be Performed	Dollar Amount
Name: Case Land Surveying, Inc. Address: Orange, CA Tel: 714-628-8948	survey work	$ 3,900
Name: Address: Tel:		$_____
Name: Address: Tel:		$_____
Name: Address: Tel:		$_____
Name: Address: Tel:		$_____
Name: Address: Tel:		$_____
Name: Address: Tel:		$_____
Total Subcontract Amount (shall not exceed 49% of Total Bid Amount)		$ 3,900

REFERENCES

References shall be for projects constructed by the bidding company; references for other projects performed by principals or other individuals of the bidding company may not be included. References shall be either minimum from 3 Public Agencies; or minimum from 2 Public Agencies plus 2 Private Entities for which BIDDER has performed similar work within the past three years.

Reference 1		
Agency Name CITY OF DANA POINT Contact Name and Title SCOTT FISHER - CONST. MANAGER	Project Name and Brief Description CITYWIDE ASPHALT REPAIRS PROJECT FY 21/22 CITYWIDE STREET IMPROVEMENTS	
Tel: 760-814-7226 E-mail: SFisher@DanaPoint.org	Contract Value: $1,314,878.59	Year Completed: 2022

Reference 2		
Agency Name CITY OF EASTVALE Contact Name and Title CHUCK STAGNER - PW SUPERINTENDENT	Project Name and Brief Description 22-23 ANNUAL ASPHALT CONCRETE OVERLAY PROJECT CITYWIDE STREET IMPROVEMENT	
Tel: 714-925-4628 E-mail: cstagner@eastvaleca.gov	Contract Value: $5,998,000	Year Completed: 2024

Reference 3		
Agency Name CITY OF ARCADIA Contact Name and Title JAN BALANAY- ASSISTANT ENGINEER	Project Name and Brief Description 2021-2022 PAVEMENT REHABILITATION PROJECT VARIOUS PAVEMENT REHABILITATION & CONCRETE IMPROVEMENTS	
Tel: 626-254-2726 E-mail: JBalanay@arcadiaca.gov	Contract Value: $1,899,698.72	Year Completed: 2023

Reference 4		
Agency Name CITY OF HEMET	Project Name and Brief Description 22-23 SB1 PAVEMENT REHABILITATION PROJECT VARIOUS STREET FULL DEPTH RECONSTRUCTION	
Contact Name and Title JILLEEN FERRIS - CITY ENGINEER		
Tel: 951-765-2360 E-mail: jferris@hemetca.gov	Contract Value: $2,528,000	Year Completed: 2024

SITE INSPECTION

The Bidder declares that he/she has carefully read and examined the plans, specifications, bid documents, and he/she has made a personal examination of the site (indicate name of the person, representing the bidder, who inspected the site and date below) and that he/she understands the exact scope of the Project without question.

Name of Person who inspected the site: COREY R. KIRSCHNER

Date of Inspection: 9/30/2024

ADDENDA ACKNOWLEDGMENT

The Bidder acknowledges receipt of the following Addenda and has included their provisions in this Proposal:

Addendum No. 1 Dated 9/9/2024

Addendum No. 2 Dated 9/16/2024

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE

BIDDER certifies that all previous contracts or subcontracts, all reports which may have been due under the requirements of any Agency, Site, or Federal equal employment opportunity orders have been satisfactorily filed, and that no such reports are currently outstanding.

AFFIRMATIVE ACTION CERTIFICATION

BIDDER certifies that affirmative action has been taken to seek out and consider minority business enterprises for those portions of work to be subcontracted, and that such affirmative actions have been fully documented, that said documentation is open to inspection, and that said affirmative action will remain in effect for the life of any contract awarded hereunder. Furthermore, BIDDER certifies that affirmative action will be taken to meet all equal employment opportunity requirements of the contract documents.

INSURANCE REQUIREMENTS

To be awarded this contract, the successful bidder shall procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits
Commercial general liability:	$2,000,000
Business automobile liability	$1,000,000
Workers compensation	Statutory requirement.

Commercial general liability insurance shall meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above shall be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies shall be endorsed to name the City, its officials, and employees as "additional insureds" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by the City will be excess thereto. Such endorsement shall be reflected on ISO Form No. CG 20 10 11 85 or 88, or equivalent. Such insurance shall be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to the City.

Automobile coverage shall be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

The Contractor shall furnish to the City duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by the City from time to time. Insurance shall be placed with admitted insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A:VII." Certificate(s) shall reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage. The Contractor shall require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.

By signing this form, the bidder certifies that it has read, understands, and will comply with these insurance requirements if it is selected as the City's Contractor. Failure to provide this insurance will render the bidder's proposal "nonresponsive."

Bidder's Name: ONYX PAVING COMPANY, INC.
Authorized Signature:
Name and Title: COREY R. KIRSCHNER - CEO
Date: 9/30/2024

PUBLIC CONTRACT CODE SECTION 7106

Noncollusion Declaration by Bidder

The undersigned declares:

I am the CEO of ONYX PAVING COMPANY, INC., the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Bidder's Name: ONYX PAVING COMPANY, INC.

Authorized Signature:

Name and Title: COREY R. KIRSCHNER - CEO

Date: 9/30/2024

PUBLIC CONTRACT CODE SECTION 10162

In conformance with the above Public Contract Code Section, the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder any officer of such bidder, or any employee of such bidder who has a proprietary interest in such bidder

has never been ✓ **has been** ___ (**indicate YES or NO** after applicable answer)

disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation, and if so to explain the circumstances.

If the answer is **has been** **YES** explain the circumstances below:

N/A

Bidder's Name: ONYX PAVING COMPANY, INC.

Authorized Signature:

Name and Title: COREY R. KIRSCHNER - CEO

Date: 9/30/2024

PUBLIC CONTRACT CODE SECTION 10232

In conformance with above Public Contract Code Section, the bidder hereby declares under penalty of perjury under the laws of the State of California that no more than one final, unappealable finding of contempt of court by a federal court

has not been ✓ **has been** ____ (**indicate YES or NO** after applicable answer)

issued against the bidder within the immediately preceding two-year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board. For purposes of this section, a finding of contempt does not include any finding which has been vacated, dismissed, or otherwise removed by the court because the contractor has complied with the order which was the basis for the finding.

Bidder's Name: ONYX PAVING COMPANY, INC.

Authorized Signature:

Name and Title: COREY R. KIRSCHNER - CEO

Date: 9/30/2024

PUBLIC CONTRACT CODE SECTION 10285.1

In conformance with above Public Contract Code Section, the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder or any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof

has never been ✓ **has been** ___ (**indicate YES or NO** after applicable answer)

convicted within the preceding three years by a court of competent jurisdiction of any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including, for the purposes of this article, the Regents of the University of California or the Trustees of the California State University.

Bidder's Name: ONYX PAVING COMPANY, INC.

Authorized Signature: [signature]

Name and Title: COREY R. KIRSCHNER - CEO

Date: 9/30/2024

BIDDER INFORMATION

Bidder's Name: ONYX PAVING COMPANY, INC.

Address: 2890 E. LA CRESTA AVE. ANAHEIM, CA 92806

Form of Legal Entity: CORPORATION

If a Corporation, State of Incorporation: CALIFORNIA

State Contractor's Class and License No.: 630360

Contact Person Information:

Name: COREY R. KIRSCHNER Title: CEO

E-mail: BIDS@ONYXPAVING.COM Tel: 714-632-6699

The following are the names, titles, addresses, and phone numbers of all individuals, firm members, partners, joint venturers, and/or corporate officers having a principal interest in this proposal:

COREY R. KIRSHNER - CEO, ANTHONY STEEN - PRES., JAY KIRSCHNER - VP,SEC,TREAS.

RICHARD DEVOS - CFO

2890 E. LA CRESTA AVE. ANAHEIM, CA 92806 714-632-6699

The date(s) of any voluntary or involuntary bankruptcy judgements against any principal having an interest in this proposal are as follows:

N/A

All current and prior DBA'S, alias, and/or fictitious business names for any principal having an interest in this proposal are as follows:

N/A

Previous contract performance history:

Was any contract terminated previously: NO

If the answer to the above is "yes", provide the following information:

Contract/project name and number: N/A

Date of termination: N/A

Reason for termination: N/A

Owner's name: N/A

Owner contact person and tel. no.: N/A

IN WITNESS WHEREOF, BIDDER executes and submits this proposal with the names, titles, hands, and seals of all aforementioned principals this 30TH day of SEPTEMBER, 2024.

BIDDER ONYX PAVING COMPANY, INC.

2890 E. LA CRESTA AVE. ANAHEIM, CA 92806

COREY R. KIRSCHNER - CEO

Subscribed and sworn to this 30TH day of SEPTEMBER, 2024.

NOTARY PUBLIC ***SEE ATTACHED NOTARY JURAT***

CALIFORNIA JURAT WITH AFFIANT STATEMENT **GOVERNMENT CODE § 8202**

☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)

×

×

×

×

×

×_____ _____

Signature of Document Signer No. 1 *Signature of Document Signer No. 2 (if any)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

LESLIE ROCHA
Notary Public - California
Orange County
Commission # 2484949
My Comm. Expires Mar 19, 2028

Subscribed and sworn to (or affirmed) before me on this 30 day of September, 20 24,
Date *Month* *Year*
by
(1) Corey R. Kirschner
(and (2) _____),
Name(s) of Signer(s)
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature Leslie Rocha
Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

©2014 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5910

PROPOSAL GUARANTEE

BID BOND

Bond No.: N/A - BID BOND

KNOW ALL MEN BY THESE PRESENTS that Onyx Paving Company, Inc., as BIDDER, AND Swiss Re Corporate Solutions America Insurance Corporation, as SURETY, are held and firmly bound unto the City of Monterey Park, in the penal sum of Ten Percent of the Total Amount Bid ($ ---- 10% ----)dollars, lawful money of the United States, which is 10 percent of the total amount bid by BIDDER to the City of Monterey Park for the **2024 CURB RAMP IMPROVEMENTS SPECIFICATION NO. 2024-004** ("Public Project"), for the payment of which sum, BIDDER and SURETY agree to be bound, jointly and severally, firm by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, whereas BIDDER is about to submit a bid to the City of Monterey Park for the above stated project, if said bid is rejected, or if said bid is accepted and a contract is awarded and entered into by BIDDER in the manner and time specified, then this obligation shall be null and void, otherwise it shall remain in full force and effect in favor of the City of Monterey Park.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this 27th day of September, 2024.

SIGNED AND SEALED this 27th day of September, 2024.

Onyx Paving Company, Inc.

By: _____
Corey R. Kirschner - CEO
PRINCIPAL

Swiss Re Corporate Solutions America Insurance Corporation

By: _____
Zyanya Hernandez, Attorney-in-Fact
SURETY

SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE CORPORATION SEAL 1973 MISSOURI

PRINCIPAL's MAILING ADDRESS:

2890 East La Cresta Avenue

Anaheim, CA 92806

SURETY's MAILING ADDRESS:

1200 Main St. Suite 800

Kansas City, MO 64105-2478

NOTE: All signatures shall be acknowledged by a notary public.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)

On September 27, 2024 before me, Leslie Rocha, Notary Public,
Date *Here Insert Name and Title of the Officer*

personally appeared Corey R. Kirschner
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

LESLIE ROCHA
Notary Public - California
Orange County
Commission # 2484949
My Comm. Expires Mar 19, 2028

Signature Leslie Rocha
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

©2014 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5907

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

On SEP 27 2024, before me, Christina Rogers, Notary Public,

personally appeared Zyanya Hernandez

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

CHRISTINA ROGERS
Notary Public - California
Orange County
Commission # 2463205
My Comm. Expires Sep 14, 2027

PLACE NOTARY SEAL ABOVE

WITNESS my hand and official seal.

SIGNATURE Christina Rogers

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of attached document

Title or type of document: _____

_____

_____

Document Date: _____ Number of Pages: _____

Signer(s) Other than Named Above: _____

SWISS RE CORPORATE SOLUTIONS

SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE CORPORATION ("SRCSAIC")
SWISS RE CORPORATE SOLUTIONS PREMIER INSURANCE CORPORATION ("SRCSPIC")
WESTPORT INSURANCE CORPORATION ("WIC")

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT SRCSAIC, a corporation duly organized and existing under laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, and SRCSPIC, a corporation organized and existing under the laws of the State of Missouri and having its principal office in the City of Kansas City, Missouri, and WIC, organized under the laws of the State of Missouri, and having its principal office in the City of Kansas City, Missouri, each does hereby make, constitute and appoint:

ERIK JOHANSSON, JENNIFER ANAYA, MELISSA LOPEZ, CHRISTINA ROGERS, ALBERT MELENDEZ

MARTHA BARRERAS, JOAQUIN PEREZ, JONATHAN BATIN, VANESSA RAMIREZ, and ZYANYA HERNANDEZ

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

TWO HUNDRED MILLION ($200,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both SRCSAIC and SRCSPIC at meetings duly called and held on the 18th of November 2021 and WIC by written consent of its Executive Committee dated July 18, 2011.

"RESOLVED, that any two of the President, any Managing Director, any Senior Vice President, any Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is, authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Corporation bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Corporation; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Corporation may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."

SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE CORPORATION CORPORATE SEAL 1973 MISSOURI

SWISS RE CORPORATE SOLUTIONS PREMIER INSURANCE CORPORATION CORPORATE SEAL MISSOURI

By_____
Erik Janssens, Senior Vice President of SRCSAIC & Senior Vice President of SRCSPIC & Senior Vice President of WIC

By_____
Gerald Jagrowski, Vice President of SRCSAIC & Vice President of SRCSPIC & Vice President of WIC

WESTPORT INSURANCE CORPORATION CORPORATE SEAL MISSOURI

IN WITNESS WHEREOF, SRCSAIC, SRCSPIC, and WIC have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers

this 10 day of NOVEMBER, 20 22

Swiss Re Corporate Solutions America Insurance Corporation
Swiss Re Corporate Solutions Premier Insurance Corporation
Westport Insurance Corporation

State of Illinois
County of Cook SS

On this 10 day of NOVEMBER, 20 22, before me, a Notary Public personally appeared Erik Janssens, Senior Vice President of SRCSAIC and Senior Vice President of SRCSPIC and Senior Vice President of WIC and Gerald Jagrowski, Vice President of SRCSAIC and Vice President of SPCSPIC and Vice President of WIC, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.

OFFICIAL SEAL
CHRISTINA MANISCO
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires March 28, 2026

Christina Manisco, Notary

I, Jeffrey Goldberg, the duly elected Senior Vice President and Assistant Secretary of SRCSAIC and SRCSPIC and WIC, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said SRCSAIC and SRCSPIC and WIC, which is still in full force and effect.
IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 27th day of September, 20 24.

Jeffrey Goldberg, Senior Vice President &
Assistant Secretary of SRCSAIC and
SRCSPIC and WIC

N/A

PROPOSAL GUARANTEE

CERTIFIED CHECK or CASHIER'S CHECK

As an Alternative to Bid Bond, Bidder can provide Certified Check or Cashier's Check as follows

Accompanying this proposal is a certified check or a cashier's check payable to the order of the City of Monterey Park, in the amount of _____ ($ _____) dollars, lawful money of the United States, which is 10 percent of the total amount bid by BIDDER to the City of Monterey Park for the **2024 CURB RAMP IMPROVEMENTS SPECIFICATION NO. 2024-004** ("Public Project").

The proceeds of the same shall become the property of said City if, in case this proposal shall be accepted by said City through the City Council, the undersigned shall fail to execute a contract, with and furnish the insurance and bonds required by the City of Monterey Park within the specified time; otherwise, the same is to be returned to the undersigned as set forth in the Instructions to Bidders.

Bidder's Name: _____

Authorized Signature: _____

Name and Title: _____

Date: _____

--END OF SECTION--

APPENDIX 4

Federal Requirements

1. **Contractor information**
2. **Contractor list of proposed subcontractors**
3. **Federal Labor Standards Provisions (HUD - 4010)**
4. **Equal Employment Opportunity Clause**
5. **Clean Air and Water Acts**
6. **Labor Codes Section 1771 – 1815**
7. **Certification of Understanding and Authorization**
8. **Equal Employment Opportunity Commitment**
9. **Report of Additional Classification and Rate**
10. **Bidders Questionnaire**
11. **Non-Segregated Facilities Certification**
12. **Past Performance Certification**
13. **Federal Lobbyist Certification**
14. **Worker's Compensation Certification**
15. **Declaration of Intent with Section 3**
16. **Notice of Section 3 Commitment**
17. **Section 3 Business Concern Certification**
18. **Section 3 Income Certifications** *(Required for all Section 3 Workers and Targeted Section 3 Workers)*
19. **Qualitative Efforts for Contractors Form**
20. **Section 3 Economic Opportunity Report -**
21. **Equal Opportunity Certification - HUD 92010**
22. **Build America Buy America**

CONTRACTOR INFORMATION

Company Name ONYX PAVING COMPANY, INC.

Address 2890 E. LA CRESTA AVE. ANAHEIM, CA 92806

Telephone 714-632-6699 Fax N/A E-mail BIDS@ONYXPAVING.COM

Type of Firm: Individual ( ) Partnership ( ) Corporation (☑)

Corporation organized under the laws of the State of CALIFORNIA

Contractor's License Number 630360 State CA Classification A, C12 Expiration Date 10/31/2025

DIR Registration Number 1000004798 Expiration Date 06/30/2025

Names and titles of all officers of the firm

COREY R. KIRSCHNER - CEO

ANTHONY STEEN - PRES.

JAY KIRSCHNER - VP, SEC, TREAS.

RICHARD DEVOS - CFO

Please circle all categories that are applicable to the company:

Ethnicity of Company Owner or Ownership

- Asian/Pacific American
- Black American
- Hasidic Jews
- Hispanic American
- Native American
- White American

Section 3 Certified Business Concern

- Section 3 Qualified Business

Certified Business Status

- Disadvantaged Business
- Local Small Business
- Minority Owned Business
- Women Owned Business

CONTRACTOR LIST OF PROPOSED SUBCONTRACTORS

Bidder must list all subcontracts, regardless of dollar amount or percentage of bid.

2024 CURB RAMP IMPROVEMENTS
PROJECT NAME

CITY OF MONTEREY PARK
AWARDING AGENCY

Location: MONTEREY PARK, CA

Project Number: CDBG IDIS#616, SPEC. NO. 2024-004

SUBCONTRACTORS: Name, Address, and Telephone Number	Employer Identification Number	Contractor License Number	Contract Amount	Estimated Start Date	Estimated Completion Date	TRADES TO BE USED
Caseland Surveying, Inc. Orange, CA 714-628-8948	33-0169862	L5411	$3,900	TBD	TBD	Surveyor - Laborers

Signature

9/30/2024
Date

COREY R. KIRSCHNER - CEO
Name and Title

ONYX PAVING COMPANY, INC.
Company Name

A. APPLICABILITY

The Project or Program to which the construction work covered by this Contract pertains is being assisted by the United States of America, and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

1. Minimum wages and fringe benefits

i. All laborers and mechanics employed or working upon the site of the work (or otherwise working in construction or development of the project under a development statute), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of basic hourly wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. As provided in 29 CFR 5.5(d) and (e), the appropriate wage determinations are effective by operation of law even if they have not been attached to the contract. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act (40 U.S.C. 3141(2)(B)) on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph (a)(1)(v) of these contract clauses; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics must be paid the appropriate wage rate and fringe benefits on the wage determination for the classification(s) of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: *Provided,* That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under 29 CFR 5.5(a)(1)(iii)) and the Davis-Bacon poster (WH-1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

ii. Frequently recurring classifications

A. In addition to wage and fringe benefit rates that have been determined to be prevailing under the procedures set forth in 29 CFR part 1, a wage determination may contain, pursuant to § 1.3(f), wage and fringe benefit rates for classifications of laborers and mechanics for which conformance requests are regularly submitted pursuant to 29 CFR 5.5(a)(1)(iii), provided that:

1. The work performed by the classification is not performed by a classification in the wage determination for which a prevailing wage rate has been determined;
2. The classification is used in the area by the construction industry; and
3. The wage rate for the classification bears a reasonable relationship to the prevailing wage rates contained in the wage determination.

B. The Administrator will establish wage rates for such classifications in accordance with 29 CFR 5.5(a)(1)(iii)(A)(3). Work performed in such a classification must be paid at no less than the wage and fringe benefit rate listed on the wage determination for such classification.

iii. Conformance

A. The contracting officer must require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract be

classified in conformance with the wage determination. Conformance of an additional classification and wage rate and fringe benefits is appropriate only when the following criteria have been met:

1. The work to be performed by the classification requested is not performed by a classification in the wage determination; and
2. The classification is used in the area by the construction industry; and
3. The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

B. The conformance process may not be used to split, subdivide, or otherwise avoid application of classifications listed in the wage determination.

C. If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken will be sent by the contracting officer by email to DBAconformance@dol.gov. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30–day period that additional time is necessary.

D. In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer will, by email to DBAconformance@dol.gov, refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30–day period that additional time is necessary.

E. The contracting officer must promptly notify the contractor of the action taken by the Wage and Hour Division under 29 CFR 5.5 (a)(1)(iii)(C) and (D). The contractor must furnish a written copy of such determination to each affected worker or it must be posted as a part of the wage determination. The wage rate (including fringe benefits where appropriate) determined pursuant to 29 CFR 5.5 (a)(1)(iii)(C) or (D) must be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

iv. Fringe benefits not expressed as an hourly rate

Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor may either pay the benefit as stated in the wage determination or may pay another bona fide fringe benefit or an hourly cash equivalent thereof.

v. Unfunded plans

If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, *Provided,* That the Secretary of Labor has found, upon the written request of the contractor, in accordance with the criteria set forth in 29 CFR 5.28, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

vi. Interest In the event of a failure to pay all or part of the wages required by the contract, the contractor will be required to pay interest on any underpayment of wages.

2. **Withholding**

   i. **Withholding requirements**

   The U. S. Department of Housing and Urban Development may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for the full amount of wages and monetary relief, including interest, required by the clauses set forth in 29 CFR 5.5(a) for violations of this contract, or to satisfy any such liabilities required by any other Federal contract, or federally assisted contract subject to Davis-Bacon labor standards, that is held by the same prime contractor (as defined in 29 CFR 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to Davis-Bacon labor standards requirements and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld. In the event of a contractor's failure to pay any laborer or mechanic, including any apprentice or helper working on the site of the work (or otherwise working in construction or development of the project under a development statute) all or part of the wages required by the contract, or upon the contractor's failure to submit the required records as discussed in 29 CFR 5.5(a)(3)(iv), HUD may on its own initiative and after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

   ii. **Priority to withheld funds**

   The Department has priority to funds withheld or to be withheld in accordance with 29 CFR 5.5(a)(2)(i) or (b)(3)(i), or both, over claims to those funds by:

   A. A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;

   B. A contracting agency for its reprocurement costs;

   C. A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;

   D. A contractor's assignee(s);

   E. A contractor's successor(s); or

   F. A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901-3907.

3. **Records and certified payrolls**

   i. **Basic record requirements**

   A. Length of record retention. All regular payrolls and other basic records must be maintained by the contractor and any subcontractor during the course of the work and preserved for all laborers and mechanics working at the site of the work (or otherwise working in construction or development of the project under a development statute) for a period of at least 3 years after all the work on the prime contract is completed.

   B. Information required Such records must contain the name; Social Security number; last known address, telephone number, and email address of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act); daily and weekly number of hours actually worked in total and on each covered contract; deductions made; and actual wages paid.

   C. Additional records relating to fringe benefits. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(v) that the wages of any laborer or mechanic include the amount of any

costs reasonably anticipated in providing benefits under a plan or program described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act, the contractor must maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

D. **Additional records relating to apprenticeship** Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

ii. **Certified payroll requirements**

A. **Frequency and method of submission** The contractor or subcontractor must submit weekly, for each week in which any DBA- or Related Acts-covered work is performed, certified payrolls to HUD if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the certified payrolls to the applicant, sponsor, owner, or other entity, as the case may be, that maintains such records, for transmission to HUD. The prime contractor is responsible for the submission of all certified payrolls by all subcontractors. A contracting agency or prime contractor may permit or require contractors to submit certified payrolls through an electronic system, as long as the electronic system requires a legally valid electronic signature; the system allows the contractor, the contracting agency, and the Department of Labor to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed; and the contracting agency or prime contractor permits other methods of submission in situations where the contractor is unable or limited in its ability to use or access the electronic system

B. **Information required** The certified payrolls submitted must set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i)(B), except that full Social Security numbers and last known addresses, telephone numbers, and email addresses must not be included on weekly transmittals. Instead, the certified payrolls need only include an individually identifying number for each worker (*e.g.*, the last four digits of the worker's Social Security number). The required weekly certified payroll information may be submitted using Optional Form WH-347 or in any other format desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at *https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh347.pdf* or its successor website. It is not a violation of this section for a prime contractor to require a subcontractor to provide full Social Security numbers and last known addresses, telephone numbers, and email addresses to the prime contractor for its own records, without weekly submission by the subcontractor to the sponsoring government agency (or the applicant, sponsor, owner, or other entity, as the case may be, that maintains such records).

C. **Statement of Compliance** Each certified payroll submitted must be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor, or the contractor's or subcontractor's agent who pays or supervises the payment of the persons working on the contract, and must certify the following:

1. That the certified payroll for the payroll period contains the information required to be provided under 29 CFR 5.5(a)(3)(ii), the appropriate information and basic records are being maintained under 29 CFR 5.5 (a)(3)(i), and such information and records are correct and complete;
2. That each laborer or mechanic (including each helper and apprentice) working on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly

from the full wages earned, other than permissible deductions as set forth in 29 CFR part 3; and

3. That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification(s) of work actually performed, as specified in the applicable wage determination incorporated into the contract.

D. **Use of Optional Form WH-347** The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 will satisfy the requirement for submission of the "Statement of Compliance" required by 29 CFR 5.5(a)(3)(ii)(C).

E. **Signature** The signature by the contractor, subcontractor, or the contractor's or subcontractor's agent must be an original handwritten signature or a legally valid electronic signature.

F. **Falsification** The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under 18 U.S.C. 1001 and 31 U.S.C. 3729.

G. **Length of certified payroll retention** The contractor or subcontractor must preserve all certified payrolls during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

iii. **Contracts, subcontracts, and related documents** The contractor or subcontractor must maintain this contract or subcontract and related documents including, without limitation, bids, proposals, amendments, modifications, and extensions. The contractor or subcontractor must preserve these contracts, subcontracts, and related documents during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

iv **Required disclosures and access**

A. **Required record disclosures and access to workers** The contractor or subcontractor must make the records required under 29 CFR 5.5(a)(3)(i)–(iii), and any other documents that HUD or the Department of Labor deems necessary to determine compliance with the labor standards provisions of any of the applicable statutes referenced by 29 CFR 5.1, available for inspection, copying, or transcription by authorized representatives of HUD or the Department of Labor, and must permit such representatives to interview workers during working hours on the job.

B. **Sanctions for non-compliance with records and worker access requirements** If the contractor or subcontractor fails to submit the required records or to make them available, or refuses to permit worker interviews during working hours on the job, the Federal agency may, after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, that maintains such records or that employs such workers, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available, or to permit worker interviews during working hours on the job, may be grounds for debarment action pursuant to 29 CFR 5.12. In addition, any contractor or other person that fails to submit the required records or make those records available to WHD within the time WHD requests that the records be produced will be precluded from introducing as evidence in an administrative proceeding under 29 CFR part 6 any of the required records that were not provided or made available to WHD. WHD will take into consideration a reasonable request from the contractor or person for an extension of the time for submission of records. WHD will determine the reasonableness of the request and may consider, among other things, the location of the records and the volume of production.

C. **Required information disclosures** Contractors and subcontractors must maintain the full Social Security number and last known address, telephone number, and email address of each covered worker, and must provide them upon request to HUD if the agency is a party to

the contract, or to the Wage and Hour Division of the Department of Labor. If the Federal agency is not such a party to the contract, the contractor, subcontractor, or both, must, upon request, provide the full Social Security number and last known address, telephone number, and email address of each covered worker to the applicant, sponsor, owner, or other entity, as the case may be, that maintains such records, for transmission to HUD, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or other compliance action.

4. **Apprentices and equal employment opportunity**

i. **Apprentices**

A. **Rate of pay** Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship (OA), or with a State Apprenticeship Agency recognized by the OA. A person who is not individually registered in the program, but who has been certified by the OA or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice, will be permitted to work at less than the predetermined rate for the work they perform in the first 90 days of probationary employment as an apprentice in such a program. In the event the OA or a State Apprenticeship Agency recognized by the OA withdraws approval of an apprenticeship program, the contractor will no longer be permitted to use apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

B. **Fringe benefits** Apprentices must be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits must be paid in accordance with that determination.

C. **Apprenticeship ratio** The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program or the ratio applicable to the locality of the project pursuant to 29 CFR 5.5(a)(4)(i)(D). Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated in 29 CFR 5.5(a)(4)(i)(A), must be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under this section must be paid not less than the applicable wage rate on the wage determination for the work actually performed.

D. **Reciprocity of ratios and wage rates** Where a contractor is performing construction on a project in a locality other than the locality in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyworker's hourly rate) applicable within the locality in which the construction is being performed must be observed. If there is no applicable ratio or wage rate for the locality of the project, the ratio and wage rate specified in the contractor's registered program must be observed.

ii **Equal employment opportunity** The use of apprentices and journeyworkers under this part must be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

5 **Compliance with Copeland Act requirements.** The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract.

6 **Subcontracts.** The contractor or subcontractor must insert in any subcontracts the clauses contained in 29 CFR 5.5(a)(1) through (11), along with the applicable wage determination(s) and such other clauses or contract modifications as the U.S. Department of Housing and
Urban Development may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage determination(s) in any lower tier subcontracts. The prime contractor is responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate.

7 **Contract termination: debarment.** A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8 **Compliance with Davis-Bacon and Related Act requirements.** All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract.

9 **Disputes concerning labor standards.** Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. **Certification of eligibility.**

i. By entering into this contract, the contractor certifies that neither it nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of 40 U.S.C. 3144(b) or 29 CFR 5.12(a).

ii. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of 40 U.S.C. 3144(b) or 29 CFR 5.12(a).

iii. The penalty for making false statements is prescribed in the U.S. Code, Title 18 Crimes and Criminal Procedure, 18 U.S.C. 1001.

11 **Anti-retaliation** It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

i. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the DBA, Related Acts, or 29 CFR parts 1, 3, or 5;

ii. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under the DBA, Related Acts, or 29 CFR parts 1, 3, or 5;

iii. Cooperating in any investigation or other compliance action, or testifying in any proceeding under the DBA, Related Acts, or 29 CFR parts 1, 3, or 5; or

iv. Informing any other person about their rights under the DBA, Related Acts, or 29 CFR parts 1, 3, or 5.

B. Contract Work Hours and Safety Standards Act (CWHSSA)

The Agency Head must cause or require the contracting officer to insert the following clauses set forth in 29 CFR 5.5(b)(1), (2), (3), (4), and (5) in full, or (for contracts covered by the Federal Acquisition Regulation) by reference, in any contract in an amount in excess of $100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses must

be inserted in addition to the clauses required by 29 CFR 5.5(a) or 4.6. As used in this paragraph, the terms "laborers and mechanics" include watchpersons and guards.

1. **Overtime requirements.** No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.
2. **Violation; liability for unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in 29 CFR 5.5(b)(1) the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and interest from the date of the underpayment. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchpersons and guards, employed in violation of the clause set forth in 29 CFR 5.5(b)(1), in the sum of $31 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in 29 CFR 5.5(b)(1).
3. **Withholding for unpaid wages and liquidated damages**

i. **Withholding process** The U.S Department of Housing and Urban Development or the recipient of Federal assistance may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for any unpaid wages; monetary relief, including interest; and liquidated damages required by the clauses set forth in 29 CFR 5.5(b) on this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract subject to the Contract Work Hours and Safety Standards Act that is held by the same prime contractor (as defined in 29 CFR 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to the Contract Work Hours and Safety Standards Act and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld.

ii **Priority to withheld funds** The Department has priority to funds withheld or to be withheld in accordance with 29 CFR 5.5(a)(2)(i) or (b)(3)(i), or both, over claims to those funds by:

- **A.** A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
- **B.** A contracting agency for its reprocurement costs;
- **C.** A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
- **D.** A contractor's assignee(s);
- **E.** A contractor's successor(s); or
- **F.** A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901-3907.

4. ***Subcontracts.*** The contractor or subcontractor must insert in any subcontracts the clauses set forth in 29 CFR 5.5(b)(1) through (5) and a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in 29 CFR 5.5(b)(1) through (5). In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss,

due to any workers of lower-tier subcontractors, and associated liquidated damages and may be subject to debarment, as appropriate.

5 **Anti-retaliation** It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

i. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the Contract Work Hours and Safety Standards Act (CWHSSA) or its implementing regulations in 29 CFR part 5;

ii. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under CWHSSA or 29 CFR part 5;

iii. Cooperating in any investigation or other compliance action, or testifying in any proceeding under CWHSSA or 29 CFR part 5; or

iv. Informing any other person about their rights under CWHSSA or 29 CFR part 5.

C. **CWHSSA required records clause** In addition to the clauses contained in 29 CFR 5.5(b), in any contract subject only to the Contract Work Hours and Safety Standards Act and not to any of the other laws referenced by 29 CFR 5.1, the Agency Head must cause or require the contracting officer to insert a clause requiring that the contractor or subcontractor must maintain regular payrolls and other basic records during the course of the work and must preserve them for a period of 3 years after all the work on the prime contract is completed for all laborers and mechanics, including guards and watchpersons, working on the contract. Such records must contain the name; last known address, telephone number, and email address; and social security number of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid; daily and weekly number of hours actually worked; deductions made and actual wages paid. Further, the Agency Head must cause or require the contracting officer to insert in any such contract a clause providing that the records to be maintained under this paragraph must be made available by the contractor or subcontractor for inspection, copying, or transcription by authorized representatives of the (write the name of agency) and the Department of Labor, and the contractor or subcontractor will permit such representatives to interview workers during working hours on the job.

D. **Incorporation of contract clauses and wage determinations by reference** Although agencies are required to insert the contract clauses set forth in this section, along with appropriate wage determinations, in full into covered contracts, and contractors and subcontractors are required to insert them in any lower-tier subcontracts, the incorporation by reference of the required contract clauses and appropriate wage determinations will be given the same force and effect as if they were inserted in full text.

E. **Incorporation by operation of law** The contract clauses set forth in this section (or their equivalent under the Federal Acquisition Regulation), along with the correct wage determinations, will be considered to be a part of every prime contract required by the applicable statutes referenced by 29 CFR 5.1 to include such clauses, and will be effective by operation of law, whether or not they are included or incorporated by reference into such contract, unless the Administrator grants a variance, tolerance, or exemption from the application of this paragraph. Where the clauses and applicable wage determinations are effective by operation of law under this paragraph, the prime contractor must be compensated for any resulting increase in wages in accordance with applicable law.

F. HEALTH AND SAFETY

The provisions of this paragraph (F) are applicable where the amount of the prime contract exceeds **$100,000**.

1. No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his or her health and safety, as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.
2. The contractor shall comply with all regulations issued by the Secretary of Labor pursuant to 29 CFR Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96), 40 U.S.C. § 3701 et seq.
3. The contractor shall include the provisions of this paragraph in every subcontract, so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.

PAST PERFORMANCE CERTIFICATION

With regard to performance of previous contracts or subcontracts subject to the Equal Opportunity Clause and filing of required reports

The ☑bidder, ☐proposed sub-contractor, hereby certifies that he/she ☑has, ☐has not, participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he/she ☑has, ☐has not, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance (OFCCP), a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Date: 12/12/2023 Project Number: 21035 Contract Award: $ 2,222,000

Awarding Agency: CITY OF ROSEMEAD

Contractor Name: ONYX PAVING COMPANY, INC. Total Number of Employees 120

Affiliate Company: N/A

By: _____

Title: COREY R. KIRSCHNER - CEO

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5 (Generally only contracts or subcontracts of $10,000 or under are exempt).

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the U.S. Department of the Interior or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

SF-100 (EEO-1) must be filed by;

(A) All private employers who are:

(1) Subject to Title VII of the Civil Rights Act of 1964 (as amended) with 100 or more employees.

(2) Subject to Title VII who has fewer than 100 employees, if the company is owned or affiliated with another company, or there is centralized ownership, control or management so that the group legally constitutes a single enterprise, and the entire enterprise employs a total of 100 or more employees.

(B) All federal contractors (private employers), who:

(1) Are not exempt as provided for by 41 CFR 60-1.5

(2) Have 50 or more employees, and

a. Are prime contractors or first-tier subcontractors, and have a contract, subcontract, or purchase order amounting to $50,000 or more; or

b. Serve as a depository of Government funds in any amount, or

c. Is a financial institution, which is an issuing, and paying agent for U.S. Savings Bonds and Notes.

FEDERAL LOBBYIST CERTIFICATION

Name of Firm: ONYX PAVING COMPANY, INC.

Address: 2890 E. LA CRESTA AVE.

State: CA Zip Code: 92806 Telephone Number: ( ) 714-632-6699

Acting on behalf of the above named firm, as its Authorized Official, I make the following Certification to the U. S. Department of Housing and Urban Development and the body awarding this federally assisted construction contract:

1. No Federal appropriated funds have been paid by or on behalf of the above named firm to any person for influencing or attempting to Influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress In connection with the awarding of any Federal contract, the making of and Federal grant1 loan or cooperative agreement, and any extension, continuation, renewal, amendment, or modification thereof, and;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee or any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress In connection ·with this federal contract, grant loan, or cooperative agreement, the above named firm shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying". in accordance with Its instructions, and;

3. The above name firm shall require that the language of this certification be Included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreement) and that all sub-recipients shall certify and disclose accordingly.

NOTE: This certification Is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification Is a prerequisite for making or entering Into the transaction imposed by Section 1352 Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Authorized Official:

COREY R. KIRSCHNER
(Print Name)

By: _____
(Signature)

9/30/2024
(Date)

CEO
(Title)

NONCOLLUSION AFFIDAVIT

(Title 23 United States Code Section 112 and
Public Contract Code Section 7106)

To the CITY / COUNTY of MONTEREY PARK
DEPARTMENT OF PUBLIC WORKS.

In accordance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Note: The above Noncollusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Noncollusion Affidavit.
Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

Company Name: ONYX PAVING COMPANY, INC.

Company Officer Name: COREY R. KIRSCHNER - CEO

Signature: _____ Date: 9/30/2024

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
REPORT OF ADDITIONAL CLASSIFICATION AND RATE

HUD FORM 4230A
OMB Approval Number 2501-0011
(Exp. 8/31/2022)

1. FROM (*name and address of requesting agency*)

Onyx Paving Company Inc
2890 E La Cresta, Anaheim, CA 92806

2. PROJECT NAME AND NUMBER

2024 Curb Ramp Improvements
CDBG IDIS #616

3. LOCATION OF PROJECT (City, County and State)

Monterey Park, CA

4. BRIEF DESCRIPTION OF PROJECT

Curb Ramp Improvements

5. CHARACTER OF CONSTRUCTION

☐ Building ☐ Residential
☐ Heavy ☐ Other (specify)
☒ Highway

6. WAGE DECISION NO. (include modification number, if any)

☐ COPY ATTACHED CA20230022

DATE of WAGE DECISION: 8/23/2024

7. WAGE DECISION EFFECTIVE DATE (LOCK-IN): 8/23/2024

8. WORK CLASSIFICATION(S)	HOURLY WAGE RATES	
	BASIC WAGE	FRINGE BENEFIT(S) (if any)
Laborer Group 1	$43.88	$27.81
Laborer Group 4	$46.53	$27.81
Operator Group 6	$61.18	$32.81
Operator Group 8	$61.29	$32.81
Cement Mason-Curb and Gutter	$45.50	$28

9. PRIME CONTRACTOR (name, address)

Onyx Paving Company Inc

9b. SIGNATURE | **DATE**

9a.
☐ Agree
☐ Disagree

10. SUBCONTRACTOR/EMPLOYER, IF APPLICABLE (name, address)

Check All That Apply:

☐ The work to be performed by the additional classification(s) is not performed by a classification in the applicable wage decision.
☒ The proposed classification is utilized in the area by the construction industry.
☒ The proposed wage rate(s), including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage decision.
☒ The interested parties, including the employees or their authorized representatives, agree on the classification(s) and wage rate(s).
☒ Supporting documentation attached, including applicable wage decision.

Check One:

☐ **Approved, meets all criteria. DOL confirmation requested.**
☐ **One or more classifications fail to meet all criteria. DOL decision requested.**

COREY R. KIRSCHNER - CEO
Agency Representative
(Typed name and signature)

9/30/2024
Date

714-632-6699
Phone Number

FOR HUD USE ONLY
LR2000:

Log in:

Log out:

HUD-4230A (8-19) PREVIOUS EDITION IS OBSOLETE

DECLARATION OF INTENT TO COMPLY WITH SECTION 3 REQUIREMENTS

As a minimum requirement for consideration of a contract award, the Bidder/Proposer shall declare his/her intent to comply with Section 3 (24 CFR 75) of the Housing and Urban Development Act of 1968, as amended (Section 3). The Bidder/Proposer is obliged, to the greatest extent feasible, to give opportunities for training and employment to low-income and very low-income persons residing in the service area or neighborhood in which the covered Section 3 project/service is located, and/or to award subcontracts to other Section 3 business concerns that provide economic opportunities for Section 3 workers and Targeted Section 3 workers.

Bidder/Proposer agrees that, as a condition of responsiveness to the solicitation and prior to recommendation for contract award by the Local Contracting Agency (LCA), he/she will agree to comply with the Section 3 requirements by including the Section 3 contract language in the contract, to the greatest extent feasible, to meet the Section 3 benchmarks and report all accomplishments with required documentation on a quarterly basis for the duration of the contract.

The Section 3 benchmarks apply to all Section 3 covered contracts as follows:

- Public housing financial assistance benchmarks:
  - Section 3 workers: 25% or more for the total number of labor hours worked by all workers employed, and
  - Targeted Section 3 workers: 5% or more of the total number of labor hours worked by all workers employed of which is included as part of the 25% threshold in the previous bullet.
- Community development financial assistance benchmarks:
  - Section 3 workers: 25% or more for the total number of labor hours worked by all workers employed on a Section 3 project, and
  - Targeted Section 3 workers: 5% or more of the total number of labor hours worked by all workers employed on a Section 3 project of which is included as part of the 25% threshold in the previous bullet.

Failure of the Bidder/Proposer to agree to comply with the Section 3 requirements and reporting obligations shall be grounds for determining the Bidder/Proposer non-responsive, and no further consideration for contract award shall be granted.

I declare under penalty of perjury under the laws of the State of California that we agree to comply with the Section 3 requirements as stated above.

ONYX PAVING COMPANY, INC.	2890 E. LA CRESTA AVE. ANAHEIM, CA 92806
Name of Contractor/Subcontractor	Address
COREY R. KIRSCHNER	CEO
Print Name	Title
	9/30/2024
Signature	Date

EQUAL EMPLOYMENT OPPORTUNITY CLAUSE.

During the performance of this contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

b. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

c. The contractor will send to each labor union or representative of workers with which he/she has a collective bargaining agreement or other contract or understanding, a notice to be provided, advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

e. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his/her books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

f. In the event of the contractor's noncompliance with the nondiscrimination clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole, or in part, and the contractor may be declared ineligible for further government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

g. The contractor will include the provisions of Paragraph 1a through 1g in every subcontract or purchase order unless exempted by rule, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

EQUAL EMPLOYMENT SPECIFICATIONS

(Executive Order 11246).

a. As used in these specifications:

(1) Covered area means the geographical area described in the solicitation from which this contract resulted;

(2) Director means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;

(3) Employer Identification Number (EIN) means the Federal Social Security Number used on the Employer's Quarterly Federal Tax Return, United States Treasury Department Form 941.

(4) Minority includes:

(a) Black (all persons having origins in any of the Black African racial groups not of Hispanic origin)

(b) Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race);

(c) Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the pacific Islands); and

(d) American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).

b. Whenever the contractor, or any subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of $10,000 the provisions of these specifications and the notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this contract resulted.

c. If the contractor is participating (pursuant to 41 CFR Part 60-4.5) in a Hometown Plan approved by the United States Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and time tables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each contractor or subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO Clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other contractors or subcontractors toward a goal in an approved Plan does not excuse any covered contractor's or subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.

d. The contractor shall implement the specific affirmative action standards provided in paragraphs 3g (1) through 3g (16) of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the contractor should

reasonable be able to achieve in each construction trade in which it has employees in the covered area. Covered construction contractors performing construction work in geographical areas where they do not have a Federal or federally assisted construction contract shall apply the minority and female goals established for the geographical area where the work is being performed. Goals are published periodically in the Federal Register in notice form, and such notices may be obtained from any Office of Federal Contract Compliance Programs office or from Federal procurement contracting officers. The contractor is expected to make substantially uniform progress in meeting its goals in each craft during the period specified.

e. Neither the provisions of any collective bargaining agreement nor the failure by a union with whom the contractor has a collective bargaining agreement, to refer either minority or women shall excuse the contractor's obligations under these specifications, Executive Order 11246 or the regulations promulgated pursuant thereto.

f. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the contractor during the training period, and the contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the United States Department of Labor.

g. The contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:

(1) Ensure and maintain working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the contractor's employees are assigned to work. The contractor, where possible, will assign two or more women to each construction project. The contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.

(2) Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the contractor or its unions have employment opportunities available, and maintain a record of the organization's responses.

(3) Maintain a current file of the name, address, and telephone numbers of each minority and female off-the street applicant and minority or female referral from a union, a recruitment source, or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the contractor by the union or, if referred, not employed by the contractor, this shall be documented in the file with the reason therefore, along with whatever additional actions the contractor may have taken.

(4) Provide immediate written notification to the Director when the union or unions with which the contractor has a collective bargaining agreement has not referred to the contractor a minority person or woman sent by the contractor, or when the contractor has other information that the union referral process has impeded the contractor's efforts to meet its obligations.

(5) Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the contractor's employment needs, especially those programs funded or approved by the Department of Labor. The contractor shall provide notice of these programs to the sources compiled under 3g (2) above.

(6) Disseminate the contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.

(7) Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these items with on- site supervisory personnel such as Superintendents, General Foremen, etc., prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.

(8) Disseminate the contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the contractor's EEO policy with other contractors and subcontractors with whom the contractor does or anticipates doing business.

(9) Direct its recruitment efforts, both oral and written, to minority, female, and community organizations; to schools with minority and female students; and to minority and female recruitment and training organizations serving the contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment sources, the contractor shall send written notification to organizations such as the above, describing the opening, screening procedures, and tests to be used in the selection process.

(10) Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer, and vacation employment to minority and female youth, both on the site and in other areas of a contractor's work force.

(11) Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3, Uniform Guidelines on Employee Selection Procedures.

(12) Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.

(13) Ensure that seniority practices, job classifications, work assignments, and other personnel practices do not have a discriminatory effect by continually monitoring all personnel and employment-related activities toensure that the EEO policy and the contractor's obligations under these specifications are being carried out.

(14) Ensure that all facilities and company activities are non-segregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.

(15) Document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.

(16) Conduct a review, at least annually, of all supervisors' adherence to and performance under the contractor's EEO policies and affirmative action obligations.

h. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations 3g(1) through (16). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 3g(1) though (16) of these specifications provided that the contractor actively participates in the group, makes every effort to ensure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the contractor's minority and female work force participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the contractor. The obligation to comply, however, is the contractor's, and failure of such a group to fulfill an obligation shall not be a defense for the contractor's noncompliance.

i. A single goal for minorities and a separate single goal for women have been established. The contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the contractor has achieved its goals for women generally, the contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).

j. The contractor shall not use the goals and timetables of affirmative action standards to discriminate against any person because of race, color, religion, sec or national origin.

k. The contractor shall not enter into any subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.

l. The contractor shall carry out such sanctions and penalties for violation of these specifications and of the Equal Opportunity Clause, including suspension, termination, and cancellation of existing subcontracts as may be imposed or ordered pursuant to Executive Order 11246, as amended, and its implementing regulations, by the Office of Federal Contract Compliance Programs. Any contractor who fails to carry out such sanctions and penalties shall be in violation of these specifications and Executive Order 11246, as amended.

m. The contractor, in fulfilling its obligations under these specifications, shall implement specific affirmative actions steps, at least as extensive as those standards prescribed in Paragraph 3g of these specifications, so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the contractor fails to comply with the requirements of the Executive Order, the implementing regulations, or these

specifications, the Director shall proceed in accordance with 41 CFR Part 60-1.8 (Show Cause Notice).

n. The contractor shall designate a responsible official to monitor all employment related activity to ensure that the company EEO policy is being carried out, to be required by the Government and to keep records. Records shall at least include for each employee the name, address, telephone numbers, construction trade, union affiliation, if any, employee identification number when assigned, social security number, race, sex, status (e.g., mechanic, apprentice, trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, contractors shall not be required to maintain separate records.

o. Nothing herein provided shall be construed as a limitation upon the application of other laws which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).

p. The Director, from time to time, shall issue goals and timetables for minority and female utilization which shall be based on appropriate work force, demographic or other relevant data and which shall cover construction projects or construction contracts performed in specific geographic areas. The goals, which shall be applicable to each construction trade in a covered contractor's or subcontractor's entire work force which is working in the area covered by the goals and timetables, shall be published as notices in the Federal Register, and shall be inserted by the contracting officers and applicants, as applicable, in the Notice required by 41 CFR 60-4.2.

SPECIFIC EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS.

For a federally assisted construction contract in excess of $10,000, the contractor/subcontractor shall:

a. Forward the following EEO certification forms to the contract awarding authority prior to contract award: Certification of Non-segregated Facilities and Certification with Regard to the Performance of Previous Contracts or Subcontracts Subject to the Equal Opportunity Clause and the Filing of Required Reports.

b. Submit a notification of subcontracts awarded to the Director, Office of Federal Contract Compliance Programs, United States Department of Labor - ESA, 200 Constitutional Avenue, NW, Room C3325, Washington, D.C., 20210, within 10 working days of award of any subcontract in excess of $10,000, listing the name, address, and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting date and completion dates of the subcontract; and the geographical area in which the contract is to be performed.

c. Send a notice of the contractor's commitment to equal employment opportunity to labor unions or representatives of workers prior to commencement of construction work.

d. Display an equal employment opportunity poster in a conspicuous place available to employees and applicants for employment.

e. For contracts in excess of $10,000, bind subcontractors to the Federal Equal Employment Opportunity requirements by including the provisions of Paragraphs 1 through 3, above, in the subcontract.

f. Upon commencement of construction work and until the work is completed, forward the Monthly Employment Utilization Report (Form CC-257) to the contract awarding authority by the end of each work month. With the initial monthly report, the contractor/subcontractor shall attach the Contractor's List of Federal and Non-Federal Work in Bid Condition Area to the monthly report.

NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY

(Executive Order 11246)

a. The Offeror or Bidder's attention is called to the Equal Opportunity Clause and the Standard Federal Equal Employment Specifications set forth herein.

b. The goals and timetables for minority and female participation, expressed in percentage terms for the contractor's aggregated work force in each trade on all construction work in the covered area, are as follows:

Goals for Minority and Female Participation in Timetables, Each Trade: **28.3%, 6.9%**

These goals are applicable to all the contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its federally involved and non-federally involved construction.

The contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmation action obligations required by the specifications set forth in 41 CFR Part 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract and in each trade, and the contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project for the sole purpose of meeting the contractor's goals shall be a violation of the contract, the Executive Order, and the regulations of 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

c. The contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within ten (10) working days of award of any construction subcontract in excess of $10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address, and telephone number of the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.

d. As used in this notice, and in the contract resulting from this solicitation, the covered area is the Standard Metropolitan Statistical Area of Los Angeles-Long Beach, specifically the County of Los Angeles, State of California.

CONTRACTING WITH SMALL BUSINESS, MINORITY FIRMS, WOMEN'S BUSINESS ENTERPRISE AND LABOR SURPLUS AREA FIRMS.

a. It is national policy to award a fair share of contracts to Small business and Minority Firms. Accordingly, affirmative steps must be taken to assure that Small Business and Minority Firms are utilized when possible, as sources of supplies, equipment, construction and services. Affirmative steps include the following:

1. Including qualified Small Business and Minority Firms on solicitation lists.
2. Assuring that Small Business and Minority Firms are solicited whenever they are potential sources.
3. When economically feasible, dividing total requirements into smaller tasks or quantities so as to permit maximum Small Business and Minority Firm participation.
4. Where the requirement permits, establishing delivery schedules which will encourage participation by Small Business and Minority Firms.
5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce, as required.
6. If any subcontracts are to be let, requiring the prime contractor to take the affirmative steps in a1 through a5 above.

b. Grantees shall take similar appropriate affirmative action in support of Women's Business Enterprises.

c. Grantees are encouraged to procure goods and services from Labor Surplus Areas.

CIVIL RIGHTS ACT OF 1964. *Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

SECTION 503 OF THE REHABILITATION ACT OF 1973. *Any contract in excess of $10,000 entered into by any Federal department or agency for the procurement of personal property and non-personal services (including construction) for the United States shall contain a provision requiring that the party contracting with the United States shall take affirmative action to employ and advance in employment qualified individuals with disabilities. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.*

SECTION 109 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. *No person in the United States on the grounds of race, color, national origin, or sex be excluded from*

participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

VIETNAM ERA VETERANS' READJUSTMENT ASSISTANCE ACT OF 1974, as amended. *Covered contracts entered into by any department or agency for the procurement of personal property and non- personal services (including construction) for the United States, shall contain a provision requiring that the party contracting with the United States shall take affirmative action to employ and advance in employment qualified special disabled veterans, veterans of the Vietnam era and any other veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. The provisions of this section shall apply to any subcontract entered into by a prime contractor in carrying out any contract for the procurement of personal property and non-personal services (including construction) for the United States.*

AGE DISCRIMINATION ACT OF 1975. *No person in the Unites States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

COMPLIANCE WITH CLEAN AIR AND WATER ACTS

(Applicable to federally assisted construction contracts and related subcontracts exceeding $150,000)

During the performance of this contract, the contractor and all subcontractors shall comply with the requirements of the Clean Air Act, as amended, 42 USC 1857 et seq., the Federal. Water Pollution Control Act, as amended, 33 USC 1251 et seq., and the regulations of the Environmental Protection Agency with respect thereto, at 40 CFR Part 15, as amended.

In addition to the foregoing requirements, all nonexempt contractors and subcontractors shall *furnish to* the owner, the following:

1. A stipulation by the contractor or subcontractors, that any facility to be utilizes) in the performance of any non exempt contract or subcontract,. is not listed on the List of Violating Facilities issued by the Environmental Protection Agency (EPA) pursuant to 40 CFR 15.20.

2. Agreement by the contractor to comply with all the requirements of Section 114 of the **Clean Air Act,** as amended, (42 USC 1857c-8) and Section 308 of the Federal Water Pollution Control **Act, as amended, (33 USC 1318) relating to** inspection, monitoring, entry, reports and information, as well as all other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued there under.

3. A stipulation that as a condition for the award of the contract, prompt notice will be given of any notification received from the Director, Office of Federal Activities, EPA, indicating that .a facility utilized, or to be utilized for the contract, is under consideration to be listed on the EPA List of Violating Facilities.

4. Agreement by the contractor that he will include, or cause to be included, the criteria and requirements in paragraph (1) through (4) of this section in every nonexempt subcontract and requiring that the contractor will take such action as the government may direct as a means of enforcing such provisions.

LABOR CODE SECTIONS
(1771, 1774, 1775, 1776,1777.5, 1813, AND 1815)

§1771. Except for public works projects of one thousand dollars ($1,000) or less, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in this chapter, shall be paid to all workers employed on public works.

This section is applicable only to work performed under contract, and is not applicable to work carried out by a public agency with its own forces. This section is applicable to contracts let for maintenance work.

§1774. The contractor to whom the contract is awarded, and any subcontractor under him, shall pay not less than the specified prevailing rates of wages to all workmen employed in the execution of the contract.

§1775.
(a) (1) The contractor and any subcontractor under the contractor shall, as a penalty to the state or political subdivision on whose behalf the contract is made or awarded, forfeit not more than fifty dollars ($50) for each calendar day, or portion thereof, for each worker paid less than the prevailing wage rates as determined by the director for the work or craft in which the worker is employed for any public work done under the contract by the contractor or, except as provided in subdivision **(b)**, by any subcontractor under the contractor.

(2) (A) The amount of the penalty shall be determined by the Labor Commissioner based on consideration of both of the following:
- (i) Whether the failure of the contractor or subcontractor to pay the correct rate of per diem wages was a good faith mistake and, if so, the error was promptly and voluntarily corrected when brought to the attention of the contractor or subcontractor.
- (ii) Whether the contractor or subcontractor has a prior record of failing to meet its prevailing wage obligations.

(B) The penalty may not be less than ten dollars ($10) for each calendar day, or portion thereof, for each worker paid less than the prevailing wage rate, unless the failure of the contractor or subcontractor to pay the correct rate of per diem wages was a good faith mistake and, if so, the error was promptly and voluntarily corrected when brought to the attention of the contractor or subcontractor.
- (i) The penalty may not be less than twenty dollars ($20) for each calendar day, or portion thereof, for each worker paid less than the prevailing wage rate, if the contractor or subcontractor has been assessed penalties within the previous three years for failing to meet its prevailing wage obligations on a separate contract, unless those penalties were subsequently withdrawn or overturned.
- (ii) The penalty may not be less than thirty dollars ($30) for each calendar day, or portion thereof, for each worker paid less than the prevailing wage rate, if the Labor Commissioner determines that the violation was willful, as defined in subdivision (c) of Section 1777.1.

(C) When the amount due under this section is collected from the contractor or subcontractor, any outstanding wage claim under Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 against that contractor or subcontractor shall be satisfied before applying that amount to the penalty imposed on that contractor or subcontractor pursuant to this section.

(D) The determination of the Labor Commissioner as to the amount of the penalty shall be reviewable only for abuse of discretion.

(E) The difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the contractor or subcontractor, and the body awarding the contract shall cause to be inserted in the contract a stipulation that this section will be complied with.

(b) If a worker employed by a subcontractor on a public works project is not paid the general prevailing rate of per diem wages by the subcontractor, the prime contractor of the project is not liable for any penalties under subdivision (a) unless the prime contractor had knowledge of that failure of the subcontractor to pay the specified

prevailing rate of wages to those workers or unless the prime contractor fails to comply with all of the following requirements:

(1) The contract executed between the contractor and the subcontractor for the performance of work on the public works project shall include a copy of the provisions of Sections 1771, 1775, 1776, 1777.5, 1813, and 1815.
(2) The contractor shall monitor the payment of the specified general prevailing rate of per diem wages by the subcontractor to the employees, by periodic review of the certified payroll records of the subcontractor.
(3) Upon becoming aware of the failure of the subcontractor to pay his or her workers the specified prevailing rate of wages, the contractor shall diligently take corrective action to halt or rectify the failure, including, but not limited to, retaining sufficient funds due the subcontractor for work performed on the public works project.
(4) Prior to making final payment to the subcontractor for work performed on the public works project, the contractor shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor has paid the specified general prevailing rate of per diem wages to his or her employees on the public works project and any amounts due pursuant to Section 1813.

(C) The Division of Labor Standards Enforcement shall notify the contractor on a public works project within 15 days of the receipt by the Division of Labor Standards Enforcement of a complaint of the failure of a subcontractor on that public works project to pay workers the general prevailing rate of per diem wages.

§1776.

(a) Each contractor and subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following:

(1) The information contained in the payroll record is true and correct.
(2) The employer has complied with the requirements of Sections 1771, 1811, and 1815 for any work performed by his or her employees on the public works project.

(b) The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours at the principal office of the contractor on the following basis:
(1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or his or her authorized representative on request.
(2) A certified copy of all payroll records enumerated in subdivision (a) shall be made available for inspection or furnished upon request to a representative of the body awarding the contract, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations.
(3) A certified copy of all payroll records enumerated in subdivision (a) shall be made available upon request by the public for inspection or for copies thereof. However, a request by the public shall be made through either the body awarding the contract, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to paragraph (2), the requesting party shall, prior to being provided the records, reimburse the costs of preparation by the contractor, subcontractors, and the entity through which the request was made. The public may not be given access to the records at the principal office of the contractor.

(c) The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the division. The payroll records may consist of printouts of payroll data that are maintained as computer records, if the printouts contain the same information as the forms provided by the division and the printouts are verified in the manner specified in subdivision (a).

(d) A contractor or subcontractor shall file a certified copy of the records enumerated in subdivision(a) with the entity that requested the records within 10 days after receipt of a written request.

(e) Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the awarding body, the Division of Apprenticeship Standards, or the Division of Labor

Standards Enforcement shall be marked or obliterated to prevent disclosure of an individual's name, address, and social security number. The name and address of the contractor awarded the contract or the subcontractor performing the contract shall not be marked or obliterated. Any copy of records made available for inspection by, or furnished to, a joint labor-management committee established pursuant to the federal Labor Management

Cooperation Act of 1978 (29 U.S.C. Sec. 175a) shall be marked or obliterated only to prevent disclosure of an individual's name and social security number. A joint labor management committee may maintain an action in a court of competent jurisdiction against an employer who fails to comply with Section 1774. The court may award restitution to an employee for unpaid wages and may award the joint labor management committee reasonable attorney's fees and costs incurred in maintaining the action. An action under this subdivision may not be based on the employer's misclassification of the craft of a worker on its certified payroll records. Nothing in this subdivision limits any other available remedies for a violation of this chapter.

(f) The contractor shall inform the body awarding the contract of the location of the records enumerated under subdivision (a), including the street address, city, and county, and shall, within five working days, provide a notice of a change of location and address.

(g) The contractor or subcontractor has 10 days in which to comply subsequent to receipt of a written notice requesting the records enumerated in subdivision (a). In the event that the contractor or subcontractor fails to comply within the 10- day period, he or she shall, as a penalty to the state or political subdivision on whose behalf the contract is made or awarded, forfeit twenty-five dollars ($25) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. A contractor is not subject to a penalty assessment pursuant to this section due to the failure of a subcontractor to comply with this section.

(h) The body awarding the contract shall cause to be inserted in the contract stipulations to effectuate this section.

(i) The director shall adopt rules consistent with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Title 1.8 (commencing with Section 1798) of Part 4 of Division 3 of the Civil Code) governing the release of these records, including the establishment of reasonable fees to be charged for reproducing copies of records required by this section.

§1777.5.

(a) Nothing in this chapter shall prevent the employment of properly registered apprentices upon public works.

(b) Every apprentice employed upon public works shall be paid the prevailing rate of per diem wages for apprentices in the trade to which he or she is registered and shall be employed only at the work of the craft or trade to which he or she is registered.

(c) Only apprentices, as defined in Section 3077, who are in training under apprenticeship standards that have been approved by the Chief of the Division of Apprenticeship Standards and who are parties to written apprentice agreements under Chapter 4 (commencing with Section 3070) of Division 3 are eligible to be employed at the apprentice wage rate on public works. The employment and training of each apprentice shall be in accordance with either of the following:
  (1) The apprenticeship standards and apprentice agreements under which he or she is training.
  (2) The rules and regulations of the California Apprenticeship Council.

(d) When the contractor to whom the contract is awarded by the state or any political subdivision, in performing any of the work under the contract, employs workers in any apprenticeable craft or trade, the contractor shall employ apprentices in at least the ratio set forth in this section and may apply to any apprenticeship program in the craft or trade that can provide apprentices to the site of the public work for a certificate approving the contractor under the apprenticeship standards for the employment and training of apprentices in the area or industry affected. However, the decision of the apprenticeship program to approve or deny a certificate shall be subject to review by the Administrator of Apprenticeship. The apprenticeship program or programs, upon approving the contractor, shall arrange for the dispatch of apprentices to the contractor. A contractor covered by an apprenticeship program's standards shall not be required to submit any additional application in order

to include additional public works contracts under that program. "Apprenticeable craft or trade," as used in this section, means a craft or trade determined as an apprenticeable occupation in accordance with rules and regulations prescribed by the California Apprenticeship Council. As used in this section, "contractor" includes any subcontractor under a contractor who performs any public works not excluded by subdivision (o).

(e) Prior to commencing work on a contract for public works, every contractor shall submit contract award information to an applicable apprenticeship program that can supply apprentices to the site of the public work. The information submitted shall include an estimate of journeyman hours to be performed under the contract, the number of apprentices proposed to be employed, and the approximate dates the apprentices would be employed. A copy of this information shall also be submitted to the awarding body if requested by the awarding body. Within 60 days after concluding work on the contract, each contractor and subcontractor shall submit to the awarding body, if requested, and to the apprenticeship program a verified statement of the journeyman and apprentice hours performed on the contract. The information under this subdivision shall be public. The apprenticeship programs shall retain this information for 12 months.

(f) The apprenticeship program that can supply apprentices to the area of the site of the public work shall ensure equal employment and affirmative action in apprenticeship for women and minorities.

(g) The ratio of work performed by apprentices to journeymen employed in a particular craft or trade on the public work may be no higher than the ratio stipulated in the apprenticeship standards under which the apprenticeship program operates where the contractor agrees to be bound by those standards, but, except as otherwise provided in this section, in no case shall the ratio be less than one hour of apprentice work for every five hours of journeyman work.

(h) This ratio of apprentice work to journeyman work shall apply during any day or portion of a day when any journeyman is employed at the jobsite and shall be computed on the basis of the hours worked during the day by journeymen so employed. Any work performed by a journeyman in excess of eight hours per day or 40 hours per week shall not be used to calculate the ratio. The contractor shall employ apprentices for the number of hours computed as above before the end of the contract or, in the case of a subcontractor, before the end of the subcontract. However, the contractor shall endeavor, to the greatest extent possible, to employ apprentices during the same time period that the journeymen in the same craft or trade are employed at the jobsite. Where an hourly apprenticeship ratio is not feasible for a particular craft or trade, the Chief of the Division of Apprenticeship Standards, upon application of an apprenticeship program, may order a minimum ratio of not less than one apprentice for each five journeymen in a craft or trade classification.

(i) A contractor covered by this section that has agreed to be covered by an apprenticeship program's standards upon the issuance of the approval certificate, or that has been previously approved for an apprenticeship program in the craft or trade, shall employ the number of apprentices or the ratio of apprentices to journeymen stipulated in the applicable apprenticeship standards, but in no event less than the 1-to-5 ratio required by subdivision(g).

(j) Upon proper showing by a contractor that he or she employs apprentices in a particular craft or trade in the state on all of his or her contracts on an annual average of not less than one hour of apprentice work for every five hours of labor performed by journeymen, the Chief of the Division of Apprenticeship Standards may grant a certificate exempting the contractor from the 1-to-5 hourly ratio, as set forth in this section for that craft or trade.

(k) An apprenticeship program has the discretion to grant to a participating contractor or contractor association a certificate, which shall be subject to the approval of the Administrator of Apprenticeship, exempting the contractor from the 1-to-5 ratio set forth in this section when it finds that any one of the following conditions is met:

(1) Unemployment for the previous three-month period in the area exceeds an average of 15 percent.

(2) The number of apprentices in training in the area exceeds a ratio of 1 to 5.

(3) There is a showing that the apprenticeable craft or trade is replacing at least one-thirtieth of its journeymen annually through apprenticeship training, either on a statewide basis or on a local basis.

(4) Assignment of an apprentice to any work performed under a public works contract would create a condition that would jeopardize his or her life or the life, safety, or property of fellow employees or the public at large, or the specific task to which the apprentice is to be assigned is of a nature that training cannot be provided by a journeyman.

(l) When an exemption is granted pursuant to subdivision (k) to an organization that represents contractors in a specific trade from the 1-to-5 ratio on a local or statewide basis, the member contractors shall not be

required to submit individual applications for approval to local joint apprenticeship committees, if they are already covered by the local apprenticeship standards.

(m)(1) A contractor to whom a contract is awarded, who, in performing any of the work under the contract, employs journeymen or apprentices in any apprenticeable craft or trade shall contribute to the California Apprenticeship Council the same amount that the director determines is the prevailing amount of apprenticeship training contributions in the area of the public works site. A contractor may take as a credit for payments to the council any amounts paid by the contractor to an approved apprenticeship program that can supply apprentices to the site of the public works project. The contractor may add the amount of the contributions in computing his or her bid for the contract.

(2) At the conclusion of the 2002-03 fiscal year and each fiscal year thereafter, the California Apprenticeship Council shall distribute training contributions received by the council under this subdivision, less the expenses of the Division of Apprenticeship Standards for administering this subdivision, by making grants to approved apprenticeship programs for the purpose of training apprentices. The funds shall be distributed as follows:

(A) If there is an approved multiemployer apprenticeship program serving the same craft or trade and geographic area for which the training contributions were made to the council, a grant to that program shall be made.

(B) If there are two or more approved multiemployer apprenticeship programs serving the same craft or trade and geographic area for which the training contributions were made to the council, the grant shall be divided among those programs based on the number of apprentices registered in each program.

(C) All training contributions not distributed under subparagraphs (A) and (B) shall be used to defray the future expenses of the Division of Apprenticeship Standards.

(3) All training contributions received pursuant to this subdivision shall be deposited in the Apprenticeship Training Contribution Fund, which is hereby created in the State Treasury. Notwithstanding Section 13340 of the Government Code, all money in the Apprenticeship Training Contribution Fund is hereby continuously appropriated for the purpose of carrying out this subdivision and to pay the expenses of the Division of Apprenticeship Standards.

(n) The body awarding the contract shall cause to be inserted in the contract stipulations to effectuate this section. The stipulations shall fix the responsibility of compliance with this section for all apprenticeable occupations with the prime contractor.

(o) This section does not apply to contracts of general contractors or to contracts of specialty contractors not bidding for work through a general or prime contractor when the contracts of general contractors or those specialty contractors involve less than thirty thousand dollars ($30,000).

(p) All decisions of an apprenticeship program under this section are subject to Section 3081.

§1813. The contractor or subcontractor shall, as a penalty to the state or political subdivision on whose behalf the contract is made or awarded, forfeit twenty-five dollars ($25) for each worker employed in the execution of the contract by the respective contractor or subcontractor for each calendar day during which the worker is required or permitted to work more than 8 hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of this article. In awarding any contract for public work, the awarding body shall cause to be inserted in the contract a stipulation to this effect. The awarding body shall take cognizance of all violations of this article committed in the course of the execution of the contract and shall report them to the Division of Labor Standards Enforcement.

§ 1815. Notwithstanding the provisions of Sections 1810 to 1814, inclusive, of this code, and notwithstanding any stipulation inserted in any contract pursuant to the requirements of said sections, work performed by employees of contractors in excess of 8 hours per day, and 40 hours during any one week, shall be permitted upon public work upon compensation for all hours worked in excess of 8 hours per day at not less than 11/2 times the basic rate of pay.

CERTIFICATION OF UNDERSTANDING AND AUTHORIZATION

Project Name 2024 CURB RAMP IMPROVEMENTS

Contracting Agency CITY OF MONTEREY PARK Project Number: CDBG IDIS#616, SPEC. NO. 2024-004

This is to certify that the principal and the authorized payroll officer(s), listed below, have received and read and a copy of the ***Federal Labor Standards Provisions (HUD-4010)*** and a copy of the ***Contractor's Guide to prevailing Wage Requirements*** *for* ***Federally-Assisted Construction Projects***, and that they understand the labor standards clauses pertaining to the above listed projects.

The following person(s) is/are designated as payroll officer for the undersigned and is/are authorized to sign the ***Statement of Compliance*** forms which will accompany each weekly payroll report for contractor listed below during the duration of this project.

ONYX PAVING COMPANY, INC.
☑ Contractor ☐ Subcontractor Business Name

630360
License Number

DAVID WILTFONG
Payroll Officer Name (Print)

Payroll Officer (Signature)

DAVID WILTFONG
Payroll Officer Name (Print)

Payroll Officer (Signature)

COREY R. KIRSCHNER
Name of Person Authorized to Sign (Print)

(Authorized Signature)

CEO
Title

9/30/2024
Date

EQUAL EMPLOYMENT OPPORTUNITY COMMITMENT

(03/31/17)

TO: Laborers Southern California Joint Apprenticeship Committee
(Name of Labor Union, Workers Representative, etc)

1385 West Sierra Madre Avenue Azusa, CA 91702
(Address)

Contractor Name: ONYX PAVING COMPANY, INC.

Project Name: 2024 CURB RAMP IMPROVEMENTS Project Number: CDBG IDIS#616, SPEC. NO. 2024-004

The Undersigned contractor holds a contract with CITY OF MONTEREY PARK, involving funds provided by the U. S. Government, or a subcontract with a prime contractor holding such contract. Under the provisions included in the contract or subcontract for the above referenced project, and in accordance with Executive Order 11246, the undersigned contractor is obligated not to discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. This obligation not to discriminate in employment includes, but is not limited to the follow:

1. Hiring, placement, upgrading, transfer or demotion;
2. Recruitment, advertising or solicitation for employment;
3. Treatment during employment;
4. Rates of pay or other forms of compensation;
5. Selection for training, including apprenticeship; and
6. Layoff or termination.

The undersigned contractor shall abide by the requirements of 41 CFR 60–300.5(a) and 60–741.5(a). These regulations prohibit discrimination against qualified individuals on the basis of protected veteran status or disability; and require affirmative action by prime contractors and subcontractors to employ, and advance in employment, qualified protected veterans and individuals with disabilities.

Copies of this notice will made available to worker representatives and be posted by the undersigned in conspicuous places available to employees or applicants for employment.

COREY R. KIRSCHNER
(Print Name)

By: _____
(Signature)

9/30/2024
(Date)

CEO
(Title)

BIDDERS QUESTIONNAIRE FORM

Fill out all the following information and submit with Bid Proposal:

Bidder/Contractor's Name:	ONYX PAVING COMPANY, INC.		
Business Address:	2890 E. LA CRESTA AVE. ANAHEIM, CA 92806		
Telephone Number:	714-632-6699	**Email:**	BIDS@ONYXPAVING.COM
California State Contractor's License Number and Class:	**#:** 630360 **Class:** A, C12		
Tax Identification Number:	33-0394344		
DIR Contractor Registration Number:	1000004798		
UEI Number:	LHJSZYS211Z2		
Business License: Do you currently have an active City Business License?	☐ **YES** **#:** ☒ **NO**		
Number of years of experience the company has as a contractor:	34 YEARS		
DIR Contractor Worker(s) Classification (s) (e.g. laborer, electrician, cement mason etc.)	LABORERS, OPERATING ENGINEERS, CEMENT MASONS		
Has the company or any principal having an interest in this Bid ever failed to complete a project?	☐ **YES** ☒ **NO** **If yes, explain:** N/A		
Has the company or any principal having an interest in this Bid ever been terminated for cause, even if was converted to a "termination of convenience"	☐ **YES** ☒ **NO** **If yes, explain:** N/A		
Type of Firm:	☐ **Individual** ☐ **Partnership** ☐ **Limited Liability Company** ☒ **Corporation (State** CA **)** ☐ **Other (specify)**		

- [ ] **Minority Business Enterprise(MBE)**
- [ ] **Women Business Enterprise (WBE)**
- [ ] **Small Disadvantaged Business (SDB)**
- [ ] **Veteran Owned Business**
- [ ] **Disabled Veteran Owned Business**
- [X] **None Apply**

List at least three related projects completed in the last i e (5) years:

1. Name of Project: 2021-2022 PAVEMENT REHABILITATION PROJECT

Contact: JAN BALANAY	**Phone:** 626-254-2726
Location of Project (City/State): ARCADIA, CA	
Contact Amount: $1,899,698.72	**Date Completed:** MARCH 2023
Brief Description of Work: VARIOUS PAVEMENT REHABILITATION & CONCRETE IMPROVEMENTS	

2. Name of Project: 21-22 PAVEMENT REHABILITATION PROJECT

Contact: ALI CAYIR	**Phone:** 714-883-8677
Location of Project (City/State): TEMPLE CITY, CA	
Contact Amount: $4,031,000	**Date Completed:** MAY 2023
Brief Description of Work: CITYWIDE STREET IMPROVEMENTS	

3. Name of Project: 22-23 SB1 PAVEMENT REHABILITATION PROJECT

Contact: JILLEEN FERRIS	**Phone:** 951-765-2360
Location of Project (City/State): HEMET, CA	
Contact Amount: $2,528,000	**Date Completed:** MAY 2024
Brief Description of Work: VARIOUS STREET FULL DEPTH RECONSTRUCTION	

Surety Company that will provide all Insurance Requirements:

Name of Surety: SWISS RE CORPORATE SOLUTIONS AMERICA INSURANCE CORPORATION

Address: 1200 MAIN ST., SUITE 800 KANSAS CITY, MO 64105

Surety Company: Performance Bonding Surety & Insurance Brokerage

NON-SEGREGATED FACILITIES CERTIFICATION

FEDERALLY-ASSISTED CONSTRUCTION PROJECTS

The federally-assisted construction contractor certifies that he/she DOES NOT and WILL NOT:

1. Maintain or provide, for his/her employees, any segregated facilities at any of his/her establishments.

2. Permit his/her employees to perform their services at any location, under his/her control, where segregated facilities are maintained.

The federally-assisted contractor agrees that a breach of this certification is a violation of the Equal Opportunity Clause in this contract. As used in this certification, the term segregated facilities means any waiting room, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise.

The federally-assisted contractor agrees that (except where he/she has obtained identical certifications from proposed subcontractors for specific time periods) he/she will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity Clause, and that he/she will retain such certifications in his/her files.

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Date: 9/30/2024 Project Number: CDBG IDIS#616, SPEC. NO. 2024-004

Company: ONYX PAVING COMPANY, INC.

Address: 2890 E. LA CRESTA AVE. ANAHEIM, CA 92806

By: _____

Title: COREY R. KIRSCHNER - CEO

CERTIFICATION
WITH REGARD TO THE PERFORMANCE OF PREVIOUS CONTRACTS OR SUBCONTRACTS SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE AND THE FILING OF REQUIRED REPORTS

The ☑bidder, ☐proposed sub-contractor, hereby certifies that he/she ☑has, ☐has not, participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he/she ☑has, ☐has not, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Date: 12/12/2023 Project Number: 21035 Contract Award: $2,222,000

Awarding Agency: CITY OF ROSEMEAD

Contractor Name: ONYX PAVING COMPANY, INC. Total Number of Employees 120

Affiliate Company: N/A

By: _____

Title: COREY R. KIRSCHNER - CEO

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5 (Generally only contracts or subcontracts of $10,000 or under are exempt).

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the U.S. Department of the Interior or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

SF-100 (EEO-1) must be filed by;

(A) All private employers who are:
- (1) Subject to Title VII of the Civil Rights Act of 1964 (as amended) with 100 or more employees.
- (2) Subject to Title VII who has fewer than 100 employees, if the company is owned or affiliated with another company, or there is centralized ownership, control or management so that the group legally constitutes a single enterprise, and the entire enterprise employs a total of 100 or more employees.

(B) All federal contractors (private employers), who:
- (1) Are not exempt as provided for by 41 CFR 60-1.5
- (2) Have 50 or more employees, and
  - a. Are prime contractors or first-tier subcontractors, and have a contract, subcontract, or purchase order amounting to $50,000 or more; or
  - b. Serve as a depository of Government funds in any amount, or
  - c. Is a financial institution, which is an issuing, and paying agent for U.S. Savings Bonds and Notes.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,00 0 and not more than $100,000 for each such failure.

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subjec t to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

* CONTRACTOR/SUBCONTRACTOR	ONYX PAVING COMPANY, INC.
* PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
Prefix:	
* First Name:	COREY
Middle Name:	R.
* Last Name:	KIRSCHNER
Suffix:	
* Title:	CEO
* SIGNATURE:	
* DATE:	9/30/2024

WORKER'S COMPENSATION CERTIFICATION

I certify, by signature below, that I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

Date: 9/30/2024 Project Number: CDBG IDIS#616, SPEC. NO. 2024-004

Project Name: 2024 CURB RAMP IMPROVEMENTS

Company Name: ONYX PAVING COMPANY, INC.

Address: 2890 E. LA CRESTA AVE. ANAHEIM, CA 92806

Print Name: COREY R. KIRSCHNER

Title: CEO

Signature:

SECTION 3 BUSINESS CONCERN CERTIFICATION

Business Name: ONYX PAVING COMPANY, INC.

Address: 2890 E. LA CRESTA AVE.

City/State/Zip Code: ANAHEIM, CA 92806

Telephone Number: 714-632-6699 **Email Address:** BIDS@ONYXPAVING.COM

This business is a Section 3 business concern based on one of the following categories, as documented:

☐ **A. Business is 51% or more owned by low- or very low-income persons,**
(Attach a Section 3 Worker Certification(s) for each owner to this certification.)

☐ **B. Over 75 percent (75%) of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers,**

Provide the following information for the prior three-month period:

- Indicate total number of labor hours performed by Section 3 workers: _____Hours
- Indicate total number of labor hours performed by all workers: _____Hours
- Calculate the percentage of labor hours by Section 3 workers: _____%

(Attach the Section 3 Worker Certifications and Section 3 Labor Hours Reports.)

☐ **C. Business is 51% or more owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.** (Attach proof of public housing or Section 8-assisted housing residence.)

☑ **D. The above-mentioned business firm is not a Section 3 business concern, but commits to the Section 3 goal:**
Submit *Notice of Section 3 Commitment* Form

(NOTE: FAILURE OF THE BUSINESS TO PROVIDE THE REQUIRED DOCUMENTATION AS NOTED ABOVE SHALL BE GROUNDS FOR THE LCA TO DETERMINE THE BUSINESS A NON-SECTION 3 BUSINESS CONCERN.)
I declare under penalty of perjury under the laws of the State of California that the information stated above is true and correct.

Signature	COREY R. KIRSCHNER - CEO Title	9/30/2024 Date

TO BE COMPLETED BY LOCAL CONTRACTING AGENCY STAFF

This business meets the following category:

☐ 51% owned by low- or very low-income persons,
☐ 75% of labor hours performed by Section 3 workers, or
☐ 51% currently owned and controlled by public housing or Section 8-assisted housing residents.
☐ None of the above.

Approved by: (Print Name)_____ **Signature:**_____ **Date:**_____

NOTICE OF SECTION 3 COMMITMENT

TO: Laborers Southern California Joint Apprenticeship Committee
(Name of Labor Union, Workers Representative, etc.

1385 West Sierra Madre Avenue Azusa, CA 91702
(Address)

Name of Business (Contractor): ONYX PAVING COMPANY, INC.

Project Name: 2024 CURB RAMP IMPROVEMENTS Project Number: CDBG IDIS#616, SPEC. NO. 2024-004

The Undersigned currently holds a contract with CITY OF MONTEREY PARK involving Block Grant (CDBG) funds from the U. S. Department of Housing and Urban Development or a subcontract with a prime contractor holding such contract.

You are advised that under the provisions of the above contract or subcontract and in accordance with Section 3 of the Housing and Urban Development Act of 1968, the undersigned is obligated to the greatest extent feasible, to give opportunities for employment and training to lower income residence of the CDBG-assisted project area and to award contracts for work on the project to business concerns which are located in or are owned in substantial part by project area residence.

Regarding employment opportunities for Section 3, the minimum number and job titles are:

Number	**Job Classification**
TBD	LABORERS

Regarding job referrals, request that consideration be given, to the greatest extent feasible, to assignment of persons residing in the service area or neighborhood in which the project is located.

The anticipated date the work will begin is TBD. For additional information, you may contact DAVID WILTFONG (Contact Person's Name), LABOR COMPLIANCE (Title) at ( ) 310-213-8706.

This notice is furnished to you pursuant to the provisions of the above contract or subcontract and Section 3 of the Housing and Urban Development Act of 1968. Copies of this notice will be posted by the undersigned in conspicuous places available to employees or applicants for employment.

COREY R. KIRSCHNER
(Print Name)

By: _____
(Signature)

9/30/2024
(Date)

CEO
(Title)

FORM WILL BE PROVIDED UPON LOW BID

SECTION 3 INCOME CERTIFICATION

Printed on: ***Effective Date:***

INSTRUCTIONS: A Section 3 worker seeking certification shall self-certify and submit this form to the recipient contractor or subcontractor, that the person is a Section 3 worker or Targeted Section 3 Worker as defined in 24 CFR Part 75. This is a written statement from the beneficiary documenting the definition used to determine "Annual (Gross) Income". To complete this statement, fill in the blank fields below, then sign this statement to certify that the information is complete and accurate, and that source documentation will be provided upon request.

BASIC INFORMATION:

Last Name: **First Name:**

Address:

ENTER/SELECT THE APPROPRIATE INFORMATION TO CONFIRM YOUR WORKER STATUS.

1. Are you a resident of public housing or a housing choice Voucher Holder (Section 8)? ☐ YES ☐ NO
2. Are you a Youth Build participant? ☐ YES ☐ NO
3. Do you live within one mile of the Project? ☐ YES ☐ NO

DEFINITION OF INCOME:

HUD 24 CFR Part 5

Low-income person means individuals whose incomes do not exceed 80 percent of the median income for the area.

Very low-income person means individuals whose incomes do not exceed 50 percent of the median family income for the area.

To verify Income Limits by Area: https://www.huduser.gov/portal/datasets/il.html#2021

*Please note that HUD updates income limits annually

In the field below, select the amount of individual (employee only) income you believe you earn on an annual basis.

☐ Less than $20,000	☐ $35,001 – $40,000	☐ $55,001 – $60,000
☐ $20,001 – $25,000	☐ $40,001 – $45,000	☐ $60,001 – $65,000
☐ $25,001 – $30,000	☐ $45,001 – $50,000	☐ $65,001 – $70,000
☐ $30,001 – $35,000	☐ $50,001 – $55,000	☐ More than $70,000

INCOME INFORMATION:

Annual gross income **(Individual/ One Person)** = $ _____

IDENTIFY COUNTY:

☐ Los Angeles County ☐ Orange County ☐ Riverside County ☐ San Bernardino County

CERTIFICATION

THIS SECTION MUST BE COMPLETED BY THE AUTHORIZED BUSINESS OWNER/AGENT

The above-named person is: An applicant ☐ A permanent full-time ☐ A new hire/employee ☐

I certify that this person's annual gross income is/will be: $_____

This person's work Classification is: _____ Date of hire: _____

_____	_____	_____	_____
Business Name	*Printed Name of Owner /Agent*	*Signature of Owner/Agent*	*Date*

**EMPLOYERS MUST RETAIN THIS FORM IN THEIR SECTION 3 COMPLIANCE FILE FOR FIVE YEARS.*

I certify that this information is complete and accurate. I agree to provide, upon request, documentation on all income sources to the HUD Grantee/Program Administrator.

_____	_____	_____
Printed Full Name	**Signature**	**Date:**

WARNING: The information provided on this form is subject to verification by HUD at any time, and Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony and assistance can be terminated for knowingly and willingly making a false or fraudulent statement to a department of the United States Government.

THIS SECTION MUST BE COMPLETED BY LABOR COMPLIANCE AGENCY

The above individual is (Check the applicable statement below):

☐ A *Section 3* worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

1) The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
2) The worker is employed by a Section 3 business concern.
3) The worker is a YouthBuild participant.

☐ A *Targeted Section 3* worker who currently fits at least one of the following categories, as documented:

1) A worker employed by a Section 3 business concern; or
2) A worker who currently fits or when hired fit at least one of the following categories, as documented within the past five years:
   a. Living within the service area or the neighborhood of the project.
   b. A YouthBuild participant.

☐ Not a Section 3 worker or Targeted Section 3 worker.

Initial: _____

QUALITATIVE EFFORTS FOR CONTRACTORS

☐ **Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.**

Date of Outreach Effort	Address of Outreach Effort
N/A	N/A

☐ **Provided training or apprenticeship opportunities.**

Date of Training	Address of Training
N/A	N/A

☐ **Provided technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).**

Date of Technical Assistance	Address of Technical Assistance
N/A	N/A

☐ **Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.**

Date of Workers Assistance	Address of Workers Assistance
N/A	N/A

☐ **Held one or more job fairs.**

Date of Job Fair	Address of Job Fair
N/A	N/A

☐ **Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare).**

Date of Referral	Type of Service Provided or Referred
N/A	N/A

☐ **Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.**

Date of Assistance	Type of Educational Assistance Provided
N/A	N/A

☐ **Assisted Section 3 workers to obtain financial literacy training and/or coaching.**

Date of Assistance	Type of Training/Coaching Provided
N/A	N/A

☒ **Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.**

Date of Outreach	Description of Outreach
PLEASE SEE ATTACHED	GOOD FAITH EFFORTS

☐ **Provided technical assistance to help Section 3 business concerns understand and bid on contracts.**

Date of Technical Assistance	Name of Business Concern
N/A	N/A

☐ **Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.**

Name of Business Concern
N/A

☐ **Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.**

Name of Business Concern	Description of Assistance
N/A	N/A

☐ **Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.**

Date of Activity	Name of Business Registry
N/A	N/A

☐ **Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act 17.**

Date of Activity	Description of Activity
N/A	N/A

☐ **Other:** N/A

Date of Activity	Description of Activity
N/A	N/A

ONYX PAVING COMPANY, INC.
Contractor/Subcontractor Name

COREY R. KIRSCHNER - CEO
Signature

9/30/2024
Date:

REFERENCES

PROJECT NAME: CITYWIDE ASPHALT REPAIRS PROJECT FY 21/22

PROJECT DESCRIPTION: CITYWIDE STREET IMPROVEMENTS

APPROXIMATE CONSTRUCTION DATES: FEB 2022 - NOV 2022

CONSULTING COMPANY: CITY OF DANA POINT - 33282 GOLDEN LANTERN, DANA POINT, CA 92629

CONTACT PERSON: SCOTT FISHER 760-814-7226

ORIGINAL CONTRACT AMOUNT: $1,595,000.00

FINAL CONTRACT AMOUNT: $1,314,878.59

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: FIELD QUANTITIES DIFFERED FROM BID SCHEDULE QUANTITIES

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: 22-23 ANNUAL ASPHALT CONCRETE OVERLAY PROJECT

PROJECT DESCRIPTION: CITYWIDE STREET IMPROVEMENT

APPROXIMATE CONSTRUCTION DATES: SEP 2023- MAR 2024

AGENCY: CITY OF EASTVALE - 12363 LIMONITE AVE #910, EASTVALE, CA 91752

CONTACT PERSON: CHUCK STAGNER 714-925-4628

ORIGINAL CONTRACT AMOUNT: $5,858,000

FINAL CONTRACT AMOUNT: $5,998,000

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: CHANGE ORDER WORK FOR ADDITIONAL SCOPE OUTSIDE OF PROJECT LIMITS.

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: 2021-2022 PAVEMENT REHABILITATION PROJECT

PROJECT DESCRIPTION: VARIOUS PAVEMENT REHABILITATION & CONCRETE IMPROVEMENTS

APPROXIMATE CONSTRUCTION DATES: NOV 2022 - MARCH 2023

AGENCY: CITY OF ARCADIA -240 W. HUNTINGTON DR, ARCADIA, CA 91007

CONTACT PERSON: JAN BALANAY 626-254-2726

ORIGINAL CONTRACT AMOUNT: $1,727,000.00

FINAL CONTRACT AMOUNT: $1,899,698.72

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: CHANGE ORDER WORK FOR ADDITIONAL SCOPE OUTSIDE OF PROJECT LIMITS.

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: 21-22 PAVEMENT REHABILITATION PROJECT

PROJECT DESCRIPTION: CITYWIDE STREET IMPROVEMENTS

APPROXIMATE CONSTRUCTION DATES: NOV 2022- MAY 2023

AGENCY: CITY OF TEMPLE CITY - 9701 E LAS TUNAS DR, TEMPLE CITY, CA 91780

CONTACT PERSON: ALI CAYIR 714-883-8677

ORIGINAL CONTRACT AMOUNT: $3,727,000

FINAL CONTRACT AMOUNT: $4,031,000

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: CHANGE ORDER WORK FOR ADDITIONAL SCOPE OUTSIDE OF PROJECT LIMITS.

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: 23-24 SLURRY SEAL AT VARIOUS LOCATIONS

PROJECT DESCRIPTION: CITYWIDE ASPHALT REPAIRS & SLURRY

APPROXIMATE CONSTRUCTION DATES: JAN 2024 - APRIL 2024

AGENCY: CITY OF MONTEREY PARK -320 WEST NEWMARK AVE MONTEREY PARK, CA 91754

CONTACT PERSON: ZIAD MAZBOUDI 626-532-2018

ORIGINAL CONTRACT AMOUNT: $1,400,000

FINAL CONTRACT AMOUNT: $1,269,000

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: ACTUAL BID QUATITIES LESS THAN ORIGINAL BID QUANTITY.

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: 22-23 SB1 PAVEMENT REHABILITATION PROJECT

PROJECT DESCRIPTION: VARIOUS STREET FULL DEPTH RECONSTRUCTION

APPROXIMATE CONSTRUCTION DATES: JAN 2024 - MAY 2024

AGENCY: CITY OF HEMET - 445 E FLORIDA AVENUE HEMET, CA 92543

CONTACT PERSON: JILLEEN FERRIS 951-765-2360

ORIGINAL CONTRACT AMOUNT: $2,020,000

FINAL CONTRACT AMOUNT: $2,528,000

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: CHANGE ORDER WORK FOR ADDITIONAL SCOPE OUTSIDE OF PROJECT LIMITS.

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: PARKS, CIVIC CENTER & SHERRIF STATION PARKING LOT REHABILITATION

PROJECT DESCRIPTION: ASPHALT REMOVAL & REPLACEMENT

APPROXIMATE CONSTRUCTION DATES: FEB 2024 - MAY 2024

AGENCY: CITY OF LAWNDALE - 14717 BURIN AVE LAWNDALE, CA 90260

CONTACT PERSON: NICK PETREVSKI 310-973-3265

ORIGINAL CONTRACT AMOUNT: : $486,486

FINAL CONTRACT AMOUNT: $601,000

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: CHANGE ORDER WORK FOR ADDITIONAL SCOPE OUTSIDE OF PROJECT LIMITS.

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: RESIDENTIAL STREET PAVEMENT REHABILITATION PROJECT, AREA 8

PROJECT DESCRIPTION: STREET IMPROVEMENTS

APPROXIMATE CONSTRUCTION DATES: JULY 2022 - OCT 2022

AGENCY: CITY OF DOWNEY-11111 BROOKSHIRE AVE, DOWNEY, CA 90241

CONTACT PERSON: BRIAN ALENAN 562-904-7110

ORIGINAL CONTRACT AMOUNT: $3,227,000.00

FINAL CONTRACT AMOUNT: $3,553,442.43

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: FIELD QUANTITIES DIFFERED FROM BID SCHEDULE QUANTITIES

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

LARGE PROJECT REFERENCES

PROJECT NAME: CULVER DRIVE IMPROVEMENTS FROM WALNUT AVENUE TO I-5 FREEWAY

PROJECT DESCRIPTION: STREET IMPROVEMENTS

APPROXIMATE CONSTRUCTION DATES: SEPT 2022 - JAN 2023

CONSULTING COMPANY: CITY OF IRVINE - 6427 OAK CANYON, IRVINE, CA 92618

CONTACT PERSON: FARHAD BOLOURCHI 949-724-6689

ORIGINAL CONTRACT AMOUNT: $1,677,000.00

FINAL CONTRACT AMOUNT: $1,704,308.59

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: FIELD QUANTITIES DIFFERED FROM BID SCHEDULE QUANTITIES

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: PHASING 6A - RESIDENTIAL STREET REHABILITATION

PROJECT DESCRIPTION: STREET IMPROVEMENTS

APPROXIMATE CONSTRUCTION DATES:

CONSULTING COMPANY: CITY OF LA MIRADA - 15515 PHOEBE AVE, LA MIRADA, CA 90638

CONTACT PERSON: ERIC VILLAGRACIA 562-902-2373

ORIGINAL CONTRACT AMOUNT: $4,242,000.00

FINAL CONTRACT AMOUNT: $4,524,646.67

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: SCOPES Of WORK CHANGED BY AGENCY

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

PROJECT NAME: ROCHESTER AVENUE PAVEMENT REHABILITATION

PROJECT DESCRIPTION: STREET IMPROVEMENTS

APPROXIMATE CONSTRUCTION DATES: MARCH 2022-AUG 2022

AGENCY: CITY OF RANCHO CUCAMONGA - 10500 CIVIC CENTER DRIVE, RANCH CUCAMONGA, CA 91730

CONTACT PERSON: ROMEO DAVID 909-774-4070

ORIGINAL CONTRACT AMOUNT: $1,727,000.00

FINAL CONTRACT AMOUNT: $1,714,733.75

IF FINAL AMOUNT IS DIFFERENT FROM ORIGINAL AMOUNT, PLEASE EXPLAIN: FIELD QUANTITIES DIFFERED FROM BID SCHEDULE QUANTITIES

DID THE AGENCY FILE ANY CLAIMS AGAINST YOU? NO

REFERENCES

GENERAL CONTRACTORS:	JOBS PERFORMED:	LOCATION:	AMOUNT:
Fullmer Construction	**Centerpointe**	Moreno Valley	$3,187,914.00
1725 S. Grove Ave.	**Sycamore Bus. Park**	Riverside	$999,708.00
Ontario, CA 91761	**Hillwood Hofer Ranch**	Ontario	$603,600.00
Ph: 909-947-9467	**Interchange A-E**	San Bernardino	$1,288,615.00
Fax: 909-947-2970	**San Michelle Logistics**	Moreno Valley	$670,674.00
Contact: Casey Jones	**Terra Francesco**	Ontario	$524,216.00
KCS West, Inc.	**BP Refinery Maintenance Shop**	Carson	$896,357.00
901 Corporate Ctr, Dr, 3rd flr			
Monterey Park, CA 9174			
Ph: 323-269-0020			
Fx: 323-263-4576			
Contact: Matthew Vawter			
GMC Engineering, Inc.	**Edison**	Romoland	$1,623,480.00
1401 Warner Ave			
Tustin, CA 92780			
Ph: 760-744-133			
Fx: 714-247-1041			
Contact: Gennady			
Lusardi Construction	**FEDEX – Otay Mesa**	San Diego	$1,335,530.00
1570 Linda Vista Dr.	**Team Nissan**	Oxnard	$669,075.00
San Marcos, CA 92064	**Edge at Campus**	El Segundo	$541,385.00
Ph: 760-744-3133	**Carmax**	Oxnard	$606,443.00
Fax: 760-744-9064	**Seabridge**	Oxnard	$329,460.00
Contact Scott Staley			

Haagen Company, LLC 12302 Exposition Blvd Los Angeles, CA 90064 Ph: 310-820-1200 Fx: 310-820-1225 Contact: Chris Fahey	**Empire Polo Club**	Indio	$1,036,745.00
ARCO National Construction Co. 900 N. Rock Hill Rd St. Louis, MO 63119 Ph: 314-963-0715 Fx: 314-963-7114 Contact: Chris Wilson	**Scannell FEDEX**	Burbank	$1,125,958.00
Grant General Contractors 5051 Avenida Encinas Carlsbad, CA 92008 Ph: 760-438-7500 Fx: 760-438-3056 Contact: Pete Burrows	**Whittier Area Community Church**	Whittier	$625,920.00
	Crevier BMW	Santa Ana	$30,600.00

ASPHALT RUBBER HOT MIX REFERENCES:

GENERAL CONTRACTORS:	JOBS PERFORMED:	LOCATION:	AMOUNT:
GMC ENGINEERING, INC. 1401 Warner Ave, Ste B. Tustin, CA 92780 Ph: 714-247-1040 Fx: 714-247-1041 Contact: Gennady Chizik	**Katella Ave. St. Improv** **Various Projects**	Los Alamitos	$120,000.00
R.D OLSON CONSTRUCITON, INC. 2955 Main Street, 3rd Floor Irvine, CA 92614 Ph: 949-474-2001 Fx: 949-474-1534 Contact: Jeremy Dunn	**Lido House Hotel**	Newport Beach	$193,105.00

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT COREY KIRSCHNER AT 714-632-6699 OR VIA EMAIL AT ***COREY@ONYXPAVING.NET***

RESUME

Corey Kirschner has over 20 years of experience both as an estimator and CEO. Corey is an experienced estimator and lead a majority of those years being the Chief Estimator before becoming CEO and President of Onyx Paving Company, Inc. Over the short period of time here at Onyx Paving, Corey has completed over 3,000 paving projects, allowing the company to gross over $50 million dollars in the previous year.

Jay Kirschner, Senior Project Manager, holds a Bachelor's Degree from Chapman University and has 7 years of experience upholding the maintenance supervisor and lead estimator position for Onyx Paving. He leads our team, with the project managers under his direct supervision, in managing our productions and coordinating our field mobilizations for all projects.

Tyler Henry, Field Superintendent, serves as the core of all field related matters. He has over 20 years of paving experience performing jobs that stretches from San Diego County to Ventura County. Tyler has been with Onyx in completing all of our Public Works projects. Overseeing the on-site laborers, cement masons, and operating engineers is one of his many responsibilities.

BACKLOG ALLOCATION:

Corey Kirschner, Jay Kirschner, and Tyler Henry oversee 100% of all current project in attached backlog.

CREDIT REFERENCES

ONYX PAVING COMPANY, INC

2890 E. LA CRESTA AVE

ANAHEIM, CA 92806

PHONE: (714) 632-6699 | DATE ESTABLISHED 1/4/90 | CORP. TAX ID. # 33-0394344

FAX: (714) 632-1883 | TYPE OF WORK - ASPHALT PAVING | CONTRACTORS LIC. # 630360-A

PRESIDENT: COREY R. KIRSCHNER — 14029 SPRINGWATER LN. EASTVALE, CA 92880

BANK: BANK OF THE WEST — 4501 E. LA PALMA AVENUE, ANAHEIM, CA 92807

PHONE: (714) 777-9620 BRYAN PLOESSEL

INSURANCE AGENT: WOOD GUTMANN & BOGART — 15901 RED HILL AVE., STE. 100, TUSTIN, CA 92780

PHONE: (714) 824-8384 MICHAEL TRAN

SURETY AGENT: — TURNER SURETY AND INSURANCE BROKERAGE, INC.

5 HUTTON CENTRE, STE. 730, SANTA ANA, CA 92707

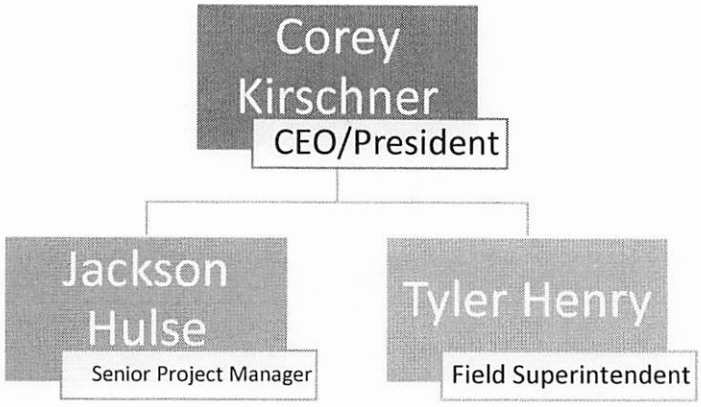
PHONE: (714) 915-4032 JEREMY PENDERGAST

CREDIT REFERENCES:

MATICH CORP.	P.O. BOX 10, HIGHLAND, CA 92346	(909) 382-7400 **Steve Matich**
ALL AMERICAN	P.O. BOX 2229, CORONA, CA 92878	(951) 736-7600 **Cari**
KELTERITE CORP.	12231 PANGBORN AVE.DOWNEY, CA	(562) 401-0011 **Gladys**
VULCAN MATERIALS CO.	16013 E. FOOTHILL BLVD, IRWINDALE, CA 91702	(858) 530-9414 **Debbie**

GENERAL CONTRACTOR REFERENCES:

FULLMER CONSTRUCTION	1725 S. GROVE AVE., ONTARIO, CA 91761	(909) 947-9467 **Casey Jones**
BYROM-DAVEY, INC.	13220 EVENING CREEK DR. SOUTH #103, SAN DIEGO	(858) 513-7199 **Steve Davey**
PACIFIC CONST. GROUP	17895 SKY PARK CIR., IRVINE, CA 92614	(949) 748-1500 **Mark Bundy**
ERICKSON-HALL CONST. CO.	500 CORPORATE DR., ESCONDIDO, CA 92069	(760) 796-7700 **Justin Sinnott**



Key Individual Responsibilities:

Corey Kirschner

- Manage overall operations and resources of company
- Decision maker of corporation

Jackson Hulse

- Lead project management team with organization
- Overseeing overall project scheduling, budgeting, and dispatching on all projects
- Main point of communications between company and agencies

Tyler Henry

- Lead and manage on-site labors and operators
- Coordinate daily operations and project production
- Ensuring project quality expectations are met

Department of Industrial Relations
STATE OF CALIFORNIA

APPLICATION FOR
PUBLIC WORKS CONTRACTOR REGISTRATION

Registration Information

Type: Public Works

Period: 07/01/2023 06/30/2024

Contractor Information

Contractor Name: ONYX PAVING COMPANY, INC.

Trade Name:

License Type Number: 1000004798

Contractor Physical Address

Physical Business Country: United States of America

Physical Business City/ Province: ANAHEIM

Physical Business Address: 2890 E. LA CRESTA AVENUE

Physical Business State: CA

Physical Business Postal Code: 92806

Contractor Mailing Address

Mailing Country: United States of America

Mailing City /Province: ANAHEIM

Mailing Address: 2890 E. LA CRESTA AVENUE

Mailing State: CA

Mailing Postal Code: 92806

Contact Info

Daytime Phone:

Daytime Phone Ext.:

Mobile Phone:

Business Email: davidw@onyxpaving.com

Applicant's Email: davidw@onyxpaving.net

Workers' Compensation

Professional Employer Organization (PEO)

Do you lease employees through Professional Employer Organization? No

Workers' Compensation Overview

Carrier: ZURICH AMERICAN INSURANCE COMPANY

Inception Date: 10/01/2022

Policyholder Name: Onyx Paving Company Inc

Expiration Date: October 12, 2023

Policy Number: WC106300504

Certification

Yes I certify that I do not have any delinquent liability to an employee or the state for any assessment of back wages or related damages, interest, fines, or penalties pursuant to any final judgment, order, or determination by a court or any federal, state, or local administrative agency, including a confirmed arbitration award

Yes I certify that the contractor is not currently debarred under Section 1777.1 or under any other federal or state law providing for the debarment of contractors from public works.

Yes I certify that one of the following is true: (1) I am licensed by the Contractors State License Board (CSLB) in accordance with Chapter 9 (commencing with Section 7000) of the Business and Professions Code; or (2) my business or trade is not subject to licensing by the CSLB.

I understand refunds are not authorized

I, David Wiltfong, the undersigned, am , ONYX PAVING COMPANY, INC. with the authority to act for and on behalf of the above named contractor. I certify under penalty of perjury that all of the above information provided is true and correct. I further acknowledge that any untruthful information provided in this application could result in the certification being canceled.

I certify this on: 10:00 AM

Legal Entity Information

Legal Entity Type: Corporation

Name: ONYX PAVING COMPANY, INC.

TRANSACT0003992

Transaction Record

First Name

David

Last Name

Wiltfong

Payment Amount

400

Payment Period

1

Registration Valid Date

2024-07-01

User Account Email

davidw@onyxpaving.com

Confirmation Number

24071791440573

* Status

Successful

Number

TRANSACT0003992

Payment URL

Click here

Is this registration a renewal of an existing registration

Yes

Terms & Conditions
Privacy Policy
Disclaimer
Nondiscrimination Notice
Accessibility
dir.ca.gov

Copyright 2024 State of California

ONYX PAVING COMPANY INC
LICENSE# 630360 DIR# 1000004798

UNANIMOUS WRITTEN CONSENT OF
THE BOARD OF DIRECTORS OF
ONYX PAVING COMPANY, INC,
(a California corporation)

August 20th, 2024

The undersigned director, constituting the entire board of directors (the "Board") of Onyx Paving Company, Inc., a California corporation (the "Corporation"), hereby takes the following actions, adopts the following resolutions, and transacts the following business, by written consent without a meeting, as of the date above written, pursuant to Section 307(b) of the General Corporation Law of the State of California and the Corporations Bylaws:

Approval of Loan Transactions

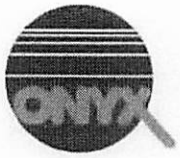
WHEREAS, Corey Kirschner is currently the Corporation's Chief Executive Officer and Jay Kirschner is the Vice President, Secretary and Treasurer (the "Officers"), both with authority to enter into contracts on behalf of the Corporation.

WHEREAS, the Corporation opportunities from time to time to bid on various governmental and non-governmental projects;

WHEREAS, after careful consideration, the Board has determined that the terms and conditions of the proposed project in the form of the bid attached hereto as Exhibit A (the "Project") are just and equitable and fair as to the Corporation and that it is in the best interests of the Corporation and its stockholder to submit the bid and complete the Project subject to the terms agreed upon by the parties.

NOW, THEREFORE, BE IT RESOLVED, the Board on behalf of the Corporation hereby approves and ratifies the Project in all respects, and hereby authorize and direct the Corporation to negotiate, execute, deliver and perform the terms of all documents, required in connection with title Project, together with such changes thereto as may be approved by the Officer executing the same on behalf of the Corporation (pursuant to the authorization provided herein), such approval of the Officer to be conclusively evidenced by its execution and delivery of same.

RESOLVED FURTHER, that the Officer may execute and deliver any and all agreements and any and all other documents and instruments, and take such further actions as may be necessary or appropriate, for the financing of the Corporation.



RESOLVED FURTHER, that the Officer(s) are hereby authorized, directed, and empowered to execute and deliver any and all agreements and any and all other documents and instruments, and take such further actions as may be necessary or appropriate, for the consummation of the Project.

RESOLVED FURTHER, that the Officer, in the name of the Corporation, is hereby authorized, directed, and empowered to negotiate, execute and deliver to the applicable counterparty, any and all documents with respect to the Project and other instruments as may be reasonably requested, and the Officer on behalf of the Corporation is authorized from time to time to execute extensions or other installments as may be necessary.

RESOLVED FURTHER, that the authority given hereunder shall be deemed retroactive and any and all acts authorized hereunder performed prior to the passage of this resolution are hereby ratified and affirmed.

The Secretary of the Corporation is directed to file the original executed copy of this Consent with the minutes of proceedings of the Corporation.

[Signature page follows]

ONYX PAVING COMPANY INC
LICENSE# 630360 DIR# 1000004798

IN WITNESS WHEREOF, the undersigned has executed this Unanimous Written Consent of the Board of Directors as of the date first above written.

X

Corey Kirschner
Chief Executive Officer

X

Anthony Steen
President

X

Richard DeVos
Chief Financial Officer

X

Jay Kirschner
Vice President, Secretary, Treasurer

STATE OF CALIFORNIA

CONTRACTORS STATE LICENSE BOARD

Pursuant to Chapter 9 of Division 3 of the Business and Professions Code and the Rules and Regulations of the Contractors State License Board, the Registrar of Contractors does hereby issue this license to:

ONYX PAVING COMPANY INC

License Number 630360

to engage in the business or act in the capacity of a contractor in the following classifications:

A-- GENERAL ENGINEERING CONTRACTOR
C12 - EARTHWORK AND PAVING

Witness my hand and seal this day,

January 4, 2019

Issued October 9, 1991

Mario Richardson, Board Chair

This license is the property of the Registrar of Contractors, is not transferable, and shall be returned to the Registrar upon demand when suspended, revoked, or invalidated for any reason. It becomes void if not renewed.

David R. Fogt, Registrar of Contractors

dca
DEPARTMENT OF CONSUMER AFFAIRS

CONTRACTORS
STATE LICENSE BOARD
ACTIVE LICENSE

License Number **630360** Entity CORP

Business Name ONYX PAVING COMPANY INC

Classification(s) A C12

Expiration Date 10/31/2025 www.cslb.ca.gov

EQUAL EMPLOYMENT OPPORTUNITY

The Company is committed to providing equal employment opportunities to all Employees and applicants without regard to race (including traits historically associated with race, such as hair texture and protective hairstyles), religion or religious creed (including religious dress or grooming practices), color, sex (including pregnancy, childbirth, breastfeeding, or related medical condition), genetic information, gender, gender identity and gender expression, sexual orientation, transgender status, transitioning status, national origin, ancestry, citizenship status, uniform service member status, military and veteran status, marital status, age, protected medical condition, physical or mental disability, holding or presenting a driver's license issued under Cal. Vehicle Code Section 12801.9, or any other protected status in accordance with all applicable federal, state, and local laws.

Company policy also prohibits unlawful discrimination based on the perception that anyone has any of the above characteristics, or is associated with a person who has or is perceived as having any of the above characteristics. Discrimination can also include failing to reasonably accommodate religious dress and grooming practices, or individuals with mental or physical disabilities where the accommodation does not pose an undue hardship.

This Policy extends to all aspects of the Company's employment practices, including, but not limited to, recruiting, hiring, firing, promoting, transferring, compensation, benefits, training, leaves of absence, and other terms and conditions of employment, as well as providing wages at the same rate for one sex as those of the opposite sex, and at the same rate for any race/ethnicity as another race/ethnicity, who perform substantially similar work (consisting of similar skill, effort, and responsibility), under similar working conditions.

The Company is also committed to complying with the laws protecting qualified individuals with disabilities. The Company will provide a reasonable accommodation for any known physical or mental disability of a qualified individual with a disability to the extent required by law, provided the requested accommodation does not create an undue hardship for the Company and/or does not pose a direct threat to the health or safety of others in the workplace and/or to the individual. If an Employee requires an accommodation to perform the essential functions of their job, the Employee must notify Human Resources. Once the Company is aware of the need for an accommodation, the Company will engage in an interactive process to identify possible accommodations that will enable the Employee to perform the essential functions of the job.

Employees with questions or concerns about discrimination in the workplace should bring these issues to the attention of Human Resources, or any member of management. Employees can raise concerns, report problems, or make complaints without fear of retaliation. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including separation of employment.

ONYX PAVING COMPANY, INC.

COREY R. KIRSCHNER
CEO, PRES, VP, SEC, TREA

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ **Go to *www.irs.gov/FormW9* for instructions and the latest information.**

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
ONYX PAVING COMPANY, INC.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☒ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
2890 E. LA CRESTA AVE.

Requester's name and address (optional)

6 City, state, and ZIP code
ANAHEIM, CA 92806

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
			–			–				

or

Employer identification number
3	3	–	0	3	9	4	3	4	4

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ [signature] Date ▶ 03/27/2024

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 3/12/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Burnham WGB Insurance Solutions
CA Insurance License 0F69771
15901 Red Hill Avenue
Tustin CA 92780

License#: 0F69771

CONTACT NAME: Michael Tran
PHONE (A/C, No, Ext): 714-824-8384 **FAX (A/C, No):** 714-573-1770
E-MAIL ADDRESS: michael.tran@wgbib.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : American Zurich Insurance Comp	40142
INSURER B : Zurich American Insurance Comp	16535
INSURER C : Scottsdale Indemnity Co	15580
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Onyx Paving Company, Inc.
2890 E. La Cresta Avenue
Anaheim CA 92806-1816

ONYXPAV-01

COVERAGES **CERTIFICATE NUMBER:** 1519793494 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
C	X COMMERCIAL GENERAL LIABILITY			BCS2000426	3/14/2024	10/1/2024	EACH OCCURRENCE	$ 2,000,000
	CLAIMS-MADE [X] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ Excluded
							PERSONAL & ADV INJURY	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 4,000,000
	POLICY [X] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$ 4,000,000
	OTHER:							$
A	AUTOMOBILE LIABILITY			BAP106300605	10/1/2023	10/1/2024	COMBINED SINGLE LIMIT (Ea accident)	$ 2,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB [ ] OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$
	DED [ ] RETENTION $							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N			WC106300505	10/1/2023	10/1/2024	X PER STATUTE [ ] OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] N/A (Mandatory In NH)						E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate holder(s) is/are named as additional insured per the attached endorsements as required by written contract subject to the terms & conditions of the policy:

GL Additional Insured Form #CG 20 10 12 19 and CG 20 37 12 19
GL Additional Insured State-Permits Form #CG 20 12 12 19
GL Primary and Non-Contributory Form #CG 20 01 12 19
GL Waiver of Subrogation Form #CG 24 04 12 19
GL Per Project Form #GLS-332s 01 12
See Attached...

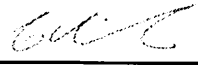
CERTIFICATE HOLDER

Onyx Paving Company, Inc.
2890 E. La Cresta Ave.
Anaheim CA 92806

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



© 1988-2015 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

State of California
Secretary of State

S

Statement of Information
(Domestic Stock and Agricultural Cooperative Corporations)
FEES (Filing and Disclosure): $25.00.
If this is an amendment, see instructions.
IMPORTANT -- READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

G076477

FILED

In the office of the Secretary of State
of the State of California

OCT-01 2018

This Space for Filing Use Only

1. CORPORATE NAME
ONYX PAVING COMPANY, INC.

2. CALIFORNIA CORPORATE NUMBER
C1659076

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.
☐ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 17.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

	CITY	STATE	ZIP CODE
4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 2890 E. LA CRESTA AVE., ANAHEIM, CA 92806			
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY 2890 E. LA CRESTA AVE., ANAHEIM, CA 92806			
6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4			

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

	ADDRESS	CITY	STATE	ZIP CODE
7. CHIEF EXECUTIVE OFFICER/ COREY KIRSCHNER	2890 E. LA CRESTA AVE., ANAHEIM, CA 92806			
8. SECRETARY COREY KIRSCHNER	2890 E. LA CRESTA AVE., ANAHEIM, CA 92806			
9. CHIEF FINANCIAL OFFICER/ COREY KIRSCHNER	2890 E. LA CRESTA AVE., ANAHEIM, CA 92806			

Names and Complete Addresses of All Directors, Including Directors Who are Also Officers (The corporation must have at least one director. Attach additional pages, if necessary.)

	ADDRESS	CITY	STATE	ZIP CODE
10. NAME COREY KIRSCHNER	2890 E. LA CRESTA AVE., ANAHEIM, CA 92806			
11. NAME				
12. NAME				

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY:

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.

14. NAME OF AGENT FOR SERVICE OF PROCESS
COREY KIRSCHNER

15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL
2890 E. LA CRESTA AVE., ANAHEIM, CA 92806 — CITY — STATE — ZIP CODE

Type of Business

16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION
ASPHALT PAVING SERVICES

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

10/01/2018	AFSHIN HAKIM	ATTORNEY	
DATE	TYPE/PRINT NAME OF PERSON COMPLETING FORM	TITLE	SIGNATURE

State of California
Secretary of State

S

Statement of Information
(Domestic Stock and Agricultural Cooperative Corporations)
FEES (Filing and Disclosure): $25.00.
If this is an amendment, see instructions.
IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

GB88157

FILED

(In the office of the Secretary of State of the State of California

JAN-03 2020

This Space for Filing Use Only

1. CORPORATE NAME
ONYX PAVING COMPANY, INC.

2. CALIFORNIA CORPORATE NUMBER
C1659076

No Change Statement (Not applicable if agent address of record is a P.O. Box address. See Instructions.)

3. If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no statement of information has been previously filed, this form must be completed in its entirety.
☑ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 17.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 4 and 5 cannot be P.O. Boxes.)

4. STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE		CITY	STATE	ZIP CODE
5. STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIFORNIA, IF ANY		CITY	STATE	ZIP CODE
6. MAILING ADDRESS OF CORPORATION, IF DIFFERENT THAN ITEM 4		CITY	STATE	ZIP CODE

Names and Complete Addresses of the Following Officers (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

7. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY	STATE	ZIP CODE
8. SECRETARY	ADDRESS	CITY	STATE	ZIP CODE
9. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY	STATE	ZIP CODE

Names and Complete Addresses of All Directors, Including Directors Who are Also Officers (The corporation must have at least one director. Attach additional pages, if necessary.)

10. NAME	ADDRESS	CITY	STATE	ZIP CODE
11. NAME	ADDRESS	CITY	STATE	ZIP CODE
12. NAME	ADDRESS	CITY	STATE	ZIP CODE

13. NUMBER OF VACANCIES ON THE BOARD OF DIRECTORS, IF ANY:

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 15 must be completed with a California street address, a P.O. Box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 15 must be left blank.

14. NAME OF AGENT FOR SERVICE OF PROCESS

15. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL CITY STATE ZIP CODE

Type of Business

16. DESCRIBE THE TYPE OF BUSINESS OF THE CORPORATION

17. BY SUBMITTING THIS STATEMENT OF INFORMATION TO THE CALIFORNIA SECRETARY OF STATE, THE CORPORATION CERTIFIES THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

01/03/2020	ANA BARBRA RAYPON	OFFICE MANAGER/CONTROLLER	
DATE	TYPE/PRINT NAME OF PERSON COMPLETING FORM	TITLE	SIGNATURE

SI-200 (REV 01/2013) APPROVED BY SECRETARY OF STATE

ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883

Ad Proofs

Project Name: 2024 Curb Ramp Improvements Project

Contract/Bid #: Specification 2024-004

Awarding Agency: CITY OF MONTEREY PARK

Focus Journal Ad

Publication: DBE GoodFaith (DBEGoodFaith.com)
Published On: 09/27/2024 @ 04:20:53 PM Pacific
Expired On: 10/01/2024 @ 11:59:59 PM Pacific
Message Notifications Sent To: bids@onyxpaving.net
Published At: https://dbegoodfaith.com/item.php?item_type=ads&ad_adid=61837

ONYX PAVING COMPANY INC.

is seeking qualified Section 3s

Project Name
2024 Curb Ramp Improvements Project

Bid/Contract #
Specification 2024-004

Awarding Agency
CITY OF MONTEREY PARK

Project Location
MONTEREY PARK , LOS ANGELES COUNTY County, CA

Bid Date
10/01/2024 at 10:00

Project Details
TRUCKING
HAULING
TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

Get in Touch

Outreach Coordinator
COREY R. KIRSCHNER

Project Estimator
COREY R. KIRSCHNER

Telephone
(714) 632-6699

Fax
(714) 632-1883

Address
2890 E. La Cresta Ave.
Anaheim, CA 92806

Send Message »

Certification & Assistance
California DBE Program
San Francisco LBE Program
San Diego SLBE Program
Bay Area Rapid Transit MBE, WBE (EOPP) Program
Los Angeles County CBE Program
Alameda County SLEB Program
California Supplier Clearinghouse Diversity Program Program
Oakland LBE/SLBE Program
Los Angeles County SLBE & DVBE Program
Alameda County Alameda CTC LBE/SLBE Program
California SB-PW Program
California DVBE Program

Free DBE Resources

Procurement, Capital Access, & Surety Bond Assistance

The U.S. Department of Transportation-supported **Southwest Region SBTRC** helps DBEs with **Procurement, Capital Access, and Surety Bond Assistance** - and much more - at no cost.

Learn more »

Trade Journal Ad

Publication: DBE Journal (DBEJournal.com)
Published On: 09/27/2024 @ 04:20:53 PM Pacific
Expired On: 10/01/2024 @ 11:59:59 PM Pacific
Published At:
http://dbejournal.com/index.php?show_ad=61837&ad_project_name=2024+Curb+Ramp+Improvements+Project&co_name=ONYX+PAVING+COMPANY+INC.

ONYX PAVING COMPANY INC.

is seeking qualified Section 3s

Outreach Coordinator
COREY R. KIRSCHNER

Estimator
COREY R. KIRSCHNER

Contact Information
2890 E. La Cresta Ave.
Anaheim, CA 92806

Telephone
(714) 632-6699

Fax
(714) 632-1883

Project Name
2024 Curb Ramp Improvements Project

Bid/Contract #
Specification 2024-004

Awarding Agency
CITY OF MONTEREY PARK

Project Location
MONTEREY PARK , LOS ANGELES COUNTY County, CA

Bid Date
10/01/2024 at 10:00

Project Details
TRUCKING
HAULING
TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883

Outreach Invitation Proofs

Project Name: 2024 Curb Ramp Improvements Project

Contract/Bid #: Specification 2024-004

Awarding Agency: CITY OF MONTEREY PARK

Log details

• This document contains a single copy of the bid invitation emailed to each company with an email address listed on their certification. The same email was sent to all companies, which is why we have provided the single email proof.

• This document contains a copy of each fax notice sent to solicited companies with a fax number listed on their certification.

Email Proof

Subject Line: [Bid Invite] 2024 Curb Ramp Improvements Project
Reply To Email: bids@onyxpaving.net

ONYX PAVING COMPANY INC. is seeking qualified Section 3s and invites you to bid on the following contract.

Reply

PROJECT NAME: 2024 Curb Ramp Improvements Project
BID #: Specification 2024-004
BID DUE DATE: 10/01/2024 at 10:00 (local time)
AWARDING AGENCY/OWNER: CITY OF MONTEREY PARK
PROJECT LOCATION: MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING
HAULING
TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

If interested, contact:
COREY R. KIRSCHNER
ONYX PAVING COMPANY INC.
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net

This email was sent via the DBEGoodFaith.com outreach platform. To learn more about why you received this bid invitation email, visit DBEGoodFaith.com/why.

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: A.A. Gonzalez, Incorporated
Tel: (818) 367-2242
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042389-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: ABBOUD DIAMOND CONSTRUCTION, INC.
Tel: (909) 335-4866
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042390-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Beuse Inc
Tel: (213) 284-1234
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042391-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:04 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: California Quality Floors
Tel: (310) 930-8673
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit dbegoodfaith.com/respond and enter Solicitation ID 3042392-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Coleman Construction Inc
Tel: (323) 295-5484
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042393-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Complete Construction
Tel: (661) 599-4269
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit dbegoodfaith.com/respond and enter Solicitation ID 3042394-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Completely Concrete Structures, Inc
Tel: (323) 775-7863
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit dbegoodfaith.com/respond and enter Solicitation ID 3042395-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Crystal's Senior Services LLC
Tel: (909) 887-1904
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042396-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Davis Construction Plumbing Inc
Tel: (661) 269-4325
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042397-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: DECON -1 LLC
Tel: (310) 990-4493
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042398-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: EXCEL CONTRACTORS, INC dba PROGRESSION DRYWALL CORP.
Tel: (661) 942-6944
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042399-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: First Choice Landscape Corp
Tel: (909) 267-9613
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042400-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Green Spaces Preservation, LLC
Tel: (800) 465-8720
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042402-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Home of Kings and Queens nonprofit organization
Tel: (323) 318-0924
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042403-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Jacobi Williams Plumbing and Mechanical
Tel: (424) 223-0689
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042404-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Jeremy Morris Construction
Tel: (323) 356-5907
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042405-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: L&B Builders Inc
Tel: (323) 208-701
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042406-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: LANGARICA INC
Tel: (626) 213-9347
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042407-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Lipham Construction
Tel: (818) 522-5978
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042408-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: NICE Landscape and Maintenance Inc.
Tel: (714) 836-4025
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042409-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Nikki Nguyen
Tel: (424) 946-7498
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042411-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Osmart General Construction Inc
Tel: (323) 685-5655
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042412-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: PBS Construction Services
Tel: (909) 202-9204
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042413-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Proficient Builders, Inc
Tel: (949) 302-4462
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042414-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Qwest Engineering, Inc.
Tel: (714) 900-1070
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042415-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Reliable Monitoring Services (dba RMS Life Safety)
Tel: (855) 760-1822
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042416-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: South West Concrete Inc.
Tel: (909) 267-9613
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit dbegoodfaith.com/respond and enter Solicitation ID 3042417-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Stacey's Cleaning Service
Tel: (661) 510-8880
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042418-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: T&M Projects Inc. dba T&M Construction
Tel: (310) 833-3366
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit dbegoodfaith.com/respond and enter Solicitation ID 3042388-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:03 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

INVITATION TO BID

FROM: ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883
bids@onyxpaving.net
CONTACT NAME: COREY R. KIRSCHNER

TO: Triangle Enterprises, Inc
Tel: (818) 767-3366
Fax: () -

ONYX PAVING COMPANY INC. is Seeking Qualified Section 3s	
PROJECT NAME	2024 Curb Ramp Improvements Project
BID DUE DATE	10/01/2024 at 10:00
BID / PROJECT #	Specification 2024-004
AGENCY NAME	CITY OF MONTEREY PARK
PROJECT LOCATION	MONTEREY PARK , LOS ANGELES COUNTY, CA

TRUCKING HAULING TRAFFIC CONTROL

PLANS AND SPECS WILL BE MADE AVAILABLE UPON REQUEST VIA EMAIL TO BIDS@ONYXPAVING.NET.

HOW TO REPLY	
ONLINE	Visit **dbegoodfaith.com/respond** and enter Solicitation ID 3042419-61837
BY FAX	Fax back this invitation with your response to: (714) 632-1883 [ ] Yes, we will send a fax quote by the bid date. [ ] No, we are not interested. [ ] Interested, but we would like more information. Please contact us at _____.
BY EMAIL	Contact COREY R. KIRSCHNER at bids@onyxpaving.net

This solicitation was generated and sent on behalf of ONYX PAVING COMPANY INC. at 09/30/2024 08:00:02 am Pacific through the DBEGoodFaith.com outreach platform.

Find other DBE, M/WBE, DVBE, SBE, and other subcontracting and supplier opportunities at DBEGoodFaith.com.
Learn more about why you received this invitation at DBEGoodFaith.com/why

ONYX PAVING COMPANY INC.
2890 E. La Cresta Ave.
Anaheim, CA 92806
Tel: (714) 632-6699
Fax: (714) 632-1883

Email & Fax
Solicitation Log

Project Name: 2024 Curb Ramp Improvements Project

Contract/Bid #: Specification 2024-004

Awarding Agency: CITY OF MONTEREY PARK

Log Details

- All emails and faxes were sent and tracked through DBEGoodFaith.com's automated solicitation and logging system.
- The solicitation system makes up to 5 attempts to successfully delivery a fax as long as a human does not answer the call. If a human answers the call, only 1 attempt is made.
- The solicitation system attempts to successfully deliver emails until the response from the recipient's email server requests that no other attempts be made.

Company	Fax Send Date & Delivery Status	Email Send Date & Delivery Status
A.A. Gonzalez, Incorporated 13264 Ralston Avenue Sylmar, CA 91342 Tel: 8183672242 Fax: None Listed julie@aagonz.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
ABBOUD DIAMOND CONSTRUCTION, INC. 1849 W. REDLANDS BLVD #101 REDLANDS, CA 92373 Tel: 9093354866 Fax: None Listed THOLIAJ@DCC-INC.COM Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Beuse Inc 9055 Varna Ave Arleta, CA 91331 Tel: 2132841234 Fax: None Listed beusedesign@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
California Quality Floors 14622 S. Cairn Ave Rancho Dominguez, CA 90220 Tel: 3109308673 Fax: None Listed dvabuilders@outlook.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Coleman Construction Inc 1973 W. 48th St. Los Angeles, CA 90062 Tel: 3232955484 Fax: None Listed scoleman@colemancon.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered

Complete Construction 11510 Valletta Ave Bakersfield, CA 93312 Tel: 6615994269 Fax: None Listed 21jasonc21@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Completely Concrete Structures, Inc P O Box 862010 LOS ANGELES, CA 90018 Tel: 3237757863 Fax: None Listed marco@completelyconcrete.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Bounced
Crystal's Senior Services LLC 1945 Porter Street San Bernardino, CA 92407 Tel: 9098871904 Fax: None Listed Admin@crystalsseniorservices.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Bounced
Davis Construction Plumbing Inc 32120 Mountain Shadow Rd Acton, CA 93510 Tel: 6612694325 Fax: None Listed Brooke@davisconstructionplumbing.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
DECON -1 LLC 6934 Nita Ave Canoga Park, CA 91303 Tel: 3109904493 Fax: None Listed rjdecon1@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered

EXCEL CONTRACTORS, INC dba PROGRESSION DRYWALL CORP. 348 E. AVE. K-8, SUITE B LANCASTER, CA 93535 Tel: 6619426944 Fax: None Listed JOEYG@PROGRESSIONCORP.COM Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
First Choice Landscape Corp 1123 Wehner Ln San Dimas, CA 91773 Tel: 9092679613 Fax: None Listed edith@fclandscape.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Green Spaces Preservation, LLC 3217 W 73rd Street 2 Los Angeles, CA 90043 Tel: 8004658720 Fax: None Listed regina@greenspacespreservation.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Home of Kings and Queens nonprofit organization 709 w Sacramento Altadena , CA 91001 Tel: 3233180924 Fax: None Listed shawnlampley@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Jacobi Williams Plumbing and Mechanical 1149 W. 85th. St. #1 Los Angeles , CA 90044 Tel: 4242230689 Fax: None Listed jacobicawilliams@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered

Jeremy Morris Construction 336 S. Arizona Ave Los Angeles, CA 90022 Tel: 3233565907 Fax: None Listed jeremymorrisconstruction@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
L&B Builders Inc 10124 S Broadway Ste 110 Los Angeles, CA 90003 Tel: 323208701 Fax: None Listed kquarles@lbrbuilders.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
LANGARICA INC 2532 MOUNTAIN VIEW RD EL MONTE , CA 91733 Tel: 6262139347 Fax: None Listed LANGARICA_MAYRA@YAHOO.COM Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Lipham Construction 14516 La Mesa Dr La Mirada, CA 90638 Tel: 8185225978 Fax: None Listed jeff@liphamconstruction.net Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
NICE Landscape and Maintenance Inc. 13281 lilly st GARDEN GROVE, CA 92843 Tel: 7148364025 Fax: None Listed glenny@nicelandscape.net Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered

Nikki Nguyen 1724 N Highland Avenue, Apt. 635 Los Angeles, CA 90028 Tel: 4249467498 Fax: None Listed nikkitvnguyen@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Osmart General Construction Inc 2909 E 1st Street Los Angeles, CA 90033 Tel: 3236855655 Fax: None Listed osmartgeneralconstruction@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
PBS Construction Services 15920 Pomona Rincon Road 6514 chino hills, CA 91709 Tel: 9092029204 Fax: None Listed yvonne@pbsconstructioncompany.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Proficient Builders, Inc 14 Monarch Bay Plaza Suite 293 Monarch Beach, CA 92629 Tel: 9493024462 Fax: None Listed tommymcneil35@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Qwest Engineering, Inc. 692 N. Cypress Street, Ste B Orange, CA 92867 Tel: 7149001070 Fax: None Listed meganleed@hotmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered

Reliable Monitoring Services (dba RMS Life Safety) 2698 JUNIPERO AVE STE 105-107 Signal Hill, CA 90755 Tel: 8557601822 Fax: None Listed rmendoza@rmslifesafety.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
South West Concrete Inc. 1123 Wehner Lane San Dimas, CA 91773 Tel: 9092679613 Fax: None Listed edith@swccompany.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Stacey's Cleaning Service 37153 Liana ln Palmdale, CA 93551 Tel: 6615108880 Fax: None Listed staceylucille@msn.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
T&M Projects Inc. dba T&M Construction 780 W CHANNEL STREET San Pedro, CA 90731 Tel: 3108333366 Fax: None Listed office.tmconstruction@gmail.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered
Triangle Enterprises, Inc PO Box 11386 Burbank, CA 91510 Tel: 8187673366 Fax: None Listed saritah@tri-ent.com Cert: Sec3	n/a	09/30/2024 08:00 am PST Delivered

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: Consent Calendar - 3E

TO: The Honorable Mayor and City Council

FROM: Shawn Igoe, Director of Public Works

SUBJECT: Approval of Change Order No. 19 to J.R. Filanc Agreement for Extended Overhead Costs to the Centralized Groundwater Treatment System

RECOMMENDATION:

It is recommended that the City Council consider:

1. Approving Change Order No. 19 to Agreement No. 1954-A with J.R. Filanc Construction Company, Inc. for the extended overhead costs; 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 Ordinance pursuant to 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"). CEQA Guidelines §§ 15301 and 15302 exempt this matter from further environmental review as the proposed action would result in a minor alteration of an existing public structures involving no expansion of use located on the same site with substantially the same purpose and capacity. The proposed work will occur entirely within an existing structure. Accordingly, no further environmental review is required.

EXECUTIVE SUMMARY:

J.R. Filanc, the contractor for the Centralized Groundwater Treatment System (CGTS) project, is requesting $215,213.81 for extended costs due to the delay in obtaining an operating permit from the State Water Resources Control Board Division of Drinking Water (DDW). The 22-month time delay resulted in additional costs to maintain the integrity of the new treatment equipment in addition to rewriting and resubmitting revisions to the permit application.

Staff is requesting approval of Change Order No. 19 to J.R. Filanc's Agreement No. 1954-A for the cost of $215,213.81 due to the 22-month delay. The additional cost exceeds the current contract amount and contingency and thus requires City Council approval.

BACKGROUND:

The State Water Resources Control Board Division of Drinking Water (DDW) has been challenged in developing guidelines for per- and polyfluoroalkyl substances (PFAS) due to its resistance to water, grease, and heat. These are known as "forever chemicals" because they do not break down easily and are persistent in the environment. The treatments for PFAS are relatively new nationwide and the acceptable technologies are still being researched. As such, DDW's process to permit the City's CGTS has been long and laborious. DDW has erred on the side of caution and requested additional testing and

sampling to confirm that the City's CGTS/PFAS removal system will meet their standards for potable water.

The result of the extended DDW permit process is that the CGTS/PFAS removal project sat idle for nearly two years while the contractor – J.R. Filanc Construction Company – had to maintain the integrity of the treatment media and equipment and incurred overhead costs such as builder risk insurance. In addition, Filanc's Design subcontractor – Hazen Sawyer – spent substantial labor hours to respond to DDW's requests for rewrites and resubmittals. The reworks included additional performance testing and sampling and multiple revisions to the Start-up and Operations and Maintenance Plans.

Details of these costs are provided in Attachment 1 – Potential Change Order #19.

2024-25 STRATEGIC PLAN GOAL:

The approval of the Change Order to J.R. Filanc's agreement meets the City's strategic goals to maintain, build and modernize infrastructure and facilities to support the current and future needs of our city and community.

FISCAL IMPACT:

Change Order No. 19 to Filanc's Agreement 1954-A costs $215,213.81. There are sufficient funds in the Water Operations fund Capital Improvement budget for this change order.

Respectfully submitted by:

Shawn Igoe
Director of Public Works

Prepared by:

Frank Heldman
Water Utility Manager

Reviewed by:

Martha Garcia
Director of Finance

Approved by:

Inez Alvarez
City Manager

Approved as to form: Karl H. Berger, City Attorney
Reviewed by: Solange Fortenbach

Solange Fortenbach
Deputy City Attorney

ATTACHMENT:

1. Change Order No. 19

ATTACHMENT 1
Change Order No. 19

FILANC

PCO # 010 / 0
Extended Overhead

J.R. Filanc Construction Company, Inc.
740 North Andreasen Drive
Escondido, California 92029
Phone: (760) 941-7130
Fax: (760) 941-3969

Project: 457 - Monterey Park PFAS
2657 Delta Avenue
Rosemead, California 91770

POTENTIAL CHANGE ORDER REQUEST

TO:	CITY OF MONTEREY PARK 320 West Newmark Ave Monterey Park California, 91754	**FROM:**	J.R. Filanc Construction Company, Inc. 740 North Andreasen Drive Escondido California, 92029
PCO NUMBER/REVISION:	010 / 0	**CONTRACT:**	457. - Monterey Park - Centralized Groundwater Treatment System
REQUEST RECEIVED FROM:	Vince Diaz **(J.R. Filanc Construction Company, Inc.)**	**CREATED BY:**	Cat Shea **(J.R. Filanc Construction Company, Inc.)**
STATUS:	Pending - In Review	**REFERENCE:**	
		TOTAL AMOUNT:	$215,213.81

Below is our proposal to complete the following changes in our contract work:

POTENTIAL CHANGE ORDER TITLE: Extended Overhead

CHANGE REASON: Other

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*
Per the Owner's authorization performed flushing media in vessels.

Extended overhead for flushing media in vessels to maintain integrity of media, retest of media due to City not properly setting up a control test, and combating high levels of arsenic resulting in a twenty two (22) month project delay. Overhead costs include builders risks, equipment, and engineer of record fees. See letter for further detail.

SCHEDULE IMPACT: 669 Calendar Days

ATTACHMENTS:

Please note that unless specifically addressed in the "Potential Change Order Description" shown above, this change order request does not address any time impacts that may be associated with this change. The time impact, if any, cannot be determined at this time and we reserve our right to further evaluate such impact in the future.

Please sign and return this Change Order Request to indicate your approval to include the changes in a formal Contract Change Order. This proposal is valid for 30 days.

Please contact me if you have any questions.

Sincerely,

APPROVED

CITY OF MONTEREY PARK
320 West Newmark Ave
Monterey Park, California 91754

By: _____
Signature **Date**

Name/Title: _____

REQUESTED

J.R. Filanc Construction Company, Inc.
740 North Andreasen Drive
Escondido, California 92029

By: Vince Diaz 8/7/2023
Signature **Date**

Name/Title: Vince Diaz /VP Construction Operations

FILANC

740 N. Andreasen Drive, Escondido, CA 92029

CHANGE ORDER SUMMARY SHEET

PCO # 010

Project Name: ***Monterey Park PFAS***

Project #: ***457***

Extra Work Description:

Extended overhead for flushing media in vessels to maintain integrity of media, retest of media due to City not properly setting up a control test, and combating high levels of arsenic resulting in a twenty two (22) month project delay. Overhead costs include builders risks, equipment, and engineer of record fees. See letter for further detail.

Extra Time

Schedule Impact: 669 Calendar Days

CHANGE ORDER COST BREAKDOWN

1	DIRECT LABOR		$ 78,272.68	
2	DIRECT CONSTRUCTION EQUIPMENT		$ 3,931.20	
3	DIRECT MATERIALS		$ 22,704.00	
4	PRIME CONTRACTOR SUBTOTAL (ADD LINES 1,2,3)			$ 104,907.88
5	FIELD OVERHEAD & PROFIT FOR LABOR - (of LINE 1)	15.00%		$ 11,740.90
6	FIELD OVERHEAD & PROFIT EQUIPMENT - (of LINE 2)	15.00%		$ 589.68
7	**PRIME SUBTOTAL (ADD LINES 4 , 5 , 6 , 7)**			**$ 117,238.46**
8	SUBCONTRACTOR'S COST			$ 89,850.00
9	FEE on SUBCONTRACTOR COST - (of LINE 8)	5.00%		$ 4,492.50
10	**SUBCONTRACTOR SUBTOTAL (ADD LINES 8 & 9)**			**$ 94,342.50**
11	**PRIME + SUBCONTRACT SUBTOTAL (ADD LINES 7 & 10)**			**$ 211,580.96**
12				
13	PROJECT INSURANCE	0.717%		$ 1,517.04
14	PAYMENT AND PERFORMANCE BOND RATE	1.000%		$ 2,115.81
15	PRIME CONTRACT BUILDER'S RISK INSURANCE	0.322%		$ -
16	**TOTAL LUMP SUM COST (ADD LINES 11 , 13-15)**			**$ 215,213.81**

THE SCOPE OF THIS PROPOSAL IS ONLY AS LISTED HEREIN. ANY ADDITIONAL WORK REQUIRED, SHALL BE SUBJECT TO ADDITIONAL PRICING.
Please sign and return this Change Order Request to indicate your approval to include the changes in a formal Contract Change Order. This proposal is valid for 30 days.
Please sign and return this Change Order Request to indicate your approval to include the changes in a formal Contract Change Order. This proposal is valid for 30 days.

SIGNATURE & TITLE OF PREPARER:_____ DATE: **8/06/2023**

Vince Diaz, Project Manager

Form CE 410

FILANC

740 N. Andreasen Drive, Escondido, CA 92029

CHANGE ORDER DETAIL SHEET

Project Name: Monterey Park PFAS

Project Number: 457

PCO #	010
PCO Pricing Issued Date	-
Reference Document	-
Reference Document Date	-
Schedule Impact (# of Days +/-)	669

Extra Work Description:

Extended overhead for flushing media in vessels to maintain integrity of media, retest of media due to City not properly setting up a control test, and combating high levels of arsenic resulting in a twenty two (22) month project delay. Overhead costs include builders risks, equipment, and engineer of record fees. See letter for further detail.

Extra Time

Schedule Impact: 669 Calendar Days

Schedule Activities Impacted

TBD

Labor

Date	Classification	S/T Hours	O/T Hours	S/T Rate	O/T Rate	Extended
7/10-2/19	Laborer - Foreman Group IV	224.00	-	$ 84.82		$ 18,999.68
3/15-6/26	Laborer - Foreman Group IV	142.00	-	$ 84.82		$ 12,044.44
	Project Engineer	747.00	-	$ 63.08		$ 47,120.76
	Purchasing Adminstration	2.00	-	$ 53.90		$ 107.80
			-	$ -		$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		1,115.00	-			
				Labor Subtotal		**$ 78,272.68**

Equipment

Date	Description	S/T Hours	O/T Hours	S/T Rate	O/T Rate	Extended
	Storage Container w/Tools (Qty = 2) ($416 x 9 mos)			$ -		$ 3,744.00
			-	$ -	$ -	$ -
			-	$ -		$ -
			-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-	$ -	$ -	$ -
		-	-			
				Small Tools 5% of Labor		**$ 187.20**
				Equipment Subtotal		**$ 3,931.20**

Material

Date	Description/Vendor/Invoice#/Quote#	Quantity	Unit	Unit Cost	Extended
	Insurance - Builder Risk ($1,032 x 22 mos)	1.00		$ -	$ 22,704.00
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
				Sales Tax 0.00%	$ -
				Material Subtotal	**$ 22,704.00**

Subcontract

Date	Subcontractor	Quantity	Unit	Unit Cost	Extended
	Hazen & Sawyer	-	1.00	$ -	$ 89,850.00
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
		-		$ -	$ -
				Subcontractor Subtotal	**$ 89,850.00**

Subtotal Change Order Request **$ 194,757.88**

Hazen and Sawyer
11260 El Camino Real, Suite 102
San Diego, CA 92130 • 858.764.5520

December 12, 2022

To: Vince Diaz
Vice President Construction Operations
J.R. Filanc Construction Company, Inc.
740 N Andreasen Drive
Escondido, CA 92029

Re: Change order for CGTS – PFAS Treatment System

Dear Vince:
We are excited that we see the permitting of the City of Monterey Park, Central Groundwater Treatment Facility in sight and hopefully we can move to get the project up and operational in 2023. As you are aware, Hazen and Sawyer (Hazen) has partnered with the City of Monterey Park to achieve a complicated permit. This permitting process opened the City up to DDW asking for a substantial amount of rework of all of their documents as we stepped through the project. The documents developed to assist in the permitting are as follows:

- Original Column Testing of CGAC
- OMMP Update to UVAOP and CGAC
- OMMP Update to UVAOP and LGAC/LGAC
- OMMP Updated with RSSCT information from Trussel Technologies
- O&M Manual Update for GAC Systems and UVAOP System
- Well 9 Blending Plan Update
- Well 9 Redesign to include the orifice to control flow
- Well 5 Updated operations description
- Startup Plan for UVAOP and CGAC
- Startup Plan Updated for UVAOP/LGAC/LGAC
- Startup Plan Updated for the latest UVAOP/LGAC/LGAC with new GAC.
- Performance Testing Plan and Testing for UVAOP and CGAC
- Performance Testing Plan update and Testing for UVAOP and LGAC/LGAC
- Revised Performance Testing of the UVAOP and LGAC to prove LGAC would not slough PFAS.
- Performance Test Report for UVAOP and CGAC
- Complete Revision of the Performance Test Plan and Performance Test Report to incorporate all data from the multiple tests.
- Significant rounds of review and revision of the OMMP and documents to address DDW comments.

Hazen has tried our best to minimize the cost of expenditure on the permitting and to do it as efficiently as possible. Unfortunately, during the past few years of attempting to permit the project, Hazen expended the original planned budget for the project plus some additional budget. Additionally, there remains additional support that will come with the construction of the rest of the project. Hazen would therefore like to request a change order to cover the permitting effort and the remaining scope of work to complete the project.

1. **Permitting Effort:**
   - Significant DDW Meetings, Calls and Coordination
   - Original Column Testing of CGAC and Test Report
   - OMMP Update to UVAOP and CGAC
   - OMMP Update to UVAOP and LGAC/LGAC
   - OMMP Updated with RSSCT information from Trussel Technologies
   - O&M Manual Update for GAC Systems with RSSCT Information
   - Well 9 Blending Plan Update
   - Well 9 Redesign to include the orifice to control flow to 1200 gpm.
   - Well 5 Updated operations description
   - Startup Plan for UVAOP and CGAC
   - Startup Plan Updated for UVAOP/LGAC/LGAC
   - Startup Plan Updated for the latest UVAOP/LGAC/LGAC with new GAC.
   - Performance Testing Plan and Testing for UVAOP and CGAC
   - Revised Performance Testing Plan and Testing for UVAOP and LGAC/LGAC
   - Revised Performance Testing Plan and Testing of the UVAOP and LGAC to prove LGAC would not slough PFAS.
   - Performance Test Report for UVAOP and CGAC
   - Complete Revision of the Performance Test Plan and Performance Test Report to incorporate all data from the multiple tests.
   - Significant rounds of review and revision of the OMMP and documents to address DDW comments.

Engineering Fees: $42,850

2. **Engineering Support for Remaining Construction:**
   - Operator Training
   - Control coordination with Alice Choi
   - New GAC change out and startup support
   - Construction support for remaining items
   - As-built drawings

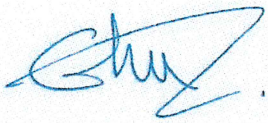
Estimated Engineering Fees: $47,000

Total Change Order: $89,850

Hazen and Sawyer
11260 El Camino Real, Suite 102
San Diego, CA 92130 • 858.764.5520

Please let us know if you have any questions or comments.

Sincerely,



Silvana Ghiu, PhD, PE
Project Manager

Cc: Kevin L. Alexander, P.E., Project Manager

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: Consent Calendar - 3F

TO: The Honorable Mayor and City Council

FROM: Shawn Igoe, Director of Public Works

SUBJECT: Notice of Completion – Various Projects

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receiving and filing the Notice of Completion recorded by the Public Works Director on August 28, 2024, accepting the CIPP Lining at Various Locations Project completed by Southwest Pipeline and Trenchless Corp;
2. Receiving and filing the Notice of Completion recorded by the Public Works Director on October 2, 2024, accepting the 2024 Sewer Manhole Rehabilitation project completed by Sancon Technologies, Inc.;
3. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Pursuant to City Council Resolution No. 11701, the Public Works Director is authorized to record a Notice of Completion for Capital Improvement Projects ("CIP"). The City recently completed CIP No. 99014 – CIPP Lining at Various Locations Project and CIP 99026 – 2024 Sewer Manhole Rehabilitation Project. Upon completion, the work was inspected and approved by the City Engineer. It is recommended that the City Council receive and file the Notice of Completions recorded by the Public Works Director for these projects.

BACKGROUND:

On August 16, 2023, City Council awarded a contract to Southwest Pipeline and Trenchless Corp. for CIP 99014 — CIPP Lining at Various Locations. The work included the rehabilitation of 19,616 linear feet of 8-inch sanitary sewer main using Cured-In-Place Pipe (CIPP) lining method. The final cost of the project was $673,744.50.

On March 26, 2024, City Council awarded a contract to Sancon Technologies, Inc. for CIP 99026 – 2024 Sewer Manhole Rehabilitation. The work included the rehabilitation and coating of 13 manholes located across the City of Monterey Park. The final cost of the project was $168,545.

2024-25 STRATEGIC PLAN GOAL:
The completion of projects supports the City's goal to maintain, build and modernize infrastructure and facilities to support the current and future needs of the City and Community.

FISCAL IMPACT:
The City's FY 23-24 Capital Improvement Plan includes a budget for each respective project. The following provides a breakdown of total costs for each listed project.

CIP No.	Project	Budget	Actual Expenditures	Balance
99014	CIPP Lining at Various Locations	$887,000	$673,744.50	$213,255.50
99026	2024 Sewer Manhole Rehabilitation	$300,000	$168,545.00	$131,455.00

Respectfully submitted by:

Shawn Igoe
Director of Public Works

Reviewed by:

Martha Garcia
Director of Finance

Approved by:

Inez Alvarez
City Manager

Approved as to form: Karl Berger, City Attorney
Reviewed by:

Solange Fortenbach
Deputy City Attorney

ATTACHMENTS:

1. Notice of Completion – CIPP Lining at Various Locations
2. Notice of Completion – 2024 Sewer Manhole Rehabilitation

ATTACHMENT 1
Notice of Completion
CIPP Lining at Various Locations

Recording Requested by
and When Recorded Mail To:

City Clerk, City Hall
320 W. Newmark Ave
Monterey Park, CA

NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name : CIPP Lining at Various Locations

Project No. : Specification No. 2023-005.

Take notice pursuant to Civil Code § 3093, *et seq.* that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of Monterey Park

3. The full address of the owner is: 320 W Newmark Ave, Monterey Park, CA, 91754

4. The nature of the interest of the owner is: In Fee

5. A work of improvement on the property hereinafter described was completed and field reviewed by the City Engineer on June 25th, 2024. The work done consisted of the rehabilitation of 19,950 linear feet of 8 Inch Sanitary Sewer main, using cured in place lining method.

7. The name of the Contractors for such work of improvement was: Southwest Pipeline and Trenchless Corp

8. The property on which said work of improvement was completed is in the City of Monterey Park, County of Los Angeles, State of California, and is described as follows: Various Locations

9. The street address of said property is: Various Locations

10. This Notice of Completion is being recorded in accordance with Resolution No. 11701 (adopted November 5, 2014).

Dated: 8/28/2024

City of Monterey Park

Public Works Director

VERIFICATION

I, the undersigned, say: I am the Public Works Director for the City Monterey Park, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on 8/28/2024 at Monterey Park, California.

City of Monterey Park

Public Works Director

ATTACHMENT 2
Notice of Completion
2024 Sewer Manhole Rehabilitation

Recording Requested by
and When Recorded Mail To:

City Clerk, City Hall
320 W. Newmark Ave
Monterey Park, CA

NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name : 2024 Sewer Manhole Rehabilitation

Project No. : Specification No. 2024-002.

Take notice pursuant to Civil Code § 3093, *et seq.* that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of Monterey Park

3. The full address of the owner is: 320 W Newmark Ave, Monterey Park, CA, 91754

4. The nature of the interest of the owner is: In Fee

5. A work of improvement on the property hereinafter described was completed and field reviewed by the City Engineer on September 24th, 2024. The work done consisted of the rehabilitation and coating of thirteen manholes with varying depths.

7. The name of the Contractors for such work of improvement were: Sancon Technologies, Inc.

8. The property on which said work of improvement was completed is in the City of Monterey Park, County of Los Angeles, State of California, and is described as follows: Various locations within the City of Monterey Park.

9. The street address of said property is: Various Locations

10. This Notice of Completion is being recorded in accordance with Resolution No. 11701 (adopted November 5, 2014).

Dated: 10/2/2024

City of Monterey Park

Public Works Director

VERIFICATION

I, the undersigned, say: I am the Public Works Director for the City Monterey Park, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on October 02, 2024 at Monterey Park, California.

City of Monterey Park

Public Works Director

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: Consent Calendar - 3G

TO: The Honorable Mayor and City Council

FROM: Shawn Igoe, Director of Public Works

SUBJECT: Spirit Bus Pilot Program

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute an agreement with Nomad Transit, LLC, a wholly owned subsidiary of Via Transportation, Inc., without the need for competitive bidding, in a form approved by the City Attorney, for on-demand transit services for an amount not-to-exceed $573,689;
2. Authorizing the City Manager to execute an Amendment with First Transit, in a form approved by the City Attorney, for fixed-route transit services for an annual amount not-to-exceed $2,064,537 for services through December 31, 2025;
3. Approving an additional appropriation of $123,946 from Prop A funds to the FY 2024-25 budget for services through June 30, 2025; and
4. Taking such additional, related, action that may be desirable.

BOARD/COMMISSION REVIEW:

The proposed pilot program was shared with the Traffic Commission on August 22, 2024 and with the Environmental Commission on August 28, 2024. Both Commissions had positive feedback regarding the proposed changes to the Spirit Bus program.

EXECUTIVE SUMMARY:

The City worked with Arcadis/IBI Consultants, Inc (Arcadis-IBI) to complete an evaluation of its Spirit Bus fixed-route transportation program. As a result of the evaluation, staff provided service recommendations to City Council on June 18, 2024 and requested City Council direction on the implementation of a pilot program for the proposed restructure of routes and implementation of on-demand services. City Council was supportive of the pilot program and requested staff conduct additional outreach regarding proposed changes prior to deploying a pilot program. At this time, staff recommends City Council approve a one-year pilot program and authorize the City Manager to execute an Agreement with Via Transportation, Inc., without the need for competitive bidding not to exceed $573,689 for on-demand (microtransit) services. Additionally, it is recommended that the City Council authorize an extension to the agreement with First Transit to continue fixed-route service through the end of the pilot program.

BACKGROUND:
On June 18, 2024, staff provided City Council results of the Spirit Bus evaluation completed by Arcadis-IBI, including recommended service improvement strategies. The service improvement strategies include changes to the fixed-route service and implementation of on-demand zones for microtransit services through a pilot program. A follow-up online community survey was released to gain feedback on the proposed program changes. The survey was introduced at the City's Business Expo event held on August 8th, and distributed to local school districts, shared through social media, Cascades, City website, posted at City facilities and Spirit buses.

There were 174 survey respondents, 70% were current Spirit Bus riders. When asked how proposed service improvements would affect their travel experience, 50 out of 65 thought it may make it worse. However, several of those respondents indicated they do not use the primarily affected routes 3 and 4. When asked if the proposed changes would make them more or less likely to ride Spirit Bus, 85% indicated more likely (71%) or no change (14%).

Fixed-route Service
The Spirit Bus service operates five local routes and the LINK shuttle service on weekdays from 6:30 a.m. to approximately 6:30 p.m. Routes 1 to 4 are loop alignments that link various residential neighborhoods (Brightwood, Highlands, Garvey Ranch) to commercial areas. Route 5 provides service between Atlantic Square/East Los Angeles College (ELAC) and the Metrolink commuter rail station at Cal State Los Angeles (CSULA). The LINK operates as a shuttle service between the LA Corporate Center and the CSULA Metrolink Station.

As a result of community feedback received through survey research and community engagement and analysis of existing Spirit Bus services, key service improvement strategies are recommended to restructure existing routes for enhanced public transportation program. The recommended route restructuring, as listed below, intends to reflect a more linear configuration and better connectivity to major trip attractors/generators while complementing use of microtransit service for single-family residential neighborhoods that have low fixed-route ridership.

- Route 1: Change from one-way loop to linear bi-direction route along Atlantic Blvd. Change is directional only, there is no change to area covered or scheduled stops.
- Route 2: Change from one-way loop to linear bi-direction route along Garfield Ave. Change is directional only, there is no change to area covered or scheduled stops.
- Route 3: Eliminate service south of Graves to Garvey Ranch and extend route east to Atlantic Blvd.
- Route 4: Eliminate route and provide coverage to service area through on-demand service.
- Route 5: Expand service to connect with Metro E Line Station at Atlantic and Pomona and eliminate service east of Atlantic and Riggin. Provide additional

coverage through on-demand service along Riggin Road, including service to the Monterey Park Marketplace Shopping Center.

A few respondents from the follow-up survey expressed concern about how the proposed changes to fixed routes would impact students, specifically those attending Mark Keppel High School and Brightwood Elementary School. With the proposed changes, Route 1 would continue to provide coverage for service to Mark Keppel High School. Brightwood Elementary would be served by on-demand microtransit service providing for direct, curb-to-curb service, thereby limiting the distance students may have to walk to catch a bus. Additionally, transfers between fixed-route and on-demand microtransit service would also be available for all bus customers in the Spirit Bus service area.

Staff has been in discussions with First Transit—the City's current Spirit Bus operator for the proposed restructuring of routes. To proceed with the changes, the City will need to extend its current agreement with First Transit for services through the end of the proposed one-year pilot program. Currently, the term of the agreement with First Transit is through December 31, 2024, with the option to continue service on a month-to-month basis until June 30, 2025. It is recommended that the term be extended through December 31, 2025.

Microtransit (on-demand) Service

As part of the service improvement strategies, two on-demand zones are recommended to provide public mobility options in areas not covered by fixed-route service. Pilot Zone 1 (East) will address the discontinuance of Route 4 and Pilot Zone 2 (West) would address the discontinuance of the reservoir loop segment of Route 3 and expand coverage to the Marketplace Shopping Center. Both zones would complement fixed-route services with first and last mile solutions.

Microtransit is an on-demand transit option that is more flexible than fixed shuttle routes and appointment-like paratransit and is powered by technology to route and schedule trips in real-time. The routing software uses live, on-the-ground information to add people traveling in the same direction into the same vehicle, allowing passengers to be picked up and dropped off in a continuous stream that results into a system that is highly efficient and environmentally friendly. Riders will be able to book a trip using a smartphone application or by calling the program's call center and will also be able to track their vehicle, similar to other rideshare services like Uber or Lyft.

Other local agencies such as LA Metro, City of San Gabriel, and City of West Covina have implemented microtransit programs. The City researched microtransit options and connected with Via Transportation, Inc. (Via), who recently worked with City of West Covina on their microtransit program. Via provides public mobility options such as microtransit and paratransit in over 40 countries. Via provided the City a proposal for implementation of a microtransit program based on the service improvement strategies recommended by Arcadis-IBI's Spirit Bus study.

The proposed program includes the following:

Pilot Program Duration	12 months
Operating Days per Week	Monday - Friday
Average Service hours per Day	12 hours (6:30 am – 6:30 pm)
Fleet	2 vehicles
Wait times	Not-to-exceed 15 minutes

The City explored electric vehicle (EV) options to deploy as part of the pilot program, however, the upfront cost for needed EV infrastructure is not cost effective for a short-term program such as this. Staff recommends the City further explore EV options when preparing a Request for Proposals (RFP) for services next year.

Based on Via's proposal, staff recommends the City enter into an agreement with Via, in a form approved by the City Attorney, without the need for competitive bidding per Monterey Park Municipal Code (MPMC) 3.20.50(4) Cooperative purchasing. Staff proposes awarding a contract to Via based on the recently awarded contract by City of West Covina and competitive bidding process prepared by King County. The cost for a one-year agreement is not-to-exceed $573,689.

One-year Pilot Program
If approved, the proposed pilot program would be for one-year with a proposed 6-month period of free fare for microtransit service. Via's solution would be a turnkey program inclusive of driver hiring and training, vehicle acquisitions, live service monitoring, customer service, and rider marketing and community engagement. Staff will work with Via to develop a marketing strategy to promote the pilot program and use of the City's transportation options. While the pilot program is running, staff will also collect key data to measure the effectiveness of on-demand microtransit in the City. Key performance indicators would be used to prepare an RFP for soliciting fixed-route and/or microtransit services for the community at the conclusion of the pilot.

2024-25 STRATEGIC PLAN GOAL:

The proposed pilot program supports the City's strategic goal to maintain fiscal stability of our City's financial resources. Results of the Arcadis-IBI's evaluation identified service improvements that would maximize the use of City's financial resources when providing public transportation. The proposed pilot program would not only provide expanded coverage for service areas but would replace route segments that are not cost effective due to low ridership. Additionally, the change in services would improve the system's efficiency and offer sustainable public transportation options.

FISCAL IMPACT:

The FY 2024-25 budget includes $2,064,537 for fixed route services. The updated cost for the restructured Spirit Bus service is $1,738,560 per year. The cost for the proposed on-demand service from Via is $573,869. An additional appropriation of $123,946 from Prop A funds to the FY 2024-25 budget would be needed for services through June 30,

2025. Costs for FY 2025-26 services will be budgeted as part of the annual budget process.

Respectfully submitted by:

Shawn Igoe
Director of Public Works

Prepared by:

Xochitl Tipan
Administrative Manager

Reviewed by:

Martha Garcia
Director of Finance

Approved by:

Inez Alvarez
City Manager

Approved as to form: Karl Berger, City Attorney
Reviewed by:

Solange Fortenbach
Deputy City Attorney

ATTACHMENTS:

1. Spirit Bus Service Improvement Strategies
2. Via Transit as-a-Service Service Order

ATTACHMENT 1
Spirit Bus Service Improvement Strategies

City of Monterey Park

Implementation of *Spirit Bus* – Recommended Service Improvement Strategies

Recommendations:

i. **Routes 1 and 2** – Restructure for bi-directional travel.

ii. **Route 3** – Restructure by eliminating service south of Graves to Garvey Ranch (to be replaced by on-demand service) and extending route east to Atlantic Blvd.

iii. **Route 4** – Discontinue and provide coverage to service area through on-demand service.

iv. **Route 5** - Restructure to expand service to connect with Metro E Line Station at Atlantic and Pomona and provide additional coverage through on-demand service along Riggin Road, including service to the Monterey Park Marketplace Shopping Center.

v. **On-Demand Microtransit Pilot Program** – 2 zones.

Service Evaluation Update - 2024

- Initial Sprint Bus service evaluation – completed in June 2022 based on pre-Covid ridership data (2019)
- Service suspended in April 2020
- Recap: ridership had been decreasing since 2017.

- Important step in the Covid-19 recovery phase
- Target to:
  - Provide better transit services
  - Grow ridership base
  - Respond to changing customer expectations & demand)
  - Identify financially sustainable changes (with existing resources)

FY	Revenue Hours	Boardings	Boarding/ Revenue Hour
2017	18,904	299,033	15.8
2018	18,769	260,101	13.9
2019	18,828	232,775	12.4
2020 (July-Apr)	13,738	162,427	11.8
April 2020 to June 2022	No Service		
2023 (reduced service)	9,454	26,210	2.8
1st Qtr. 2024 (July-Oct)	6,466	19,017	2.9

- Modified service hours (July 2022 to June 2023), ridership (boarding/revenue hour) decreased by 80% from pre-pandemic levels. (Of note: Montebello Bus Lines also saw a dramatic decrease (58%) to pre-pandemic ridership for its route in Monterey Park.)
- Spirit Bus operating costs have risen substantially due to increases in driver salaries and bus maintenance.
  - Cost per Vehicle Service Hour: July 2019: $59.31. Post pandemic commencing July 1, 2022, the rate increased to $104.01, a 75% increase.
  - With declining ridership, the total cost per boarding in 2019 was an average of $4.39 while the total cost per boarding for 2023 increased to $57.82.

Conversely, the Dial-A-Ride service for Monterey Park seniors has seen a return to pre-pandemic ridership levels: 10,312 boardings in fiscal year 2023 compared to 10,572 boardings in fiscal year

2019. This data is encouraging and supports the use of door-to-door/on-demand service to supplement/replace current fixed-route service in areas that have low ridership.

The development of Spirit Bus *service improvement strategies* has been informed by past and present service evaluations (including Spirit Bus ridership/boardings by route segments - presented in Exhibit 1); operational and financial performance; and robust community engagement and survey research endeavors.

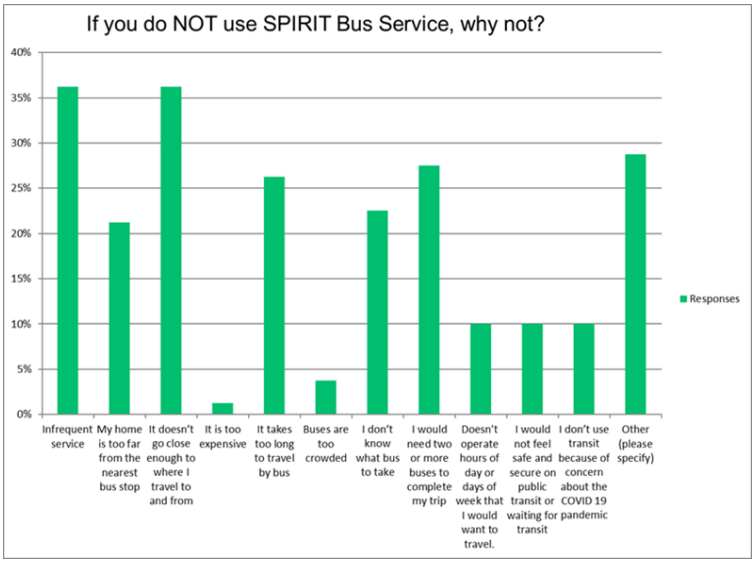
The following presents a summary of: *What Had We Heard*; *Key Design Issues*; and *Recommended Service Improvement Strategies*.

What Had We Heard

Key takeaways from the initial (2022) community engagement and survey research endeavors are:

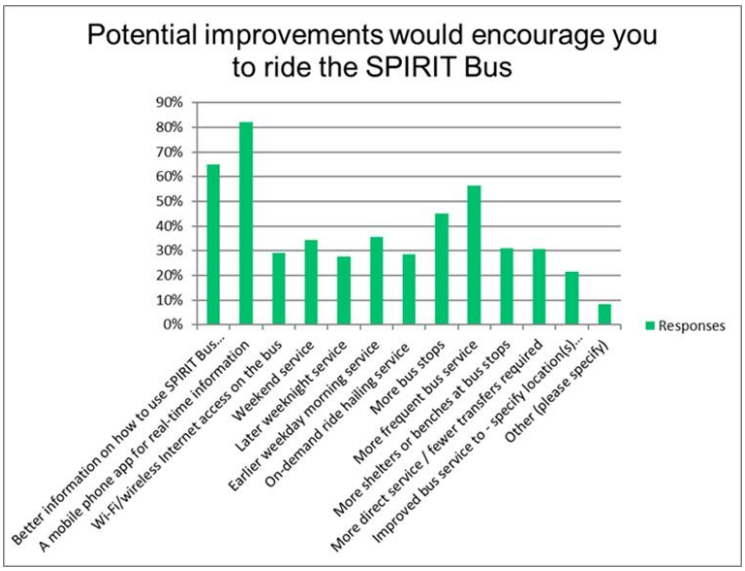
Why People are NOT Using Spirit Bus:

- Infrequent service
- Not close enough (home or destination)
- Need to transfer
- Takes too long
- Don't know what bus to take



Type of Improvements:

- Better information
- Mobile phone app - real-time info.
- Weekend service
- Earlier morning service
- On-demand ride hailing service
- More frequent bus service
- More direct service / fewer transfers required



A follow-up on-line survey was conducted from August to mid-October 2024. Key takeaways from this survey include:

- Of the 146 respondents, 70% were current Spirit Bus riders.
- When asked *how proposed service improvements would affect their travel experience*, 50 out of 65 thought it may make it worse. Of note, several of those respondents do not use the primarily affect routes 3 and 4.

- Conversely, when asked - *Do proposed changes to the service make you more or less likely to ride?* 85% indicated More Likely (71%) or No Change (14%).
- Several respondents expressed concern about how the on-demand microtransit service would work.[1]
- Potential Impact on Students: a few respondents expressed concern about how the proposed changes will impact students, specifically those attending Mark Keppel High School and Brightwood Elementary School.

  Route 1 will continue to provide coverage (including service to Mark Keppel High School).

  Brightwood Elementary will be served by on-demand microtransit service providing for direct, curb-to-curb service, thereby limiting the distance students may have to walk to catch a bus.

  As is the case with all bus customers in the Spirit Bus service area, transfers between fixed-route and on-demand microtransit service will be available.

Existing Conditions – Key Design Issues

1. Routes 1-4 are designed primarily to connect residential neighborhoods to Downtown Monterey Park.
   - Impedes productivity by discouraging two-way passenger traffic across the service day. Limited demand for AM travel away from Downtown and PM travel toward Downtown.
   - Excessive circuity in Downtown area alignments.
2. Need to simplify or redesign Routes 1 and 2 presently operating one-way loops in opposite directions on similar alignments to create bi-directional service to customers.
   - Confusing to customers because the routes are not the same and so travel times are not the same in opposite directions.
   - Route 2 loop through the Monterey Highlands is a significant inconvenience to most customers using the route.
3. Route 4 should be modified to address Metro's discontinuation of Route 258 service on Monterey Pass Road.
4. Only Route 5 connects directly to the CSULA Metrolink and Metro J (Silver) Line stations.
   - Most residents (except Riggin Street) need a two-seat bus ride (*i.e.*, transfer between Spirit routes) to travel from residence to the stations.
5. Spirit's main transfer point at City Hall for Routes 1-4 is not served by regional bus lines.
   - Discourages transfers between Spirit and Metro/MBL buses.
   - Location adds travel time for transferring customers.
6. Spirit does not connect directly to the E (Gold) Line terminal station on 3rd Street west of Atlantic Boulevard.

[1] It is important to note that Via Transportation, the provider of the on-demand service, will be responsible for providing a robust marketing, communication, and education program to not only promote the service but to ensure the community is familiar with how it works.

7. Service to McCaslin Business Park is limited to one morning and one afternoon trip on the Route 5 timetable.
    - Currently designed to shuttle reverse commuters to and from the CSULA Metrolink and Metro J Line stations.
8. Currently no Spirit Bus service to Marketplace Shopping Center (Costco, Home Depot, restaurants) – an emerging destination.

Recommended Service Improvement Strategies

Based on the design issues noted above, the technical team presents recommended service improvement strategies (illustrated in Exhibit 2).

Recommendations:

i. **Routes 1 and 2** – Restructure for bi-directional travel.

ii. **Route 3** – Restructure by eliminating service south of Graves to Garvey Ranch (to be replaced by on-demand service) and extending route east to Atlantic Blvd.

iii. **Route 4** – Discontinue and provide coverage to service area through on-demand service.

iv. **Route 5** - Restructure to expand service to connect with Metro E Line Station at Atlantic and Pomona and provide additional coverage through on-demand service along Riggin Road, including service to the Monterey Park Marketplace Shopping Center.

v. **On-Demand Microtransit Pilot Program** – 2 zones.

The recommended service improvement strategies are designed to improve service by replacing poorly performing, infrequent, and circuitous routes with more flexible service that still meets the needs of residents that live in areas that are not well suited to fixed route transit. It would also provide a new connection for residents to regional transit and to an important commercial destination and improve service frequency for Route 3 while adding service through a relatively densely populated neighborhood.

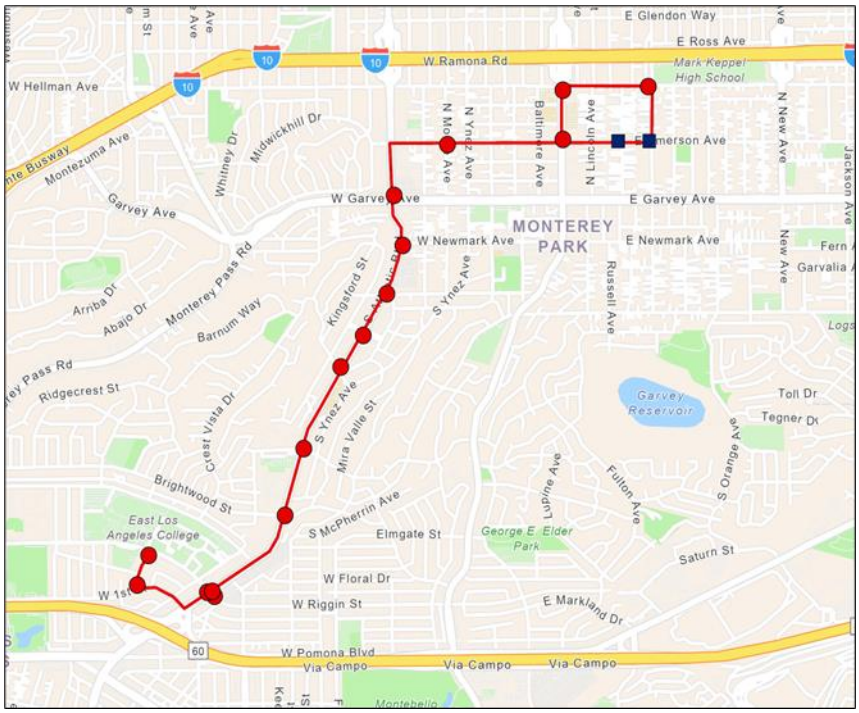
These improvement strategies were further informed by the following:

- Review of pre-pandemic ridership data and a comparison to ridership data gathered since all 5 Spirit Bus routes resumed service in July 2023.
- Review of service cost increases and ridership/revenue decreases
- Community outreach and feedback gathered initially in 2022 and updated through additional survey research in August 2024.

The recommended service improvement strategies are listed by route below.

Route 1

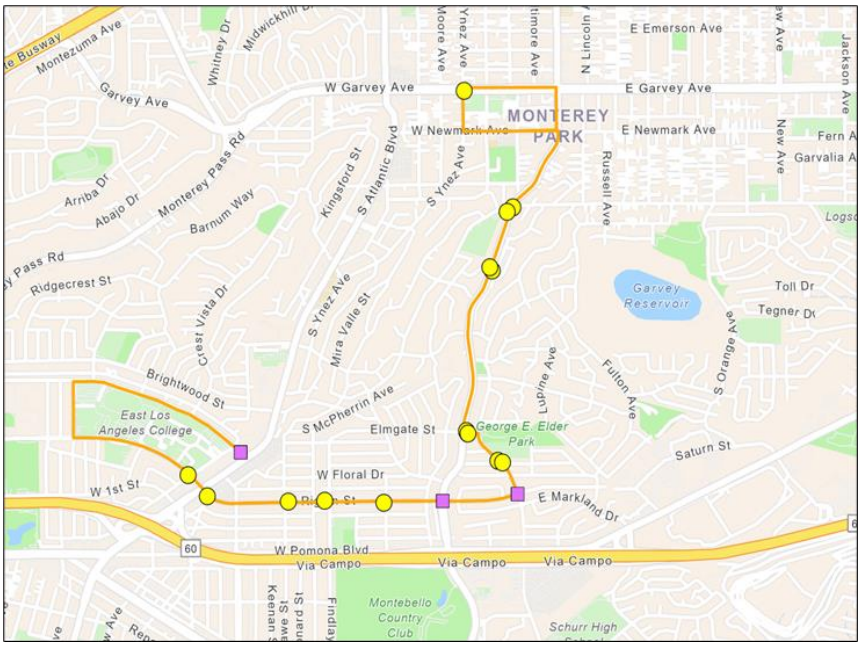
Ridership is down along the downtown segment from 75-100 riders per day pre-pandemic to about 50 riders per day in October 2023. This is still one of the higher ridership segments. Other segments have recovered to pre-pandemic ranges but with lower ridership. Confusion in directionality for passengers suggests route could be restructured from a one-way loop to a linear route along Atlantic.



- Restructure service routing to accommodate bi-directional travel.

Route 2

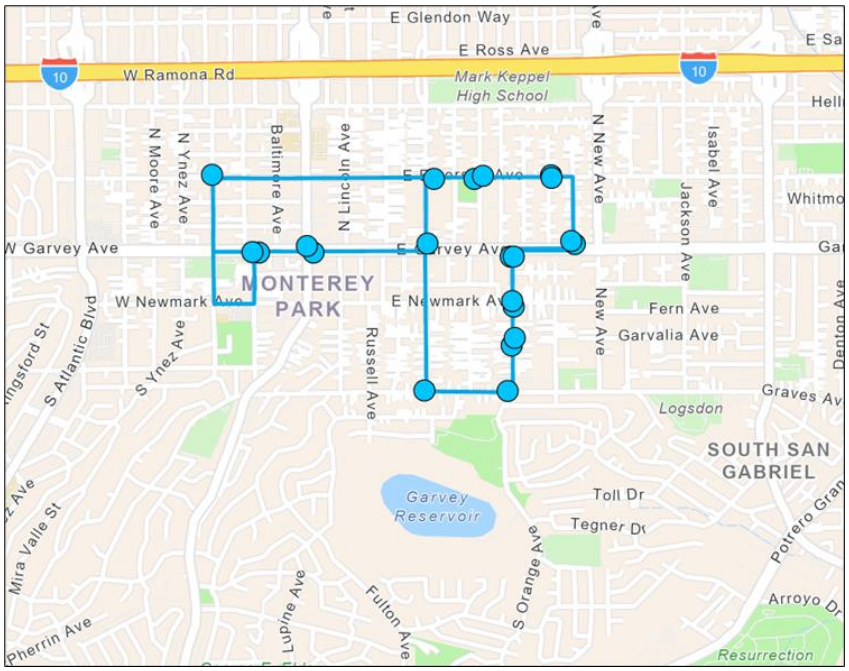
Ridership along the Atlantic Boulevard, Downtown, and Garfield segments represent only 24-40% of pre-pandemic ridership numbers. Ridership along the Hillside and Riggin St. segments has recovered but remains low at 13-18 passengers per day on average. Confusion in directionality for passengers suggests route could be restructured from a one-way loop to a linear route along Garfield.



- Restructure service routing to accommodate bi-directional travel.
- Eliminate residential loop north of Floral Drive to improve travel times and reduce circuity.

Route 3

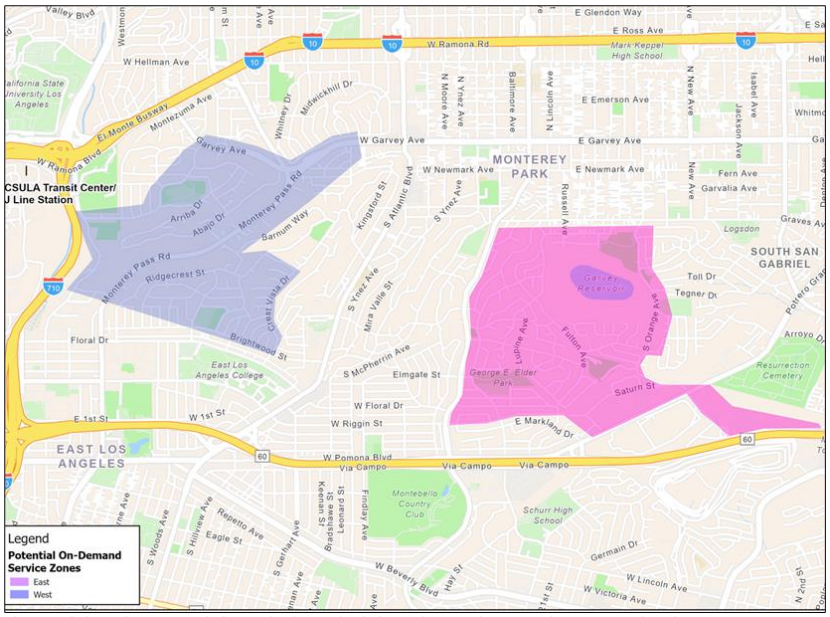
Route 3 ridership has returned to within pre-pandemic ranges along all segments and carries 83 passengers per day in the downtown core as of October 2023. However, the reservoir loop impedes two-way passenger travel and is the lowest ridership along the route at 35 passengers per day.



- Eliminate of fixed-route service south of Graves Avenue.
- Redirect current route to travel north on Alhambra Avenue from Graves Avenue to provide new service to relatively dense residential neighborhoods and increase service frequency.
- Provide on-demand ride hail service within a defined zone south of Graves Avenue to provide more flexible travel options to existing passengers.
- Potentially extend existing route farther east to Atlantic Avenue in combination with service changes proposed for Route 4 (below).

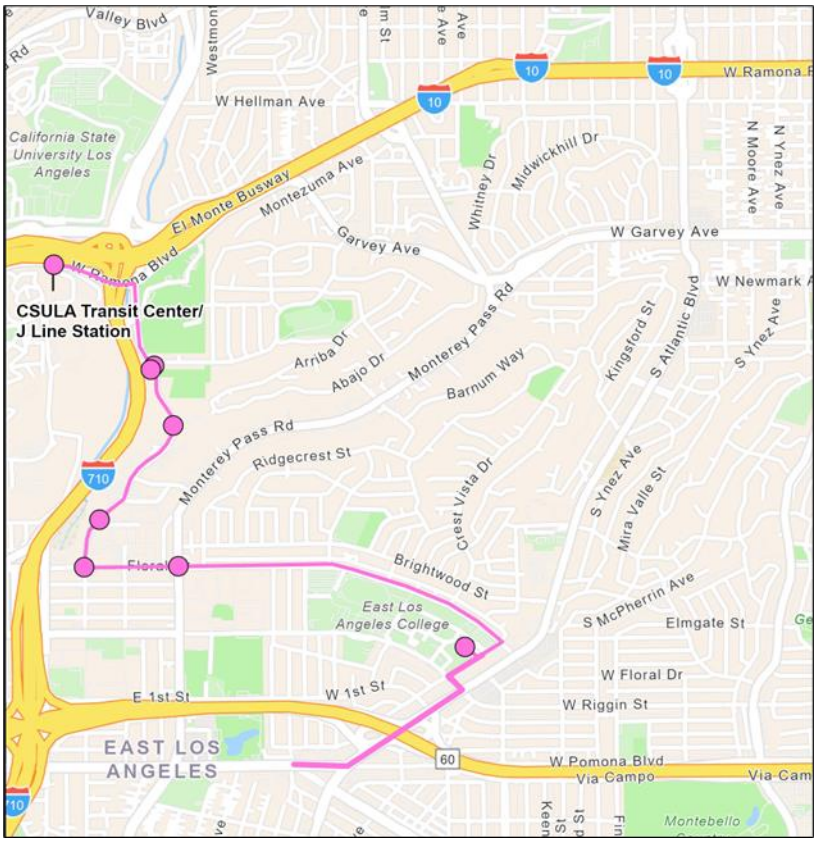
Route 4

No segment along Route 4 is generating more than 57% of ridership compared to pre-pandemic. Monterey Pass and Corporate Center segments are getting less than 5 passengers per day. Downtown loop is duplicated by other routes.



- Eliminate existing fixed route transit service.
- Provide on-demand microtransit service within a defined zone along Monterey Pass Road and in the residential neighborhoods to the north that are currently served by Route 4.
- Provide connectivity through on-demand service to CSULA Metrolink and Metro J (Silver) Line stations.

Route 5



Data by stop is limited due to unresolved issues with onboard technology. Overall data by route shows an average of 21 passengers per day along the whole route in October 2023. Ridership along E Riggin St. and McCaslin Business Park segments was low in 2019 and is now likely lower. Route 5 does provide a key connection to CSULA Metrolink Station and could be altered to serve ELAC transit center and Metro E Line.

- Eliminate existing fixed route transit service east of Atlantic and Riggin that currently operates for only two daily trips.
- Expand service to connect with Metro E Line Atlantic Station/Kaiser Permanente East Los Angeles Medical Offices.
- Expand existing Monterey Park Dial-a-Ride service to allow trips within a defined service area along Riggin Road and providing connectivity to the southeastern corner of the city, including service to the Monterey Park Marketplace Shopping Center.

Spirit Bus - Service & Operating Characteristics

Route *	Level of Service		Revenue Hours		Frequency	Run Time - Hrs	Annual Operating Cost $
	Days of Week	Hours - Span	Day	Annual	(headway)		(@ $109./hr.)
			(Span)				
1 **	M - F	6:30AM - 6:30PM	12	3,084	45 min.	0.67 (40 min.)	$336,156
2 **	M - F	6:30AM - 6:30PM	12	3,084	45 min.	0.67 (40 min.)	$336,156
3 **	M - F	6:30AM - 6:30PM	12	3,084	30 min.	0.42 (25 min.)	$336,156
	(Rt. 3 - modified route)						
4	discontinue						
5 ***	M - F	6:30AM - 6:30PM	12	3,048	45 min.	0.67 (40 min.)	$332,232
TOTAL			**48**	**12,300**			**$1,340,700**

* Excludes costs for LINK
** No service: Thanksgiving Day, Christmas Day, & New Years Day
*** No service: Memorial Day, July 4, Labor Day, Thanksgiving Day, Christmas Day, & New Years Day

Implementation Considerations

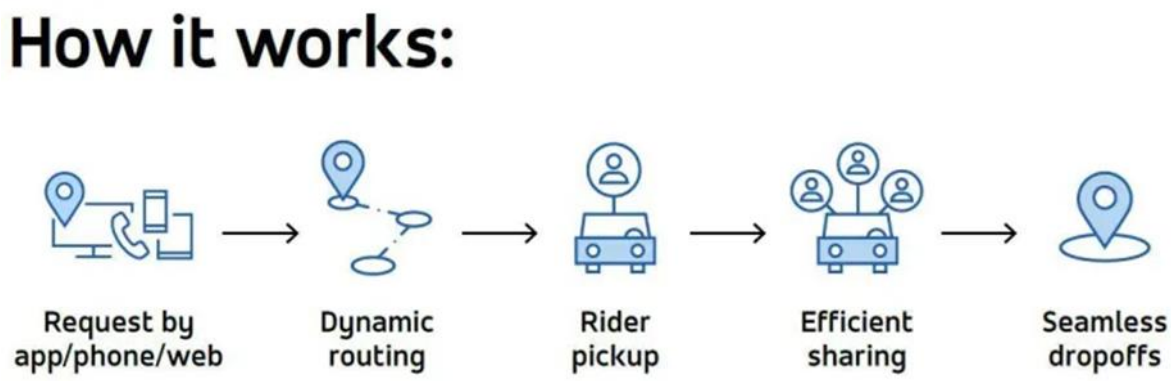
In moving forward, City staff will enter into discussions with their current operating contractor, First Transit who will be responsible for building the runs/developing blocks and driver paddles for the operation of the respective routes and frequencies.

Pilot Program – On-Demand Microtransit (x 2 zones)

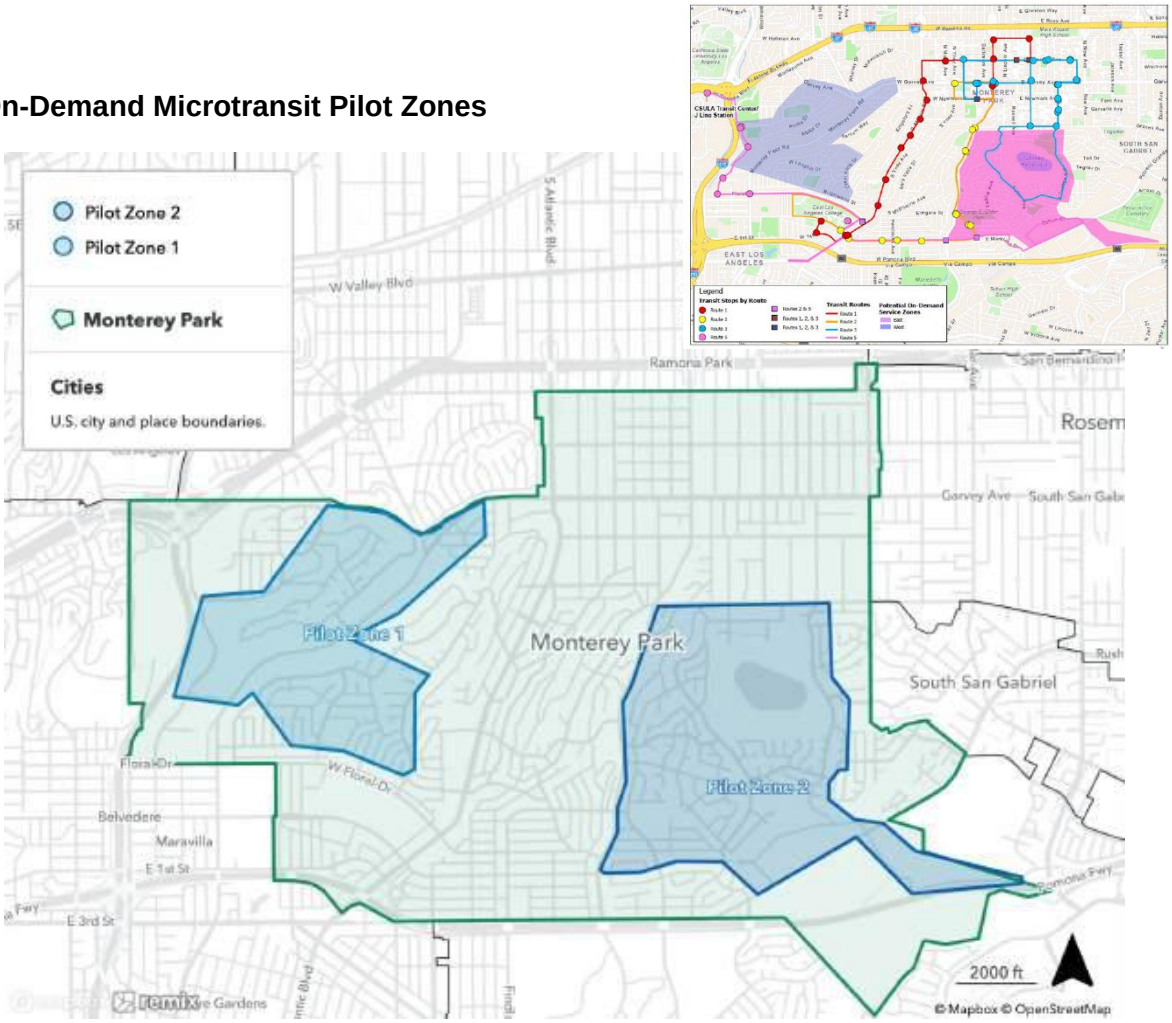
Recommendation: Implement a one-year pilot program to provide a proof of concept (PoC) of on-demand microtransit.

As illustrated on the following page, the deployment of the pilot program would provide on-demand microtransit in two service areas. Pilot Zone 1 to address the discontinuance of Route 4 and Pilot Zone 2 to address the discontinuance of the reservoir loop segment of Route 3.

On-demand services would operate on the same days of the week and hours of the day as Spirit Bus service: Monday to Friday, 6:30AM – 6:30PM.



On-Demand Microtransit Pilot Zones



The City has undertaken preliminary discussions with Via Transportation (provider of advanced public mobility solutions - software and operations for flexible public transit) for the deployment of the recommended pilot program. Key characteristics from Via's proposal for the pilot include:

- Via's app allows for trips to be scheduled via phone; the app also integrates with regional transportation for trip planning.
- Service options for pick up and drop off areas are based on City's policy decision. Via recommends doing pick up/drop off within a zone to/from a zone.
- Wait times with the proposed model of 2 vehicles is a not-to-exceed 15 minutes.
- Via requires a one-year commitment for the pilot.
- Implementation for the pilot is approximately 12 weeks.
- City may consider piggybacking off Via's King County or City of West Covina contracts.

The latter point is based on Via having provided a copy of their contracts with King County Metro and the City of West Covina. While either of these contracts would need to be tailored to the specifics of the City of Monterey Park's service zones and operating parameters, both contracts clearly articulate the scope of services, data reporting, performance monitoring, etc.

Via's proposal provides for a not-to-exceed annual cost (gas vehicles) of $570k.

It is important to note that Via Transportation will be responsible for providing a robust marketing, communication, and education program to not only promote the service but to ensure the community is familiar with how it works.

On-Demand Microtransit Pilot Program - Key Performance Indicators (KPIs)

Designed to prove the concept of on-demand microtransit, it is important to look beyond ridership (and subsidy levels), it is important to consider the customer experience, including improved mobility/access, equity and customer satisfaction. The following table presents recommended KPIs for the pilot program.

BUSINESS FUNCTION	SAMPLE KPIS	REQUIRED DATA
Mobility/ Service Operations	• Riders per hour • Ridership by service area/zone • On-time performance • Service reliability • Number of booked and completed trips • Number of no-shows and cancellations • Vehicle revenue hours and miles • Number of trips originating /terminating within a zone or predefined location • Number of passenger trips that are shared.	• Trip details, Origin-Destination • Ridership • Payments and Payment Methods • Vehicle travel time and schedule adherence data
Equity	• Trips delivered to variety of community segments • Increased access to destinations in the city • Trip requests by mobile app vs. telephone requests through call-center	• Trip details
Customer Satisfaction	• Number of customer complaints • Passenger wait time • Average on-board time • Average trip length • Number of service denials	• Trip details; Origin-Destination • Ridership • Payments • Vehicle travel time and schedule adherence data • Missed connections
Finance	• Revenue trend • Trends in cash and non-cash payments • Cost/trip • Subsidy/trip • Cost/revenue hour • Cost/revenue mile	• Cost and revenue data

Implementation Schedule

If City Council approves going forward with the recommended service improvement strategies in mid-October, it is anticipated that the respective contract documents will be prepared and executed by early December with the issuance of a notice to proceed at that time (as illustrated below in the Implementation Schedule). Via and First Transit will have three-months to prepare for a go-live date by early March 2025. The pilot will operate for a twelve month period, to March 2026.

The schedule also includes reference to the preparation of a Request for Proposals (RFP) document and solicitation process (noted in RED). It is important to note that the RFP document, in addition to noting standard caveats (i.e., rights to not award, etc.), may also include an optional scope of work reflecting an expanded, city-wide on-demand microtransit service[2].



[2] The continuance of Spirit Bus fixed route services will have future capital cost implications for the City with the requirement to replace an aging fleet.

Exhibit 1: Spirit Bus Boardings by Route Segment – 2019 & 2023

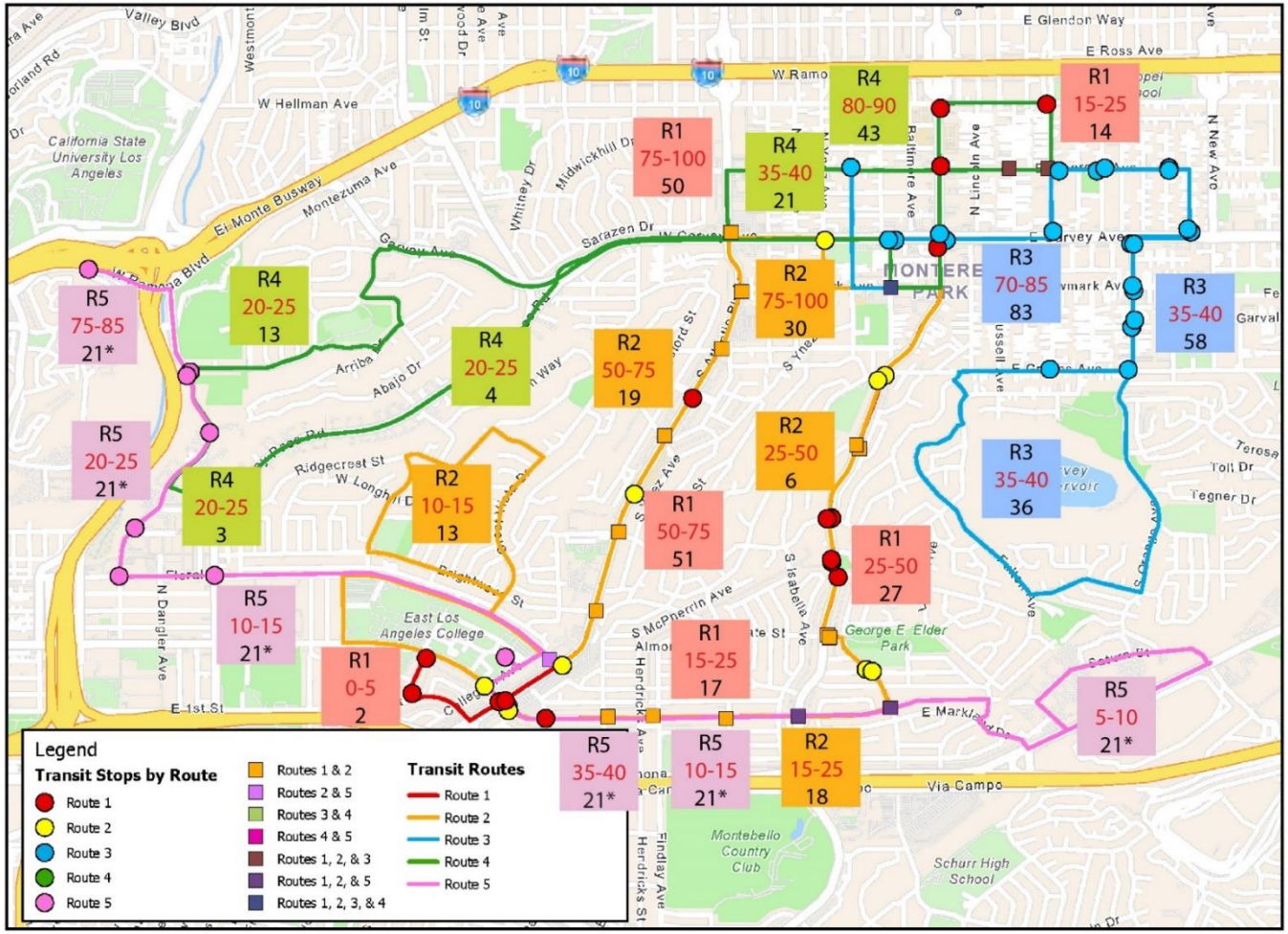
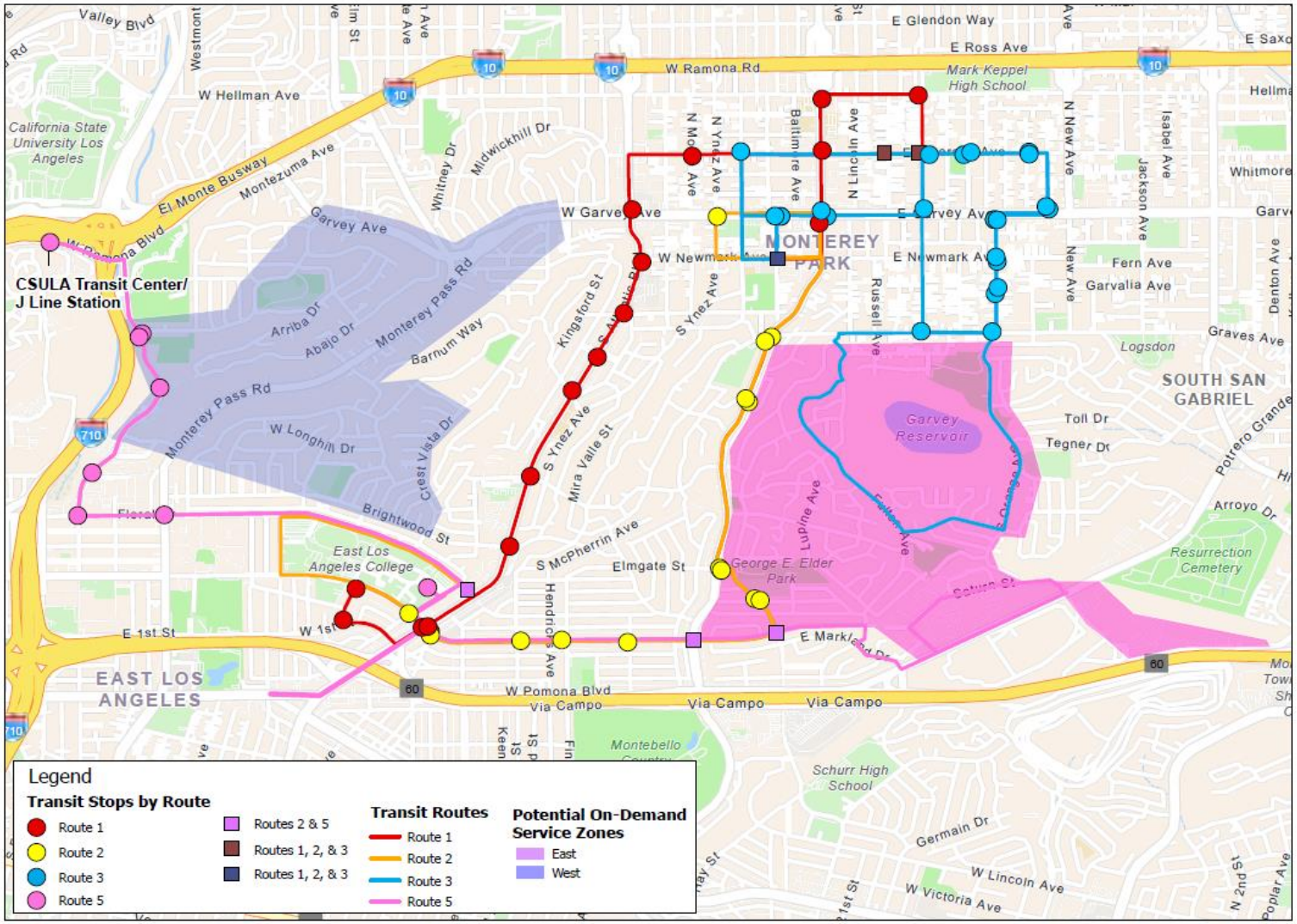


Exhibit 2: Recommended Service Improvement Strategies



Conceptual Service Improvement Strategies

ATTACHMENT 2
Via Transit-as-a-Service Service order

Transit as-a-Service (TAAS) SERVICE ORDER[1]

Date: October 11, 2024

1. ***Purpose; Scope***

By this service order (the "**Order**"), Nomad Transit, LLC ("[**Nomad**"), a wholly owned subsidiary of Via Transportation, Inc. ("**Via**") and City of Monterey Park ("**Customer**") agree to collaborate towards the initiation of Customer's demand response transit service in Monterey Park (as agreed upon by the parties during the planning and design stages of the Pilot) for 12 months following launch thereof, subject to extension by mutual agreement of the parties.

In accordance with the Agreement, Nomad will provide Customer with technology and technology- enabled integration services (the "**Services**"), acting as a broker coordinating the services of third party service providers to effectuate the on-demand transit service (the "**Pilot**"). Nomad will contract with third party service providers to effectuate such integration, including with fleet managers, vehicle suppliers, driver partners, background check providers, customer service support agencies, a payment processor and insurance brokers and underwriters . Nomad's Services will include:

- Localization of a proprietary cloud-based dynamic vehicle routing and real-time passenger aggregation system;
- Access to the Via mobile rider application (iOS and Android) for individuals using the Customer's service ("Riders") to book and pay for rides through a smartphone;
- Access to booking via a dedicated phone line for Riders who do not have access to a smartphone;
- Access to the Via mobile driver application for drivers to route and service rides through a smartphone or tablet;
- Establish relationship with vehicle rental company ("**Vehicle Partner**") to provide access to vehicles on a rental basis to independent contractor driver partners ("**Driver Partners**") who shall provide transportation services;
- Accompanying technical and operational support service;
- Marketing and outreach initiatives as described herein.
- Data sharing and reporting as described herein.

[1] All capitalized terms used but not defined herein shall have the meaning set forth in the Master Terms and Conditions for Via Transit as a Service signed by Via and Customer (the "**Terms**").

Conflicts between this Service Order and any other terms and conditions or written agreements between the parties shall be resolved in favor of this Service Order.

2. Duration & Launch Date

The duration of the Pilot shall last for a period of 12 months following the launch date (the "**Initial Term**"), subject to extension by mutual agreement of the parties on terms to be agreed (including any increase in monthly fees for additional months).

The Customer will provide written notice to proceed to Nomad at least [12 weeks] prior to service launch. For the avoidance of doubt, notice to proceed can only be written by Customer once the contract and appendices (including the Order) are final and signed, and any necessary local and regulatory approvals have been received or registrations completed. Upon receipt of such written notice to proceed, Nomad will commence local preparation for launch ("**Launch Preparation Period**"). Service operation will begin on a mutually agreeable date, no earlier than January 15, 2024, unless Nomad and the Customer define an alternative mutually agreeable date in writing ("**Launch Date**").

3. Fees

The Fees for the service described in this Order are:

The table below outlines the payment structure, in which Customer would be charged an upfront fee, ongoing monthly fees based on vehicle hours. All regulatory fees related to the service will be charged as a pass-through cost. The Pilot shall include a fleet of vehicles as described in Section 4, Service Parameters, subject to extension by mutual agreement of the parties on terms to be agreed (including any change in fees). The total contract value shall not exceed $573,689 for the 12 month contract term.

City of Monterey Park: Via Total Not-to-Exceed Contract Value

	Price per Vehicle Hour	Total Price
Fixed (Upfront) Costs	N/A	$64,000
Total Upfront Cost		***$64,000***
Project Management & Other Operations*	$31.82	$188,629
Driver Pay (Incl. WAV)	$49.66	$294,384
Customer Service	$4.50	$26,676
Total Cost per Vehicle Hour	***$85.98***	***$509,689***
Total Not-to-Exceed Cost to City of Monterey Park		**$573,689**

Note: Pricing excludes all taxes and assumes service hours of 7am-7pm M-F. Pricing assumes launch within 4 months of contract signing.
* Includes IT hosting, technology access, operations support, and other miscellaneous costs.

Vehicle Hours Summary:

Total Implied Vehicle Hours	5,928
Total Implied Vehicle Hours (Weekly)	114

Service Hours Summary:

Total Implied Service Hours	3,120
Total Implied Service Hours (Weekly)	60

C O N F I D E N T I A L

Customer will be billed for the above fees as described below. Fees assume Launch Date occurs within four months of contract signing. If the Launch Date is delayed beyond four months of contract signing, Nomad may opt to renegotiate the fees. Ongoing Invoice Fees will be billed payable in advance on the first of the month and as further specified below. Customer shall pay the following fees to Nomad:

Fixed (Upfront) Costs

Customer shall pay to Nomad a non-refundable installation fee of $64,000, which will be payable in full upon signing of this Order. In addition to technology localization costs, installation fee includes 2 rear-/side-]entry WAV retrofits at a cost of $15,000 each and 3 vehicle wraps at a cost of $3,000 each, which will be treated as a pass-through. Should Customer require additional WAV retrofits or vehicle wraps, Nomad will bill Customer as incurred as a pass-through.

Ongoing Invoice Fees

Customer shall be responsible for monthly ongoing fees of $85.98 per vehicle hour (the "**Monthly Subscription Fees**"). A vehicle hour is defined as each hour during which a driver is paid on the Via platform. Notwithstanding the number of vehicle hours incurred per month, Customer shall be responsible for a minimum Monthly Subscription Fee of $15,000 per month (the "**Minimum Monthly Fees**"). The Minimum Monthly Fees shall be payable in advance on the first of the month provided that the first Minimum Monthly Fees shall be due upon execution of this Order. In the event that the Monthly Subscription Fees for any month exceed the Minimum Monthly Fees paid hereunder, the Customer shall be responsible for paying such difference (the "**Monthly True-up"**) on a monthly invoice basis. All fees set forth herein shall be payable by Customer on a net

fifteen basis. If Nomad does not receive timely payment, Via Entity may charge the maximum monthly interest allowed by law or one percent, whichever is greater, suspend Via Entity's performance and seek cost of collection, including reasonable attorneys' fees.

Nomad will provide Customer with an invoice statement showing the calculation of the Monthly Subscription Fees incurred based on the actual number of vehicle hours that Driver Partners performed during that month in the form attached hereto as Exhibit A. The Customer hereby agrees that the sample invoice form set forth on Exhibit A is satisfactory to Customer, both in substance and format, and sufficient to process invoicing such that questions regarding invoice or invoice support format will not delay payment to Nomad. If Customer requires additional invoice support, Nomad can use best efforts to provide it, and additional costs of $1,500 per custom request will apply.

Should changes in applicable federal, state or local law result in a significant change in Nomad's costs, Nomad or Customer may opt to renegotiate the ongoing monthly fees. Should changes in applicable market dynamics result in an increase in Nomad's cost per hour of 10% or more to any of the following categories, compared to costs at the time of contract signing, Nomad may amend the ongoing on-demand vehicle hour rate accordingly:

- Labor (driver pay)
- Vehicle rental
- Fuel

Should Nomad elect to adjust the per vehicle hour rate, supporting documentation of the relevant cost increases will be provided to Customer, and the contract will be amended to reflect the new Fee structure and per vehicle hour rate so that, at the discretion of the Customer, either:

1. The total not-to-exceed contract value is adjusted such that the total not-to-exceed number of vehicle hours remains unchanged, or
2. The total not-to-exceed number of vehicle hours is adjusted such that the total not-to-exceed contract value remains unchanged.

Fare Revenue

If Customer chooses to implement a fare, Customer shall collect and own all revenue from service fares, net of service fees, starting upon launch of the Pilot.

Launch Delay

If the Launch Date is delayed [for more than a month] by Customer for any reason, Customer shall be responsible for paying Nomad for any actual out of pocket costs incurred by Nomad in preparation for launch (the "**Upfront Costs**") and a $2,000 monthly technology fee for the cost of maintaining the technology infrastructure for Customer's deployment during the period of delay (the "**Technology Fee**"). The Upfront Costs shall be payable within fifteen days from the date Customer notifies Nomad of the delay and the Technology Fee shall be payable monthly at the beginning of the month in which it is incurred.

4. ***Service Parameters***

Nomad will provide access to a platform service (the "**Platform**") through which Riders will be able to book and pay for rides on a shared and on-demand basis; and dedicated vehicles will be offered by the Vehicle Provider to Driver Partners on a rental basis.

- **Geographic Coverage Zone:** Approximately 2 square miles coverage zones in Monterey Park, CA
- **Service Days/Hours:** Monday through Friday, 7am to 7pm
- **Rider Fare:** The rider fare will be free. During the duration of the Pilot, rider fare may be amended by mutual agreement between Customer and Nomad.
- **Payment:** Nomad will ensure acceptance of Rider payment through the app via credit cards and pre-paid debit cards.
- **Vehicle Fleet:** The Vehicle Provider will offer a fleet of up to 3 branded, licensed and insured vehicles, including 2 Wheelchair Accessible Vehicles (WAV) to be made available to independent contractor Driver Partners, who will be able to gain access to these vehicles after being registered onto the Platform. If the branded vehicle fleet is not sufficient to meet service requirements for any reason, Nomad has the flexibility to (1) supplement the fleet with a temporary fleet that would include other makes and models, and/or (2) allow for Driver Partners to drive their own personal vehicles, to be deployed for temporary short term periods, as necessary in order to increase the supply of vehicle hours. Such may be unwrapped and identified by magnets.

Nomad will ensure the execution of the necessary registrations and licensing to perform the Services, with the cooperation and assistance of the Customer.

Parking: Customer shall identify and make available a depot or parking lot with ample overnight parking for the dedicated fleet. The depot/lot must be in a safe and lighted area inside the boundaries of the service zone

5. ***Project Team & Governance***

Nomad will be responsible for the integration of all relevant elements of the Pilot on a continuous basis during the course of the Pilot and will designate a project manager for this purpose (the "Nomad Project Manager") who will lead Nomad's Project Team. Customer will designate a project manager to be the primary point of contact with Nomad throughout the duration of the Pilot (the "Customer Project Manager"). The Nomad Project Manager will be in regular contact with the Customer Project Manager through informal and scheduled project meetings.

The Nomad Project Manager will be empowered to enact day-to-day decisions related to the Services and will serve as the primary point of contact with the Customer Project Manager on an ongoing basis. The Nomad Project Manager will appoint members to the

Project Team to assist in the integration of the various elements of the Pilot, to include personnel with expertise in service scoping, independent contractor driver outreach and registration to the Platform, fleet maintenance procurement, marketing, and data analytics. For the avoidance of doubt, the Nomad Project Manager will have no power to serve notice or amend the Agreement, or this Order.

Leading up to the launch of, and during the course of the Pilot, Nomad's Project Team, led by the Nomad Project Manager, will liaise with the Customer Project Manager over the key deliverables of this Order and to endeavor to maximize ongoing service optimization.

6. ***Driver Partner Registration & Supply Management***

Nomad will source Driver Partners to provide transportation services to Customer through the Platform. Nomad will engage in a good faith effort to register Monterey Park residents as Driver Partners.

Nomad will ensure that Driver Partners have appropriate licenses, permits, and insurance required for the type of vehicles being operated. As part of Driver Partner registration for access to the Platform, all Driver Partners will be introduced to Nomad with the following areas covered: familiarization with the Pilot service areas; hours of service; Customer's expectations; use of the Driver App; and reporting incidents and delays in service.

Nomad will be responsible for ensuring that there is adequate driver supply for each service zone within designated hours to meet demand with optimal quality of service, given constraints.

7. ***Rider and Driver Partner Support***

Nomad will ensure the provision of customer service and support for Driver Partners and Riders on issues that arise in connection with use of the Platform.

Following each ride, the Rider will be prompted to submit a ride rating with feedback in the app. If an issue arises for a Rider or Driver Partner before, during, or after a ride, these parties will be able to reach customer support staff by phone, or by submitting an email ticket, which will be replied to promptly by such customer support staff through Via's global consolidated queues.

8. ***Marketing, Promotions, & Press***

Nomad shall work closely with Customer to determine a unified marketing and promotional program that increases community awareness of the service and maximizes its success.

The Pilot, including the rider app will be co-branded as “powered by Via”. The “powered by Via” banner must be used only in the exact format provided by Nomad, and will be prominent on all assets promoting the Pilot, including (but not limited to) printed collateral, digital materials, websites, and any vehicle wraps. The “powered by Via” banner will have equal prominence on all marketing materials to any additional partner logos or trademarks. Nomad may provide pre-approved brand assets and guidelines that must be complied with in all marketing communications distributed by the Customer.

All Customer-developed content that pertains to Via’s brand, technology, and operations must be reviewed and approved in writing (i.e. email) by Nomad before distribution. A minimum of five business days review time must be provided in advance to Nomad for its review.

Nomad shall provide marketing strategy for the Pilot, including the following activities and tactics:

- Develop a marketing plan to guide the overall strategy and tactics to drive Rider awareness, acquisition, and growth.
- Design key marketing collateral (print and digital).
- Design vehicle branding/graphics in coordination with the Customer.
- Create virality by providing an intuitive and frictionless referral program with customizable incentive structures that creates opportunities for Riders to become the service’s biggest ambassadors.
- Develop street marketing programs to effectively drive hyper-local awareness of the service.
- Manage digital marketing campaigns to build awareness and drive service adoption.
- Propose and implement in-app promotional programs to drive Rider activation, retention, growth.
- Customer shall assist with the execution of the marketing plan and promotion of the Platform to Riders, and will coordinate closely with Nomad in all respects, including the following activities:
- Develop a media relations plan to drive publicity for the service unique to this area, including a press release and kick-off event that is planned in conjunction with Nomad. All key project messaging used for public relations purposes is to be developed in collaboration with Nomad. Any media announcement on the Pilot will be made available for Nomad’s review and approval prior to the Launch Date.

- Implement community outreach plan by meeting with key organizations and community members ahead of Launch Date and throughout the duration of Pilot to educate, build awareness, and garner support for the service.
- Engage with local city leaders and politicians; request support in reaching out to their communities through their own communication channels.

9. Data Sharing & Reporting

Nomad will share data from the Pilot as set forth in Appendix 1 (the "Pilot Data").

The Pilot Data shall be made available in formatted numerical and graphical reports.

For the avoidance of doubt, the information above constitutes proprietary trade secrets of Nomad and Via, and shall be subject to the confidentiality obligations set forth in the Agreement.

10. Master Services Agreement

This Order shall be governed by the terms set forth in the Terms and Conditions of the Services Contract between Nomad Transit LLC and King County, Washington, with Customer replacing the "County" in all such references, subject to the following modifications:

- Customer agrees not to exercise its right to terminate for convenience in Section 9(a) during the term of the Pilot.
- The parties agree to add the following language: NEITHER PARTY WILL BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL, RELIANCE, OR PUNITIVE DAMAGES OR LOST OR IMPUTED PROFITS OR LOST DATA EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. OTHER THAN WITH RESPECT TO FEES PAID OR PAYABLE BY CUSTOMER UNDER THE AGREEMENTS, EACH PARTY'S TOTAL LIABILITY FOR ALL CLAIMS ARISING IN CONNECTION WITH THE AGREEMENT WILL BE LIMITED TO DIRECT DAMAGES IN AN AMOUNT EQUIVALENT TO THE FEES PAID OR PAYABLE TO NOMAD DURING THE TWELVE (12) MONTHS IMMEDIATELY PRECEDING ASSERTION OF THE CLAIM.
- The parties agree to disregard all references and requirements resulting from Washington state, Seattle, or King County law or regulation.
- The parties agree that this Order and the agreement between the parties shall be governed by the laws of the State of California, and venue for any disputes shall be Los Angeles, California.
- Nomad shall comply with all applicable requirements of California law in providing the Services.
- All references in the Terms and Conditions to the Washington Public Records Act shall be replaced with references to the California Public Records Act. The California Public

Records Act shall govern the Customer's obligations with respect to disclosure or potential disclosure of any documents or information.

- The insurance requirements set forth in Addendum 3 shall be replaced by the following, which will be provided in a COI naming Customer as an additional insured:
    - *Minimum limits*
        - *General Liability: $5,000,000.00 combined single limit per occurrence for bodily injury, personal injury and property damage, and for those policies with aggregate limits, a $10,000,000.00 aggregate limit. CG 00 01 current edition.*
        - *Auto liability of $1,000,000 per occurrence combined single limit*
        - *Cyber liability / Technology E&O $1,000,000 per claim or occurrence / aggregate*
        - *Umbrella/excess liability of $5,000,000*
        - *Fidelity / Crime Coverage with $1,000,000 limit*
        - *Workers Compensation as required by statute.*

VIA: NOMAD TRANSIT, LLC	**CUSTOMER: CITY OF MONTEREY PARK**
Authorized Signature	Authorized Signature
Printed Name	Printed Name
Title	Title
Date Signed	Date Signed

Appendix 1 to Service Order

Data Sharing

Authorized Users - Contract

The below exhibit sets forth the members of the Customer's "Core Team" who are designated authorized users of the Via Solution and Pilot Data. Any usage beyond the members of the Core Team would be in violation of the confidentiality provisions in the Terms.

Exhibit 1.

Core Team	
Title	Name
[Customer to fill out]	[Customer to fill out]

Data Sharing Plan - Appendix

As part of the service, Nomad will make below data available to members of the Customer's Core Team, for the purpose of performance tracking and program evaluation. The data to be shared will be available in the Via Operations Center and only available to members of the Core Team identified to require access. Underlying data may not be shared through any other method than Via Operations Center access. The data is considered trade secret by Via, and is subject to the confidentiality and other protective provisions set forth in the Terms.

To protect Via's intellectual property and the privacy of Riders, Nomad will provide the following data tables and dashboards in the form of aggregated Via Operations Center reports that will be provided for Customer's access. These reports will be refreshed daily. The reports are aggregated, de-identified and do not include any personal information of Riders.

Section A: STANDARD REPORTING SET	
Dashboard	**Data / Graphs provided**

Top Level Service Operations Metrics *Key service metrics filterable by time period*	• **Total ride requests**: the total number of attempts by riders to book a ride (or delivery) from an origin to a destination. • **Requests during service hours**: "Total ride requests" made during service hours. • **Met Demand**: the total number of Ride Requests that received a ride proposal. • **Met Demand Rate**: 'Met Demand' out of 'Total ride requests,' as a percentage. • **Completed rides**: the total number of riders (including additional passengers) successfully transported. • **Completed Rides Rate**: 'Completed Rides' out of 'Total ride requests,' as a percentage. • **Utilization**: the average number of passengers transported per vehicle per hour.
Service Operations Metrics Graphs *Graphs/visualization of key metrics by day, week, month, or specific days of the week*	• **Met Demand:** total number of Ride Requests broken out by met demand and rides unable to fulfill. • **Detailed Ride Requests Status**: A detailed breakdown of the outcome for each Ride Request (e.g., completed, cancelled, no show) • **Utilization:** the average number of passengers transported per hour by day
Rider Experience *Snapshot of quality of service and rider experience*	*Top Level Metrics* • **Average Ride Duration**: average time in minutes from pickup to dropoff (displayed for completed rides only). • **Average Ride Rating:** average ride rating provided by riders (out of 5 stars). • **Average Pickup Walking Distance:** walking distance from the origin requested by the rider to the actual pickup location assigned. • *Rider Experience Graphs (filterable by day, week, month)* • Average Ride Duration • Average Ride Distance • Average Ride Rating • Average Pickup Walking Distance
Data Generator: Ride Request Table	*Data Columns in Table* • Request Creation Date • Request Creation Time

Detailed table of every ride request made for the service	• Request ID • Request Status • Rider ID • Wheelchair Accessible • Number of Passengers • Origin Address • Origin Latitude • Origin Longitude • Destination Address • Destination Lat • Destination Lng • Ride Price • Ride Distance • Ride Duration (min)

Exhibit A
Invoice and Data Backup

CONFIDENTIAL

Invoice

Date

Nomad Transit, LLC **Invoice #**
Via Transportation, Inc.

114 Fifth Ave, Floor 17
New York, NY 10011
United States

Terms Net 15
Due Date
PO #
Billing Period

Bill To

City of Monterey Park
320 West Newmark Avenue
Monterey Park CA 91754

Description	Rate	Quantity	Amount
Total Vehicle Hours			

Total

Please make checks payable to:

[ ]
P.O. Box
7410493
Chicago,
IL 60674-
0493

Wire Instructions:

Bank of America, N.A.
222 Broadway,
New York, NY
10038 Wire
Routing # -
026009593
ACH Routing # -
021000322
Account # -
483065995955
Swift Code - BOFAUS3N

[Partner] - Vehicle Hours Support

Support for all invoicing shall be provided using the template below. The table shall include vehicle hours and corresponding vehicle ID per vehicle for each day of the month in which the deployment and such vehicle is in service. This template is standard and will contain the information shown: Sample Vehicle Hours Support File.

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: Public Hearing - 4A

TO: The Honorable Mayor and City Council

FROM: Director of Community Development

SUBJECT: Consideration and possible action to adopt regulations governing data centers within Saturn Park in accordance with Section 3(A) of Ordinance No. 2198 (adopted by voters as Measure JJ on November 3, 2020).

RECOMMENDATION:
It is recommended that the City Council consider:

1. Opening the public hearing and taking testimonial and documentary evidence;
2. After closing the public hearing and considering the evidence submitted during that public hearing:
    a. Adopting an Urgency Ordinance (Attachment 1) upon 4/5 vote pursuant to Government Code § 65858 amending Monterey Park Municipal Code ("MPMC") Chapter 21.14 to add regulations governing data centers in accordance with Section 3(A) of Ordinance No. 2198 (adopted by voters as Measure JJ on November 3, 2020);
    b. Introducing and waiving first reading of Ordinance No. _____ (ZCA-24-02) (Attachment 2) amending Monterey Park Municipal Code ("MPMC") Chapter 21.14 to add regulations governing data centers in accordance with Section 3(A) of Ordinance No. 2198 (adopted by voters as Measure JJ on November 3, 2020); and
    c. Adopting Resolution No. _____ (Attachment 3) adopting design guidelines for data centers in accordance with MPMC Chapter 21.14; and
3. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):
Pursuant to 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 City reviewed the environmental impacts of the proposed regulations. No additional environmental review is required for these regulations pursuant to CEQA Guidelines § 15060(c)(2), § 15378(b)(5) § 15301 § 15303 and § 15061(b)(3). These regulations are exempt from additional CEQA review because the regulations would amend existing zoning to govern data centers within Saturn Park in accordance with the voter enacted Land Use Element. This will not have a direct or reasonably foreseeable indirect physical change in the environment and does not qualify as a "project" under CEQA because it will not make physical changes to the environment. Additionally, the regulations are exempt from additional CEQA review under the

commonsense exemption that it will not affect the environment. Any future data center project applications will require separate environmental review as required by applicable law.

EXECUTIVE SUMMARY:

On October 2, 2024, the City Council considered the Saturn Park Advisory Review Committee's ("SPARC's") recommendation regarding potential future land uses as part of implementation of the Land Use and Urban Design Element ("LUE") to the General Plan. The City Council directed staff to draft amendments to MPMC Chapter 21.14 affecting properties within Saturn Park, including conducting research and developing regulations governing data centers to address concerns related to energy, water, air quality, noise and building design.

ZCA-24-02 proposes regulations for data centers within Saturn Park which implement the LUE. As a separate document, design guidelines for data centers are included for City Council consideration.

BACKGROUND:

TYPE OF ACTION: LEGISLATIVE

Decision-Making Body: Pursuant to MPMC § 2.56.020(c), the City Council is the City's Planning Agency for this matter. In considering the recommended actions, the City Council acts in its discretionary legislative capacity (formulating rules that apply to all future cases).

For the proposed Zoning Ordinance Text Amendment, the City Council must make the findings in MPMC § 21.38.050:

- That the proposed text amendment is consistent with the goals, policies, and objectives of the General Plan;
- That the proposed text amendment will not adversely affect surrounding properties; and
- That the proposed text amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC's zoning regulations.

These findings are included in the draft ordinances; the facts upon which these findings rely are also included with the draft documents.

EXISTING DATA CENTER REGULATIONS

The current regulations within MPMC Chapter 21.14 were enacted by the voters in 1998 and are generally identified as "Office Professional" or "O-P." To avoid confusion with other zoning regulations that were adopted by the City Council in 2013, the regulations affecting Saturn Park were designated as "O-P (Voter Enacted)."

The City is currently processing an application for a “data center” at 1977 Saturn. One of the City Council’s topics of discussion – which was also discussed by the SPARC – is the public interest in regulating data centers within Saturn Park. While the proposed use at 1977 Saturn was classified as a “data processing facility,” voters in 1998 could not have contemplated a “data center” use.

CURRENT AND PROPOSED DEFINITIONS

The MPMC does not current define a data center; data processing facilities are defined as

> “a building, dedicated space within a building, or group of buildings primarily used for the processing, storage, and management of electronic data on less than an acre of land. This type of facility typically involves activities such as data entry, storage, conversion, and analysis for onsite use.”

Should the proposed regulations be adopted, the MPMC would be amended to include the following definition of a “data center”:

> “a building, dedicated space within a building, or group of structures located on one or more acres of land used to house a large group of networked computer systems used for data storage and processing for off-site users, to be used for the remote storage, processing, or distribution of large amounts of data. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, back-up batteries, fire suppression systems, enhanced security features, and other associated utility infrastructure to support operations. This definition does not apply to smaller data processing facilities that are located on less than one acre of land and where such facilities are accessory or incidental to another primary use.”

This definition more accurately describes the data centers utilized nationwide for cloud storage; data transmissions; and other internet related activities. It also reflects the resource intense nature of such land uses.

PROPOSED REGULATIONS

The proposed regulations would help mitigate the impact of data centers on both surrounding land uses and on environmental resources. These efforts are reflected in:

- Aesthetics – the proposed design guidelines would craft data center buildings that are more than a box with wires. Such structures should help enhance the Saturn Park community and its surroundings with attractive architectural.

- Leadership in Energy and Environmental Design (“LEED®”) certified building designs for sustainable construction – this will help alleviate the impact of data

centers on energy, water, and other resources. The intent is to encourage use of renewable resources and reduce electrical use.

- Public benefits – the regulations would require data centers to execute a development agreement with the City to ensure that the community benefits from the presence of these land uses. Because data centers do not "sell" anything, they are not generally a significant source of tax revenue (other than limited property taxes). A development agreement will help not only protect the investment of data center developers but also provide a vehicle by which benefits may flow to the City.

- Green technology – among other things, data center would be required to provide onsite electric vehicle charging stations. Additionally, such uses must ensure that noise emanating from generators, etc., are reduced to the extent practicable.

LEGAL NOTIFICATION:

The legal notice of this hearing was posted at City Hall, Monterey Park Bruggemeyer Library, and Langley Center and published in Monterey Park Press on October 24, 2024, with affidavits of posting on file.

2024-25 STRATEGIC PLAN GOAL:

The proposed code amendments meet the 2024-25 Strategic Plan Goal to "Strengthen our local economy and enhance housing opportunities" by providing a framework from which data centers will be allowed to be built in a sustainable way that will create benefits to the community.

FISCAL IMPACT:

There are no identifiable fiscal impacts associated with adopting the Ordinance itself (other than costs associated with codifying the Ordinance).

Respectfully submitted and prepared by:

J. Serrano

Jessica Serrano
Director of Community Development

Approved by:

Inez Alvarez
City Manager

Reviewed by:

Karl H. Berger
City Attorney

ATTACHMENTS:

1. Urgency Ordinance No. ____ amending the Monterey Park Municipal Code
2. Regular Ordinance No. ____ amending the Monterey Park Municipal Code
3. Resolution No. ____ adopting design standards that apply to data center developments
4. Data Center Research:
    a. County of Fairfax, Virginia – *Data Centers Report and Recommendations*, dated January 9, 2024
    b. Article – *As Data Centers Zap Power, Some Pols Ponder The Unthinkable: Pulling The Plug*, dated October 9, 2024
    c. Article – Recommendations for Proposed Zoning Ordinance Amendment for Data Center Impacts in Fairfax County, dated May 20, 2024
5. Notice of Determination

ATTACHMENT 1

Urgency Ordinance No. ____ amending the Monterey Park Municipal Code

ORDINANCE NO.

AN URGENCY ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTER 21.14 (ZCA-24-02) TO AMEND REGULATIONS GOVERNING DATA PROCESSING FACILITIES IN ACCORDANCE WITH SECTION 3(A) OF ORDINANCE NO. 2198 (ADOPTED BY VOTERS AS MEASURE JJ ON NOVEMBER 3, 2020).

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

SECTION 1: The City Council finds and declares that:

A. This Ordinance is adopted pursuant to the voters' directives in Ordinance No. 2198, as adopted November 3, 2020 via Measure JJ.

B. Based upon recommendations of the Saturn Park Advisory Review Commission ("SPARC"), the City Council will be considering expansion of uses within Saturn Park.

C. As a preliminary matter, however, the City Council finds that there is a current interest by developers to construct "data centers" within Saturn Park. A review of the Monterey Park Municipal Code ("MPMC") confirms that the "data center" land use is not considered as part of the current zoning regulations. While a "data processing facility" is listed as an allowed land use within Saturn Park, that term is not defined. Additionally, since this term was added to the MPMC in 1998, it was well before the concept internet commerce emerged as the "new economy"; the term did not encompass the scope of uses contemplated by contemporary data center developers.

D. It is plain that data centers – as they have developed in the 25 years since the Saturn Park regulations were first added to the MPMC – are energy hungry land uses that are generally aesthetically displeasing and provide few public benefits. Current data show that, overall, buildings consume 74% of all electricity in the United States.

E. Goal 2 of the City's Environmental Justice Element provides that "Community health and the reduction of exposure to environmental pollutants is a priority and part of all planning and policy practices." Additionally, Goal 3.1 provides that the City should "[m]aximize the use of the City's existing open space network and recreation facilities by enhancing those facilities and providing connections, particularly from disadvantaged neighborhoods."

F. These Goals and Policies reflect the City Council's overall intent to provide for a cleaner, greener, and more enjoyable community both for our current

residents and for future generations.

G. Requiring data centers to adhere with green building principles is a form of climate action that minimizes greenhouse gas emissions, relies on energy efficiency and renewable resources, conserves water, optimizes material use, provides healthy and biodiverse environments, and bolsters an equitable society.

H. Third party rating systems characterize the lifecycle considerations for green buildings. These programs can offer credibility, transparency, and consistency to project teams in pursuit of an elevated and well-defined performance standards for data centers.

I. It is in the public interest to update the MPMC as to data centers while also considering additional uses for Saturn Park as contemplated by Measure JJ, SPARC, and the City Council.

J. Without the enactment of this Ordinance, the voter's vision for revitalizing Saturn Park via Measure JJ would be thwarted: anticipated applications for land uses currently allowed by MPMC Chapter 21.14, if approved, would lock in certain types of land uses for the foreseeable future.

K. The City Council determines that the MPMC requires updating to protect the public against health, safety, and welfare dangers that may result from allowing applicants for data centers to rely upon outdated land use regulations.

L. The City Council finds that that this Ordinance is necessary in order to protect the City from the potential effects and impacts of outdated land uses and the accompanying impacts from traffic and commerce on City streets, impacts on parking availability in the business areas of the City, the aesthetic impacts to the City, and other similar or related effects on property values and the quality of life in the City's neighborhoods.

M. Based on the foregoing, and, in accordance with Government Code §§ 36934 and 36937(b) and the City's police powers, the City Council finds that that this Ordinance should be adopted on an urgency basis to preserve public peace, health, safety and welfare.

SECTION 2: Pursuant to MPMC § 21.38.050, the City Council finds as follows:

A. Land Use and Urban Design Element: This Ordinance complies with Policy 4.2 (Sustainable Practices); Policy 4.3 (Environmental Burden); Policy 4.4 (Freeway Buffer Greening); Policy 4.5 (New Development); Policy 4.6 (Active Transportation); Policy 11.1 (Privacy); Policy 12.1

(Compatibility); Policy 12.2 (Comprehensive Design); and Policies 25.1, 25.2, and 25.3 (specific as to Saturn Park).

B. Environmental Justice Element: This Ordinance complies with Policy No. 2.1 (limiting environmental pollution); Policy 2.2 (promote enhanced health outcomes and improved quality of life); and Policy 3.2 (work with local business community to expand green space programs).

C. These regulations will not adversely affect surrounding properties. Such regulations will operate citywide and will not affect a change in the use or the intensity of use of property in any zone.

SECTION 3: *Environmental Review.* The City Council finds and determines that this ordinance is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq*.; "CEQA") for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance, by itself, does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).

SECTION 4: *Renaming of Zone; Amendment of Zoning Map; Amendment of MPMC § 21.02.210*. All references to "O-P—OFFICE PROFESSIONAL ZONE (VOTER ENACTED)" within the MPMC are amended to read "S-P – SATURN PARK INNOVATION/TECHNOLOGY ZONE." All references to the "O-P zone" within MPMC Chapter 21.14 are amended to read "S-P zone." The reference to the "McCaslin Business Park (O-P Voter Enacted)" in the Zoning Map is amended to read "Saturn Park Innovation/Technology Zone." MPMC § 21.02.210(B) is amended to add the "Saturn Park Innovation/Technology Zone" to the table of Zone Designations.

SECTION 4: MPMC Chapter 21.14 is amended to read as follows:

"Chapter 21.14

S-P – SATURN PARK INNOVATION/TECHNOLOGY ZONE

21.14.010. **Purpose**.

In order to provide for the development of innovation and technology uses that exhibit a diversity of business activity from both revenue and service quality standpoints, and which are compatible and responsive to abutting land uses, including residential developments, the following regulations apply to all properties classified in the S-P zone.

21.14.020. **Definitions**.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter:

“Data center” means a building, dedicated space within a building, or group of structures located on one or more acres of land used to house a large group of networked computer systems used for data storage and processing for off-site users, to be used for the remote storage, processing, or distribution of large amounts of data. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, back-up batteries, fire suppression systems, enhanced security features, and other associated utility infrastructure to support operations. This definition does not apply to smaller data processing facilities that are located on less than one acre of land and where such facilities are accessory or incidental to another primary use.

“Data processing facility” means a building, dedicated space within a building, or group of buildings primarily used for the processing, storage, and management of electronic data on less than an acre of land. This type of facility typically involves activities such as data entry, storage, conversion, and analysis for onsite use.

“Director” means the City Manager or designee. Unless otherwise designated by the City Manager, the Community Development Director is the Director.

“Green Building Rating System” means an assessment tool, created and managed by LLED, a reputable organization in good standing and recognized by the building industry as meeting the standard of care, that includes the following general characteristics, at a minimum:

A. Holistic approach to program requirements, with established and comprehensive sustainability metrics for measuring performance in a range of impact areas, such as energy; environmental justice; human and environmental health; integrative process; materials; site and surrounds; and water;

B. Independent third-party verification;

C. Mechanism for consistent evaluation and communication of achievement or levels of achievement;

D. Standardized processes for project data tracking and project team support; and

E. Commitment to continuous improvement with clearly delineated and transparent methods for program updates.

“Green Business Certification Inc.” or “GBCI” is the global certification body for the LEED green building program and other sustainability rating systems, as well as the administrator of related professional credentials. (www.gcbi.org)

“Leadership in Energy and Environmental Design” or “LEED®” is an internationally recognized and third-party verified green building rating system developed by the U.S. Green Building Council. (www.usgbc.org/leed)

21.14.030. **Permitted Uses**.

It is unlawful for any person to use, nor may any property owner permit the use of any lot classified in any S-P zone for any use, other than the following as set out in this chapter.

21.14.040. **Prohibited Uses**.

All uses not permitted in this chapter are prohibited.

21.14.050. **Principal Uses**.

The principal uses are permitted as follows:

Administrative and professional offices; beauty salon or barber shop; bookstore;

Cellular phone, telephone and pager store; coffee shop;

Computer store, sales and service; confectionary shop;

Data processing facility;

Delicatessen;

Employment agency;

Financial institutions’ corporate offices, no retail banking;

General research facility, not involving testing, manufacturing, fabrication or processing or sale of products, nor the use of a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U.F.C. Standard 79-3 or succeeding standard;

Gift shop;

Ice cream parlor;

Import and export offices;

Investment service offices, stock brokers; Jewelry store, sales and service;

Legal offices;

Mailbox and service store;

Medical equipment and supplies, sales and service; notary public;

Photocopying and blueprinting; public utility customer service office;

Real estate offices and title companies; restaurant, tearoom and café;

Service businesses;

Stationery;

Studio, art, dance, martial arts, photography; tax consulting;

Tobacco store;

Travel agency;

Video sales and rentals.

21.14.060. **Conditional uses**.
Conditional uses are uses specifically enumerated in this chapter.

21.14.070. **Standards of Development Generally**.

All premises in the S-P zone must comply with the following standards of development as set out in this chapter and as may be adopted by city council resolution.

21.14.080. **Lots**.

A. Lot Area. The minimum lot building on the S-P zone area of each lot is 5,000 square feet.

B. Lot Width. The minimum width of each lot is 50 feet.

C. Lot Depth. The minimum depth of each lot is 100 feet.

21.14.090. **Yards**.

The following minimum yards are required on all lots:

A. Front Yard. No minimum front yard is required.

B. Side and Rear Yards. Every lot must have and maintain minimum side and rear yards as follows:

1. When the side yard is adjacent to a street, the yard must be at least 15 feet in depth.

2. When adjacent to an R-zone, the yard must be not less than 50 feet, plus five feet in depth for each story above one story of building or each 10 foot increment above 15 feet in height of

building on the S-P zoned lot. Where there is an opening, including, without limitation, windows, pedestrian doors and roll-up doors, in any facing a yard adjacent to an R-zone, the yard must be not less than 100 feet from any opening to minimum width of the R zoned lot. The yard may be used for parking, excepting a minimum 15 foot wide area abutting the R zone which must be landscaped and maintained in such a condition so as not to violate this code. The required landscaping must also conform to the standards set forth in Section 21.14.150.

3. When the S-P zoned lot is separated from an R zone by an alley, a rear yard setback of 40 feet must be provided, as measured from the centerline of the alley. A minimum three-foot wide landscaped planter must be installed and maintained along the alley, excepting at any vehicular access driveway.

4. When adjacent to a non-residential zone, commercially-zoned or M zoned lot, no yard is required.

21.14.100. **Building Height**.

No building or structure exceeding 40 feet or three stories may be located on any lot. Buildings or structures exceeding the height limits may be permitted upon approval of a conditional use permit.

21.14.110. **Floor Area Ratio (FAR)**.

The floor area ratio may not exceed 0.5 when the lot is less than 10,000 square feet in area. When the lot is between 10,000 and 20,000 square feet in area, the floor area ratio may not exceed 0.65. When the lot is more than 20,000 square feet in area, the floor area ratio may not exceed 0.8. The floor area ratio may be increased to a maximum of 1.0 for all lots, upon approval of a conditional use permit.

21.14.120. **Off-Street Parking and Loading**.

Each S-P zoned lot must have and maintain off-street parking and loading facilities as required by this title.

21.14.130. **Required Walls**.

Except as otherwise provided in this chapter the following standards apply:

A. Where any part of the front yard or street side yard of an S-P zoned lot is used for parking or loading, a masonry wall compatible in color with the commercial building and/or sight- obscuring hedge a minimum of three

feet in height must be erected and maintained within a landscaped area a minimum of three feet in width adjacent to the sidewalk at the front or side yard property line as required by this title.

B. When any S-P zoned lot has a common side or rear lot line with any R zoned property, a six-foot solid decorative masonry or concrete block wall compatible in color with the commercial building must be constructed and maintained along all such common side or rear lot lines. Where an easement exists, abutting the common property line, the decorative wall may be constructed along the boundary of the easement on the commercial lot. A minimum three-foot wide landscaped planter with automatic irrigation system must be placed adjacent to the wall, planted with trees, shrubs, ground cover and vines. Where a parking lot on the S-P zoned lot abuts a R zoned lot, the additional parking lot landscaping requirements of this chapter apply.

21.14.140. **Trash Facilities**.

Each S-P zoned lot must provide facilities for the storage and collection of trash as follows:

A. Any outdoor trash facility must be enclosed by a minimum five-foot high solid masonry, brick or concrete wall except for the access way which must be enclosed with solid decorative gates of the same height.

A. Location and size are subject to approval by the Director. When any S-P zoned lot has a common property line with a R zoned lot, no trash facility may be located within the required building setback.

B. Open vehicular and pedestrian access to and from such trash facility must be provided. No parking spaces may block such access to the trash facility.

C. Trash facilities must be maintained in a closed manner at all times to prohibit visibility from public rights-of-way or adjacent property.

21.14.150. **Buffering and Maintenance of Landscaping and Easements**.

A. For S-P zoned lots with side or rear yards that are adjacent to an R zoned lot, the following buffering provisions must be provided and maintained:

1. Landscaping, irrigation and maintenance plans are required and the plans are subject to approval of the planning agency. The plans must incorporate, without limitation, 15 gallon minimum trees at time of planting, interspersed shrubs, ground cover, raised earthen

berms and automatic sprinkler systems. The City may require the maintenance plan to include a bona fide service agreement with a City licensed landscaping service business. Maintaining an active service agreement on file with the Director is the responsibility of the owner of the subject property or authorized agent.

2. All landscaped areas and easements must be maintained in good condition, weed and disease free, and in compliance with this code.

21.14.160. **Compressors, Air-Conditioning Units or Similar Mechanical Equipment**.

Each S-P zoned lot which has compressors, air-conditioning units or similar mechanical equipment, located on the roof and outside of the exterior walls of any building or structure, must comply with the following:

A. All such equipment must be installed with permanent sound proofing measures, including, without limitation, enclosures, parapet and sound attenuating walls and screens. All such equipment must comply with noise standards set forth in this code. The location, type and scope of soundproofing measures for such equipment are subject to the approval of the Director.

B. All such equipment must be maintained in a clean and proper condition to prevent collection of litter and filth, emissions of dust or fumes, vibration or electrical disturbances.

21.14.170. **Lighting**.

All outdoor lighting must be located and shielded so as to prevent the direct spillage of light or glare onto adjacent lots and streets.

21.14.180. **Site Development Plan Approval**.

Site development plans must be approved by the Director in accordance with this code before the Building Official issues a building permit.

21.14.190. **Limitations on Permitted Uses**.

Every use permitted in the S-P zone must comply with the following:

A. All uses must be conducted totally within a completely enclosed building, except for those uses which are customarily conducted in the open. Those uses conducted in the open may not be closer than 100 feet to any R zoned lot, except for parking.

B. No outdoor storage is allowed unless the same is enclosed by a view-obscuring fence or wall, provided that no stored material is visible above the fence or wall, that the fence or wall is approved by the Director and that such storage is limited to the accessory storage of items sold or utilized in the conduct of a permitted use on the premises. Where the S-P zoned lot is adjacent to a R zoned lot, no outdoor storage is permitted within 100 feet of a R zoned lot.

C. No loading and unloading is permitted in any required side or rear yard.

D. Where the S-P zoned lot is adjacent to a R zoned lot, no deliveries of goods and commodities nor loading or unloading shall be conducted during the hours from 10:00 p.m. to 7:00 a.m.

E. Overnight parking of vehicles is prohibited, except those vehicles used in conjunction with a permitted use.

F. Driveways cannot exceed 30 feet in width or 60% of the lot frontage.

G. No use is permitted which produces or causes or emits any dust, gas, smoke, glare, noise, fumes, odors, electromagnetic emanations or vibrations which are or may be detrimental to the health, safety, welfare and peace of the City and its residents and businesses.

H. No use is permitted which uses or stores a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U.F.C. Standard 79-3 or succeeding standard. A business materials usage and operations form must be filed with the Public Works Director before the Building Official issues a certificate of occupancy.

I. No person may, at any location within the S-P zone, create nor allow the creation of noise which causes the noise level to exceed the applicable noise standards set forth in this code. Where the S-P zoned lot is adjacent to an R zoned lot, the noise level at the property line of the R zoned lot may not exceed the allowable noise level for residential properties.

21.14.200. **Conditional Uses**.

Auditorium, not within 300 feet of an R zone

Buildings exceeding height limit

Business college (office or medical, dental)

Child care center, not within 300 feet of an R zone

Commercial office or service units which are shared by more than 1 independently owned business enterprise

Commercial developments of 5 or more units or with an area of more than 1 acre, and within 300 feet of a R-zone

Financial institution (retail banking)

Floor area ratio not to exceed 1.0

Government or public facility, except those owned or operated by the City of Monterey Park

Gymnasium, reducing salon and health center

Hotel

Lot size over 1 acre

Places of entertainment, except as otherwise provided in this title.

21.14.210. Data Centers – Development Agreement Required - Requirements

A. Data centers are permitted only with a development agreement in accordance with Chapter 21.44 of this code.

B. For new buildings, modifications to existing buildings, and/or additions to existing structures greater than 25,000 square feet in building area or located on sites greater than 30,000 square feet in land area, projects must comply with the following:

1. Primary and secondary facades. Buildings must have identifiable primary and secondary facades. Public-facing facades must have dimensions, use mixed materials, and provide identification for the facility through the placement and design of entrances, lighting, canopies, artwork, signage, and other special features. Screening and enclosures must be installed to disguise outside mechanical equipment and storage. Rooftop equipment, stairwells, and features must be designed as integral to the building and enhance the form of the site. Ventilation and air-handling equipment must be screened from view with materials designed to attenuate noise.

2. Pedestrian access. Sites must be designed and constructed in a pedestrian friendly manner. The design must be harmonious with the surrounding built and natural environments and identifiable with the site's location. Pedestrian walkways must be considered before designing vehicle driveways and parking areas for the safety and enjoyment of pedestrians.

3. Landscape. Landscaping must be harmonious with off-site and

streetscape landscaping. Where adjacent properties contain residential or other noise-sensitive uses, a minimum 15-foot-wide landscaped buffer must be placed along the property line in addition to any required boundary masonry block wall or fence.

4. Parking. Minimum parking requirement for data center uses is one parking space per 250 square feet of office/meeting/technician workspace, plus one parking space per each 5,000 square feet of floor area or fraction thereof, devoted to computer equipment space.

5. Noise Study. A noise study must be conducted by a third-party acoustic engineer to document baseline sound levels and include expected maximum noise output with all mechanical, electrical, and any other noise generating equipment operating simultaneously at full operational load.

C. In addition to any other public benefits provided in a development agreement, data center projects must provide the following public benefits:

1. Rating requirement. Applicants must submit documentation demonstrating achievement of LEED “Gold” certification by GBCI.

2. Indoor water use reduction. Applicants must submit documentation verifying that a project meets maximum prescriptive fixture flow rates in accordance with the California Plumbing Code. The project must also achieve the LEED WE Prerequisite Indoor Water Use Reduction (WEp2) and a minimum 30 percent reduction in the use of indoor potable water, as calculated to meet the LEED WE credit Indoor Water Use Reduction (WEc2).

3. Construction waste management. Applicants must submit documentation verifying the diversion of a minimum 75 percent of the project’s construction and demolition waste, as calculated to meet LEED MR Prerequisite Construction and Demolition Waste Management Planning and LEED MR Credit Construction and Demolition Waste Management.

4. Monitoring. Applicants must submit documentation verifying that a project will meet the criteria necessary to achieve California Building Code and Option 1 of LEED EA credit (Enhanced Commissioning), in addition to LEED EA Prerequisite (Fundamental Commissioning) and Verification.

5. Light pollution reduction. Meet LEED SS Credit Light Pollution

Reduction.

6. Prohibitions. CFCs and halons are not allowed in HVAC, refrigeration and fire suppression equipment. Meet LEED EA Credit Enhanced Refrigerant Management, and additionally document that all HVAC refrigeration, and fire suppression systems do not contain CFCs or halons.

7. Electric vehicle charging. In addition to meeting the requirements of the Title 15 of this code, applicant will provide an additional 10% electric vehicle charging stations.

8. Such additional design standards that may be adopted by city council resolution."

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*. Based on the findings in Section 1, this urgency ordinance is adopted by a four-fifths vote for the immediate preservation of the public peace, health, safety and welfare and becomes effective immediately pursuant to Government Code § 36937(b).

PASSED AND ADOPTED this ____ day of _____, 2024.

_____
Thomas Wong, Mayor

ATTEST:

_____
Maychelle Yee, City Clerk

APPROVED AS TO FORM:



_____
Karl H. Berger, City Attorney

ATTACHMENT 2

Regular Ordinance No. ____ amending the Monterey Park Municipal Code

ORDINANCE NO.

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTER 21.14 (ZCA-24-02) TO AMEND REGULATIONS GOVERNING DATA PROCESSING FACILITIES IN ACCORDANCE WITH SECTION 3(A) OF ORDINANCE NO. 2198 (ADOPTED BY VOTERS AS MEASURE JJ ON NOVEMBER 3, 2020).

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

SECTION 1: The City Council finds and declares that:

A. This Ordinance is adopted pursuant to the voters' directives in Ordinance No. 2198, as adopted November 3, 2020 via Measure JJ.

B. Based upon recommendations of the Saturn Park Advisory Review Commission ("SPARC"), the City Council will be considering expansion of uses within Saturn Park.

C. As a preliminary matter, however, the City Council finds that there is a current interest by developers to construct "data centers" within Saturn Park. A review of the Monterey Park Municipal Code ("MPMC") confirms that the "data center" land use is not considered as part of the current zoning regulations. While a "data processing facility" is listed as an allowed land use within Saturn Park, that term is not defined. Additionally, since this term was added to the MPMC in 1998, it was well before the concept internet commerce emerged as the "new economy"; the term did not encompass the scope of uses contemplated by contemporary data center developers.

D. It is plain that data centers – as they have developed in the 25 years since the Saturn Park regulations were first added to the MPMC – are energy hungry land uses that are generally aesthetically displeasing and provide few public benefits. Current data show that, overall, buildings consume 74% of all electricity in the United States.

E. Goal 2 of the City's Environmental Justice Element provides that "Community health and the reduction of exposure to environmental pollutants is a priority and part of all planning and policy practices." Additionally, Goal 3.1 provides that the City should "[m]aximize the use of the City's existing open space network and recreation facilities by enhancing those facilities and providing connections, particularly from disadvantaged neighborhoods."

F. These Goals and Policies reflect the City Council's overall intent to provide for a cleaner, greener, and more enjoyable community both for our current

residents and for future generations.

G. Requiring data centers to adhere with green building principles is a form of climate action that minimizes greenhouse gas emissions, relies on energy efficiency and renewable resources, conserves water, optimizes material use, provides healthy and biodiverse environments, and bolsters an equitable society.

H. Third party rating systems characterize the lifecycle considerations for green buildings. These programs can offer credibility, transparency, and consistency to project teams in pursuit of an elevated and well-defined performance standards for data centers.

I. It is in the public interest to update the MPMC as to data centers while also considering additional uses for Saturn Park as contemplated by Measure JJ, SPARC, and the City Council.

SECTION 2: Pursuant to MPMC § 21.38.050, the City Council finds as follows:

A. Land Use and Urban Design Element: This Ordinance complies with Policy 4.2 (Sustainable Practices); Policy 4.3 (Environmental Burden); Policy 4.4 (Freeway Buffer Greening); Policy 4.5 (New Development); Policy 4.6 (Active Transportation); Policy 11.1 (Privacy); Policy 12.1 (Compatibility); Policy 12.2 (Comprehensive Design); and Policies 25.1, 25.2, and 25.3 (specific as to Saturn Park).

B. Environmental Justice Element: This Ordinance complies with Policy No. 2.1 (limiting environmental pollution); Policy 2.2 (promote enhanced health outcomes and improved quality of life); and Policy 3.2 (work with local business community to expand green space programs).

C. These regulations will not adversely affect surrounding properties. Such regulations will operate citywide and will not affect a change in the use or the intensity of use of property in any zone.

SECTION 3: *Environmental Review.* The City Council finds and determines that this ordinance is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq*.; "CEQA") for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2); (2) there is no possibility that the ordinance may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3); and (3) the ordinance, by itself, does not constitute a "project" as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).

SECTION 4: *Renaming of Zone; Amendment of Zoning Map; Amendment of MPMC §*

21.02.210. All references to "O-P—OFFICE PROFESSIONAL ZONE (VOTER ENACTED)" within the MPMC are amended to read "S-P – SATURN PARK INNOVATION/TECHNOLOGY ZONE." All references to the "O-P zone" within MPMC Chapter 21.14 are amended to read "S-P zone." The reference to the "McCaslin Business Park (O-P Voter Enacted)" in the Zoning Map is amended to read "Saturn Park Innovation/Technology Zone." MPMC § 21.02.210(B) is amended to add the "Saturn Park Innovation/Technology Zone" to the table of Zone Designations.

SECTION 4: MPMC Chapter 21.14 is amended to read as follows:

"Chapter 21.14

S-P – SATURN PARK INNOVATION/TECHNOLOGY ZONE

21.14.010. **Purpose**.

In order to provide for the development of innovation and technology uses that exhibit a diversity of business activity from both revenue and service quality standpoints, and which are compatible and responsive to abutting land uses, including residential developments, the following regulations apply to all properties classified in the S-P zone.

21.14.020. **Definitions**.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter:

"Data center" means a building, dedicated space within a building, or group of structures located on one or more acres of land used to house a large group of networked computer systems used for data storage and processing for off-site users, to be used for the remote storage, processing, or distribution of large amounts of data. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, back-up batteries, fire suppression systems, enhanced security features, and other associated utility infrastructure to support operations. This definition does not apply to smaller data processing facilities that are located on less than one acre of land and where such facilities are accessory or incidental to another primary use.

"Data processing facility" means a building, dedicated space within a building, or group of buildings primarily used for the processing, storage, and management of electronic data on less than an acre of land. This type of facility typically involves activities such as data entry, storage, conversion, and analysis for onsite use.

"Director" means the City Manager or designee. Unless otherwise designated by the City Manager, the Community Development Director is the Director.

“Green Building Rating System” means an assessment tool, created and managed by LLED, a reputable organization in good standing and recognized by the building industry as meeting the standard of care, that includes the following general characteristics, at a minimum:

A. Holistic approach to program requirements, with established and comprehensive sustainability metrics for measuring performance in a range of impact areas, such as energy; environmental justice; human and environmental health; integrative process; materials; site and surrounds; and water;

B. Independent third-party verification;

C. Mechanism for consistent evaluation and communication of achievement or levels of achievement;

D. Standardized processes for project data tracking and project team support; and

E. Commitment to continuous improvement with clearly delineated and transparent methods for program updates.

“Green Business Certification Inc.” or “GBCI” is the global certification body for the LEED green building program and other sustainability rating systems, as well as the administrator of related professional credentials. (www.gcbi.org)

“Leadership in Energy and Environmental Design” or “LEED®” is an internationally recognized and third-party verified green building rating system developed by the U.S. Green Building Council. (www.usgbc.org/leed)

21.14.030. **Permitted Uses**.

It is unlawful for any person to use, nor may any property owner permit the use of any lot classified in any S-P zone for any use, other than the following as set out in this chapter.

21.14.040. **Prohibited Uses**.

All uses not permitted in this chapter are prohibited.

21.14.050. **Principal Uses**.

The principal uses are permitted as follows:

Administrative and professional offices; beauty salon or barber shop; bookstore;

Cellular phone, telephone and pager store; coffee shop;

Computer store, sales and service; confectionary shop;

Data processing facility;

Delicatessen;

Employment agency;

Financial institutions' corporate offices, no retail banking;

General research facility, not involving testing, manufacturing, fabrication or processing or sale of products, nor the use of a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U.F.C. Standard 79-3 or succeeding standard;

Gift shop;

Ice cream parlor;

Import and export offices;

Investment service offices, stock brokers; Jewelry store, sales and service;

Legal offices;

Mailbox and service store;

Medical equipment and supplies, sales and service; notary public;

Photocopying and blueprinting; public utility customer service office;

Real estate offices and title companies; restaurant, tearoom and café;

Service businesses;

Stationery;

Studio, art, dance, martial arts, photography; tax consulting;

Tobacco store;

Travel agency;

Video sales and rentals.

21.14.060. **Conditional uses**.
Conditional uses are uses specifically enumerated in this chapter.

21.14.070. **Standards of Development Generally**.

All premises in the S-P zone must comply with the following standards of development as set out in this chapter and as may be adopted by city council resolution.

21.14.080. **Lots**.

A. Lot Area. The minimum lot building on the S-P zone area of each lot is 5,000 square feet.

B. Lot Width. The minimum width of each lot is 50 feet.

C. Lot Depth. The minimum depth of each lot is 100 feet.

21.14.090. **Yards**.

The following minimum yards are required on all lots:

A. Front Yard. No minimum front yard is required.

B. Side and Rear Yards. Every lot must have and maintain minimum side and rear yards as follows:

1. When the side yard is adjacent to a street, the yard must be at least 15 feet in depth.

2. When adjacent to an R-zone, the yard must be not less than 50 feet, plus five feet in depth for each story above one story of building or each 10 foot increment above 15 feet in height of building on the S-P zoned lot. Where there is an opening, including, without limitation, windows, pedestrian doors and roll-up doors, in any facing a yard adjacent to an R-zone, the yard must be not less than 100 feet from any opening to minimum width of the R zoned lot. The yard may be used for parking, excepting a minimum 15 foot wide area abutting the R zone which must be landscaped and maintained in such a condition so as not to violate this code. The required landscaping must also conform to the standards set forth in Section 21.14.150.

3. When the S-P zoned lot is separated from an R zone by an alley, a rear yard setback of 40 feet must be provided, as measured from the centerline of the alley. A minimum three-foot wide landscaped planter must be installed and maintained along the alley, excepting at any vehicular access driveway.

4. When adjacent to a non-residential zone, commercially-zoned or M zoned lot, no yard is required.

21.14.100. **Building Height**.

No building or structure exceeding 40 feet or three stories may be located on any lot.

Buildings or structures exceeding the height limits may be permitted upon approval of a conditional use permit.

21.14.110. **Floor Area Ratio (FAR)**.

The floor area ratio may not exceed 0.5 when the lot is less than 10,000 square feet in area. When the lot is between 10,000 and 20,000 square feet in area, the floor area ratio may not exceed 0.65. When the lot is more than 20,000 square feet in area, the floor area ratio may not exceed 0.8. The floor area ratio may be increased to a maximum of 1.0 for all lots, upon approval of a conditional use permit.

21.14.120. **Off-Street Parking and Loading**.

Each S-P zoned lot must have and maintain off-street parking and loading facilities as required by this title.

21.14.130. **Required Walls**.

Except as otherwise provided in this chapter the following standards apply:

A. Where any part of the front yard or street side yard of an S-P zoned lot is used for parking or loading, a masonry wall compatible in color with the commercial building and/or sight- obscuring hedge a minimum of three feet in height must be erected and maintained within a landscaped area a minimum of three feet in width adjacent to the sidewalk at the front or side yard property line as required by this title.

B. When any S-P zoned lot has a common side or rear lot line with any R zoned property, a six-foot solid decorative masonry or concrete block wall compatible in color with the commercial building must be constructed and maintained along all such common side or rear lot lines. Where an easement exists, abutting the common property line, the decorative wall may be constructed along the boundary of the easement on the commercial lot. A minimum three-foot wide landscaped planter with automatic irrigation system must be placed adjacent to the wall, planted with trees, shrubs, ground cover and vines. Where a parking lot on the S-P zoned lot abuts a R zoned lot, the additional parking lot landscaping requirements of this chapter apply.

21.14.140. **Trash Facilities**.

Each S-P zoned lot must provide facilities for the storage and collection of trash as follows:

A. Any outdoor trash facility must be enclosed by a minimum five-foot high

solid masonry, brick or concrete wall except for the access way which must be enclosed with solid decorative gates of the same height.

A. Location and size are subject to approval by the Director. When any S-P zoned lot has a common property line with a R zoned lot, no trash facility may be located within the required building setback.

B. Open vehicular and pedestrian access to and from such trash facility must be provided. No parking spaces may block such access to the trash facility.

C. Trash facilities must be maintained in a closed manner at all times to prohibit visibility from public rights-of-way or adjacent property.

21.14.150. **Buffering and Maintenance of Landscaping and Easements**.

A. For S-P zoned lots with side or rear yards that are adjacent to an R zoned lot, the following buffering provisions must be provided and maintained:

1. Landscaping, irrigation and maintenance plans are required and the plans are subject to approval of the planning agency. The plans must incorporate, without limitation, 15 gallon minimum trees at time of planting, interspersed shrubs, ground cover, raised earthen berms and automatic sprinkler systems. The City may require the maintenance plan to include a bona fide service agreement with a City licensed landscaping service business. Maintaining an active service agreement on file with the Director is the responsibility of the owner of the subject property or authorized agent.

2. All landscaped areas and easements must be maintained in good condition, weed and disease free, and in compliance with this code.

21.14.160. **Compressors, Air-Conditioning Units or Similar Mechanical Equipment**.

Each S-P zoned lot which has compressors, air-conditioning units or similar mechanical equipment, located on the roof and outside of the exterior walls of any building or structure, must comply with the following:

A. All such equipment must be installed with permanent sound proofing measures, including, without limitation, enclosures, parapet and sound attenuating walls and screens. All such equipment must comply with noise standards set forth in this code. The location, type and scope of soundproofing measures for such equipment are subject to the approval of the Director.

B. All such equipment must be maintained in a clean and proper condition to prevent collection of litter and filth, emissions of dust or fumes, vibration or electrical disturbances.

21.14.170. **Lighting**.

All outdoor lighting must be located and shielded so as to prevent the direct spillage of light or glare onto adjacent lots and streets.

21.14.180. **Site Development Plan Approval**.

Site development plans must be approved by the Director in accordance with this code before the Building Official issues a building permit.

21.14.190. **Limitations on Permitted Uses**.

Every use permitted in the S-P zone must comply with the following:

A. All uses must be conducted totally within a completely enclosed building, except for those uses which are customarily conducted in the open. Those uses conducted in the open may not be closer than 100 feet to any R zoned lot, except for parking.

B. No outdoor storage is allowed unless the same is enclosed by a view-obscuring fence or wall, provided that no stored material is visible above the fence or wall, that the fence or wall is approved by the Director and that such storage is limited to the accessory storage of items sold or utilized in the conduct of a permitted use on the premises. Where the S-P zoned lot is adjacent to a R zoned lot, no outdoor storage is permitted within 100 feet of a R zoned lot.

C. No loading and unloading is permitted in any required side or rear yard.

D. Where the S-P zoned lot is adjacent to a R zoned lot, no deliveries of goods and commodities nor loading or unloading shall be conducted during the hours from 10:00 p.m. to 7:00 a.m.

E. Overnight parking of vehicles is prohibited, except those vehicles used in conjunction with a permitted use.

F. Driveways cannot exceed 30 feet in width or 60% of the lot frontage.

G. No use is permitted which produces or causes or emits any dust, gas, smoke, glare, noise, fumes, odors, electromagnetic emanations or

vibrations which are or may be detrimental to the health, safety, welfare and peace of the City and its residents and businesses.

H. No use is permitted which uses or stores a hazardous material that has a degree of hazard rating in health, flammability or reactivity of Class 4 as ranked by U.F.C. Standard 79-3 or succeeding standard. A business materials usage and operations form must be filed with the Public Works Director before the Building Official issues a certificate of occupancy.

I. No person may, at any location within the S-P zone, create nor allow the creation of noise which causes the noise level to exceed the applicable noise standards set forth in this code. Where the S-P zoned lot is adjacent to an R zoned lot, the noise level at the property line of the R zoned lot may not exceed the allowable noise level for residential properties.

21.14.200. **Conditional Uses**.

Auditorium, not within 300 feet of an R zone

Buildings exceeding height limit

Business college (office or medical, dental)

Child care center, not within 300 feet of an R zone

Commercial office or service units which are shared by more than 1 independently owned business enterprise

Commercial developments of 5 or more units or with an area of more than 1 acre, and within 300 feet of a R-zone

Financial institution (retail banking)

Floor area ratio not to exceed 1.0

Government or public facility, except those owned or operated by the City of Monterey Park

Gymnasium, reducing salon and health center

Hotel

Lot size over 1 acre

Places of entertainment, except as otherwise provided in this title.

21.14.210. Data Centers – Development Agreement Required - Requirements

A. Data centers are permitted only with a development agreement in accordance with Chapter 21.44 of this code.

B. For new buildings, modifications to existing buildings, and/or additions to existing structures greater than 25,000 square feet in building area or located on sites greater than 30,000 square feet in land area, projects must comply with the following:

1. Primary and secondary facades. Buildings must have identifiable primary and secondary facades. Public-facing facades must have dimensions, use mixed materials, and provide identification for the facility through the placement and design of entrances, lighting, canopies, artwork, signage, and other special features. Screening and enclosures must be installed to disguise outside mechanical equipment and storage. Rooftop equipment, stairwells, and features must be designed as integral to the building and enhance the form of the site. Ventilation and air-handling equipment must be screened from view with materials designed to attenuate noise.

2. Pedestrian access. Sites must be designed and constructed in a pedestrian friendly manner. The design must be harmonious with the surrounding built and natural environments and identifiable with the site's location. Pedestrian walkways must be considered before designing vehicle driveways and parking areas for the safety and enjoyment of pedestrians.

3. Landscape. Landscaping must be harmonious with off-site and streetscape landscaping. Where adjacent properties contain residential or other noise-sensitive uses, a minimum 15-foot-wide landscaped buffer must be placed along the property line in addition to any required boundary masonry block wall or fence.

4. Parking. Minimum parking requirement for data center uses is one parking space per 250 square feet of office/meeting/technician workspace, plus one parking space per each 5,000 square feet of floor area or fraction thereof, devoted to computer equipment space.

5. Noise Study. A noise study must be conducted by a third-party acoustic engineer to document baseline sound levels and include expected maximum noise output with all mechanical, electrical, and any other noise generating equipment operating simultaneously at full operational load.

C. In addition to any other public benefits provided in a development agreement, data center projects must provide the following public benefits:

1. Rating requirement. Applicants must submit documentation

demonstrating achievement of LEED “Gold” certification by GBCI.

2. Indoor water use reduction. Applicants must submit documentation verifying that a project meets maximum prescriptive fixture flow rates in accordance with the California Plumbing Code. The project must also achieve the LEED WE Prerequisite Indoor Water Use Reduction (WEp2) and a minimum 30 percent reduction in the use of indoor potable water, as calculated to meet the LEED WE credit Indoor Water Use Reduction (WEc2).

3. Construction waste management. Applicants must submit documentation verifying the diversion of a minimum 75 percent of the project’s construction and demolition waste, as calculated to meet LEED MR Prerequisite Construction and Demolition Waste Management Planning and LEED MR Credit Construction and Demolition Waste Management.

4. Monitoring. Applicants must submit documentation verifying that a project will meet the criteria necessary to achieve California Building Code and Option 1 of LEED EA credit (Enhanced Commissioning), in addition to LEED EA Prerequisite (Fundamental Commissioning) and Verification.

5. Light pollution reduction. Meet LEED SS Credit Light Pollution Reduction.

6. Prohibitions. CFCs and halons are not allowed in HVAC, refrigeration and fire suppression equipment. Meet LEED EA Credit Enhanced Refrigerant Management, and additionally document that all HVAC refrigeration, and fire suppression systems do not contain CFCs or halons.

7. Electric vehicle charging. In addition to meeting the requirements of the Title 15 of this code, applicant will provide an additional 10% electric vehicle charging stations.

8. Such additional design standards that may be adopted by city council resolution.”

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 ____ day of _____, 2024.

_____
Thomas Wong, Mayor

ATTEST:

_____
Maychelle Yee, City Clerk

APPROVED AS TO FORM:

_____
Karl H. Berger, City Attorney

ATTACHMENT 3

Resolution No. ____ adopting design standards that apply to data center developments

RESOLUTION NO. _____

A RESOLUTION ADOPTING DEVELOPMENT STANDARDS FOR DATA CENTERS IN ACCORDANCE WITH MONTEREY PARK MUNICIPAL CODE CHAPTER 21.14.

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1: *Authorizations*. This Resolution may be referred to as the "Data Center Development Standards." It is adopted in accordance with Monterey Park Municipal Code ("MPMC") § 21.14.210(C)(8). The City Manager is authorized to promulgate administrative policies and procedures ("AP&P") to implement this Resolution.

SECTION 2: *Standard Development Standards*. The standards set forth in attached Exhibit "A," and incorporated by reference, constitute the Data Center Development Standards that represent public benefits required of any person executing a development agreement with the City.

SECTION 3: *Contracting Authority*. The City Manager is authorized to solicit bids, award contracts, and execute on-call contracts to ensure uniform application of the Data Center Development Standards.

SECTION 4: 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 provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 5: *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 6: The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

SECTION 7: This Resolution will become effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS __ DAY OF NOVEMBER 2024.

_____
Thomas Wong, Mayor

Attest:

_____
Maychelle Yee, City Clerk

APPROVED AS TO FORM:

_____
Karl H. Berger, City Attorney

RESOLUTION NO.___

EXHIBIT A

Design Guidelines
(Data Centers)

Data Centers must comply with the following to the Director's satisfaction:

1. Building Orientation: Prioritize public-facing elevations, screen less appealing elements, maximize daylighting.

2. Access: Provide pedestrian and bicycle access along primary frontages, limit vehicle access width to 20 feet.

3. Parking and Loading: Locate to the rear, separate from pedestrian/bicycle access.

4. Landscaping: Use native plants, create transitions between private/public spaces, buffer sensitive areas.

5. Lighting: Highlight features, prevent light spillage, use downward-directed lights with shields.

6. Security: Incorporate crime prevention and natural disaster protection measures.

7. Screening: Use architecturally compatible screening for mechanical/utility equipment.

8. Amenities: Include elements like outdoor seating, water features, vertical gardens, or artwork.

9. Signage: Keep unobtrusive but functional

10. Hierarchy: Identify primary, secondary, and ancillary structures.

11. Architecture: Balance proportions, avoid monolithic scale, promote human-scale elements.

12. Facades: Compose identifiable segments, design corner lots with two public-facing facades.

13. Roofs: Use identifiable, proportionate roof forms.

14. Materials: Incorporate at least 2-3 materials, select colors for depth and dimension.

15. Context: Ensure compatibility with surrounding neighborhood in scale and design.

16. Walls/Fences: Use compatible materials, break up long expanses, avoid chain link or barbed wire.

Sample Data Center Designs:

The following photographs provide examples of designs which integrate the intent of these Design Guidelines. These are merely sample designs and are not intended to be used as protypes.




Image: City of Avondale documents




44245





ATTACHMENT 4
Data Center Research

ATTACHMENT 4.a

County of Fairfax, Virginia – *Data Centers Report and Recommendations*, dated January 9, 2024

January 9, 2024

DATA CENTERS
Report and Recommendations

Table of Contents

INTRODUCTION 1
RESEARCH TOPICS 2
1. Land Use and Site Design 3
2. Energy Demand 6
3. Water Demand 10
4. Water Quality 11
5. Air Quality 14
6. Noise 15
7. Building Design 18
SUMMARY OF RECOMMENDATIONS FOR GUIDELINES AND STANDARDS 19
NEXT STEPS 23
ATTACHMENTS 23

INTRODUCTION

On May 9, 2023, the Board of Supervisors (Board) approved a Board Matter that recognized data centers as an evolving industry that merits further research and analysis.[1] The Board Matter directed staff to provide a report with research, findings, and recommendations on topics including environmental issues and mitigation; locational guidelines for siting facilities; how data centers should be permitted; and where any new guidelines should be located, including the Comprehensive Plan and the Zoning Ordinance.

Research has included a review of written materials, site visits, and meetings with stakeholders and the community. In addition, staff engaged Clarion Associates for background research; Clarion's report is provided as Attachment 3. Engagement with key stakeholders was critical for staff to understand the data center industry in Northern Virigina and to collect feedback from the

[1] Board's Board Matter: "Guidelines for Data Centers" https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/documents/pdf/5-9-2023-board-matter.pdf

variety of interests. In addition to hosting a general community input session, over 20 meetings were held with various stakeholders, including representatives of the following:

- Dominion Energy
- Fairfax Water
- Virginia Department of Environmental Quality
- Fairfax County Environmental Quality Advisory Committee (EQAC)
- Fairfax County Tree Commission
- Nature Forward
- Sierra Club
- Faith Alliance for Climate Solutions
- Various data center consultants
- Noise consultant
- Amazon
- CoreSite
- Stack Infrastructure
- Data Center Coalition
- Fairfax County's Land Use Attorneys Work Group
- Northern Virginia Building Industry Association (NVBIA)
- Northern Virginia Commercial Real Estate Development Association (NAIOP)

A project webpage and email address for public comment were created. Presentations were also provided to the Board's Land Use Policy Committee on October 17, 2023, and the Planning Commission's Land Use Process Review Committee on October 26, 2023.[2]

This report is intended, in part, to address questions and feedback that have been shared by the community and industry. It is based on the work of an interagency staff team consisting of staff from the Planning, Zoning Administration, and Zoning Evaluation Divisions within the Department of Planning and Development, the Office of Environmental and Energy Coordination, the Northern Virginia Soil and Water Conservation District, the Operations and Building Divisions in Land Development Services, and the Stormwater Management and Wastewater Management Divisions in the Department of Public Works and Environmental Services.

RESEARCH TOPICS

Information is presented below according to seven topic areas: land use and site design; energy demand; water demand; water quality; air quality; noise; and building design. Each topic area includes a summary of current regulations and guidelines followed by a discussion of research and recommendations. These sections are followed by a summary of recommendations for the Board's consideration.

A data center is a facility that houses computer servers and their network connections. This report focuses on data centers as a principal land use, not those cases where an accessory server

[2] Project webpage with information about the community input session, and Board and Planning Commission committee meetings: https://www.fairfaxcounty.gov/planning-development/data-centers

room is located within another business facility or office. Data centers can be developed as stand-alone buildings or as part of a complex that may include other uses. The growth of digital data has expanded exponentially in recent years, resulting in a rapid increase in data center facilities that is anticipated to continue. This growth is needed to support the increased online population as well as business applications in all sectors, including finance, entertainment, healthcare, and education. Major factors contributing to data center growth in Northern Virginia include the long history of a robust fiber optic network in the area and reliable electric power.

Some of the benefits that data centers bring are job creation with good wages, few impacts to transportation systems or schools, and positive tax revenues. Individual businesses can benefit from the scale of cloud computing services where they share in the use of data center resources. Data centers are designed with optimal cooling and other systems to support computer servers and for 99.999% reliability. Data centers can provide better computer processing, storage, data security, and energy efficiency than if each individual business were to manage its own servers. However, data centers are industrial uses that may affect surrounding uses (through noise and visual impacts), or affect energy demand and associated greenhouse gas emissions, air quality, and water supplies.

1. Land Use and Site Design

Current Regulations and Guidelines

The Zoning Ordinance[3] currently[4] allows data centers in the zoning districts shown in Table 1 below.[5] These districts are currently located across the County, with industrial districts primarily in the western portion of the County along Route 50 and Route 28, in the Herndon and Reston areas along the Dulles Toll Road, in the Merrifield/Mosaic areas between I-66 and Route 50, near the intersection of I-495 and I-395, and along I-95 in the southern portion of the County. Zoning districts can be viewed by using the Zoning District Analyzer or JADE.[6] Additionally, the locations of existing, approved, and proposed data centers with surrounding zoning districts are identified in Attachment 1. As shown on these maps, existing data centers are located in the I-3, I-4, I-5, and PTC Districts, and pending data center applications are in the I-5 and PDC Districts.[7]

[3] Zoning Ordinance: https://online.encodeplus.com/regs/fairfaxcounty-va/index.aspx
[4] Before the new Zoning Ordinance (re-adoption effective May 10, 2023), starting in 2000, data centers were considered by interpretation to be telecommunication facilities which were allowed by right in all C and I districts, in all P districts when shown on an approved development plan, and with SE approval in all R districts. Par. 5 of Sect. 9-101 and Sect. 9-102.
[5] Abbreviations used in the table: SF – square feet; GFA – gross floor area; FAR – floor area ratio.
[6] Zoning District Analyzer: https://fairfaxcountygis.maps.arcgis.com/apps/webappviewer/index.html?id=e64b68aa834d46b0ad0e6cd4d831f843 or JADE: https://www.fairfaxcounty.gov/GeoApps/Jade/Index.html?configBase=https://www.fairfaxcounty.gov/GeoApps/Geocortex/Essentials/REST/sites/Jade/viewers/Jade/virtualdirectory/Resources/Config/Default
[7] Pending (in-progress) data centers include those with site plan and building permit approval for at least one building.

Zoning District	By Right	Special Exception (SE)
C-3 (Office) C-4 (High Intensity Office)	Up to 40,000 SF of GFA; larger if repurposing a building existing on May 10, 2023	Required for larger size; or for increase in height or FAR
I-2 (Low Intensity Industrial) I-3 (Light Intensity Industrial)	Up to 80,000 SF of GFA; larger if repurposing a building existing on May 10, 2023	Required for larger size; or for increase in height or FAR
I-4 (Medium Intensity Industrial) I-5 (General Industrial) I-6 (Heavy Industrial)	Yes (limited by district height of 75 feet and FAR of 0.5)[8]	Required for increase in height or FAR
PRC (Town Center, Convention/Conference Center) PDC (Planned Development Commercial) PTC (Planned Tysons Corner Urban)	Yes, if shown on the development plan	n/a

Table 1: Current Zoning Permissions

Setbacks vary according to the zoning district. In the I-4, I-5, and I-6 Districts, the front setback must equal the building height (but be at least 40 feet) and there are no minimum side and rear setbacks. In addition to building setbacks, the Zoning Ordinance requires transitional screening and barriers on the lot of a more intense use when it is located next to a less intense use, as prescribed in Table 5108.2.[9] Transitional screening yards are required to be 25, 35, or 50 feet wide and planted with trees and shrubs in accordance with Zoning Ordinance standards. Currently, a data center is required to provide a 35-foot transitional screening yard when located next to single-family detached or attached dwellings, or a 25-foot transitional screening yard when located next to certain other uses, such as multifamily dwellings, religious assemblies, and child care centers. Under the proposed Zoning Ordinance amendment for Landscaping and Screening, the transitional screening requirements would be the same for most industrial uses, including data centers, and would require 50 feet of screening (the maximum) next to all residential uses and 25 feet next to most public, institutional, and community uses and commercial uses.[10]

[8] FAR is also subject to the provisions of the Route 28 Highway Transportation Improvement District, and the Dulles Phase I and Phase II Transportation Improvement Districts.
[9] Transitional screening and barriers: https://online.encodeplus.com/regs/fairfaxcounty-va/doc-viewer.aspx#secid-3017
[10] Webpage for the proposed Landscaping and Screening Zoning Ordinance amendment: https://www.fairfaxcounty.gov/planning-development/zoning-ordinance/landscaping-screening

Appendix 12 of the Land Use Element of the Comprehensive Plan's Policy Plan includes guidelines for certain uses, including data centers, that propose higher intensities than what is shown on the Comprehensive Land Use Plan Map.[11] The guidance in this Appendix applies during the review of a rezoning or SE and provides an option for higher-intensity development in designated industrial areas, while ensuring proposals are compatible with surrounding uses and can be supported by existing infrastructure. The criteria used to review such proposals are organized into five topic areas: transportation, mitigation of noise and other impacts, building design, lot size and parcel consolidation, and site design. The use of this option for additional intensity is not meant to supersede any site-specific Plan guidance for intensity and applies only to areas with a baseline Plan recommendation for industrial use.

Research and Recommendations

As outlined above, data centers are currently allowed by right in certain zoning districts. However, as further discussed under the topic areas below, data centers have the potential for impacts to surrounding uses, environmental resources, and infrastructure, and the SE process may provide for a more site- and application-specific review of impacts and mitigations. As indicated in subsection 4102.1.F(1) of the Zoning Ordinance, the SE process is appropriate for certain uses which by their nature or design can have an undue impact upon or be incompatible with other uses of land. Requiring SE approval for data centers in the C-3, C-4, and I-2 through I-6 Districts would allow the Board to consider land use impacts and mitigations through a public process. In the Planned Districts—where the use is allowed if represented on the approved development plan—the current standards could remain because the current process provides for an in-depth, site-specific review. However, the Board could consider clarifying the requirement for a data center to be specifically shown on the development plan, including its location, size, height, and setbacks.

While data centers could continue to be allowed by right with additional standards or conditions, some of the recommendations included in this report—such as reviewing building design and noise studies and encouraging increased open space, tree planting, and stormwater treatment—may be more appropriately and effectively implemented through an SE review in accordance with SE standards in the Zoning Ordinance and guidelines in the Comprehensive Plan. Applications for rezoning are reviewed for conformance with the applicable guidelines in the Comprehensive Plan, and SEs must be found to be in harmony with the Plan. The SE review process also allows for consideration of flexibility through Board modification of standards where appropriate.

A new appendix to the Land Use Element of the Policy Plan could be created with updated performance criteria that would apply in the review of all data centers undergoing a rezoning or SE review, not just those seeking additional intensity. As shown on the maps in

[11] Land Use Appendix 12: https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/compplan/policy/landuse.pdf#page=39

Attachment 1, some industrial districts are close to residential districts. Revised guidelines in a new Policy Plan appendix and SE standards in the Zoning Ordinance could bolster existing guidelines and regulations. These could address land use compatibility with existing and planned uses for the property and surrounding properties, including the size of the proposed data center, and the distance of the proposed building and generators from surrounding development. Setbacks and buffering can serve to minimize visual, noise and other impacts; therefore, guidelines could encourage enhanced buffering for data centers near residential development, other noise-sensitive uses, and environmentally sensitive areas.

As industrial uses, data centers are currently allowed in industrial zoning districts, and Appendix 12 of the Policy Plan provides guidelines for additional intensity in areas that are planned for industrial use; however, additional investigation may be warranted for consideration of data centers in areas that are planned in the Comprehensive Plan for future residential or mixed use. Although this report is focused on the potential impacts of larger data centers, smaller data centers with upgraded equipment and design features may be appropriate in areas not planned for industrial use if they meet certain performance criteria.

Additionally, as discussed below, due to the energy demands of data centers, they are typically located near a substation that is connected to major transmission lines. To reduce the need for new transmission lines and substations, a new Plan appendix could include consideration of the distance from and availability of a substation and transmission lines to serve a proposed data center.

2. Energy Demand

Current Regulations and Guidelines

The Zoning Ordinance does not include regulations for energy use and efficiency. As noted above, data centers are typically located close to an electrical substation, which is considered a light utility facility under the Zoning Ordinance and is allowed by right in the I-3 through I-6 Districts; with SE approval in all other conventional zoning districts; and in planned districts if shown on the development plan or with SE approval. When a substation is located in a residential area, the Zoning Ordinance requires a finding that there is no alternative site in a commercial or industrial district. Substations are also subject to the 2232 review process for public facilities.[12] Data centers also need to be located close to electrical transmission lines which, if over 138kv and approved by the Virginia State Corporation Commission (SCC), are not subject to the Zoning Ordinance.[13]

[12] The public facility 2232 process is summarized at: https://www.fairfaxcounty.gov/planning-development/public-facilities-review/process

[13] If the voltage exceeds 138kv, SCC approval satisfies the requirements of local zoning and Virginia Code Sect. 15.2-2232 for the transmission line. Virginia Code Sect. 56-46.1(F). The locality retains jurisdiction to enforce local zoning over "associated facilities." For any transmission line of 138kv and associated facilities, a public utility must either obtain a certificate of public necessity from the SCC or obtain approval under 15.2-2232 and the local zoning ordinance where the transmission line will be located. Virginia Code Sect. 56-265.2(A)(2).

Starting on January 18, 2024, the newly approved 2021 Virginia Energy Conservation Code (VECC)[14] will require data centers to comply with "ASHRAE 90.4 - Energy Standard for Data Centers," which will include several changes to the design and construction of these facilities. Prior to the 2021 VECC, there were no specific enforceable requirements for energy conservation related to data centers. With the adoption of the 2021 VECC, a new data center will be treated like any other commercial building for the purpose of energy conservation. ASHRAE 90.4 is a performance-based standard and will encourage a more efficient design, presumably leading to less energy usage.

The Environment Element of the Comprehensive Plan encourages the design and construction of new buildings and associated landscapes to use energy and water resources efficiently and to minimize short- and long-term negative impacts on the environment and building occupants. The Comprehensive Plan also recommends that development within designated Industrial Areas incorporate green building practices sufficient to attain certification through LEED-NC, -CS or equivalent. Additional recommendations exist within the Comprehensive Plan guidance for certain Suburban Centers, Transit Station Areas (TSAs), and other development centers. The Environment Element does not contain existing guidance for the evaluation or consideration of energy demand.

Research and Recommendations

Data center operations rely on large amounts of electricity from the electrical grid. Although there is not a consistent correlation between square footage and energy demand (expressed in megawatts, MW), a data center of about 400,000 square feet would likely have a capacity of 48 to 60 MW. Also, with the advent of more powerful computer chips, future data centers may need even more energy. For comparison, the energy demand for 250 homes is approximately 1 MW, the Fairfax County Government Center uses about 2 MW, a typical hospital uses 3 to 4 MW, and the Noman Cole wastewater treatment facility uses 5 to 6 MW. As discussed below, the large energy demand of data centers poses several concerns: a) the availability and reliability of energy for existing and planned development; b) the potential need for clearing and construction of new major transmission lines and substations and related costs relayed to rate-payers; c) potential water quality and air quality impacts of large numbers of diesel backup generators (see Water Quality and Air Quality sections below); and d) increases in greenhouse gas (GHG) emissions.

Availability and reliability: Most of Fairfax is served by Dominion Energy, and a portion of the western part of the County is served by the Northern Virginia Electric Cooperative (NOVEC). Both Dominion and NOVEC purchase power from the Pennsylvania-New Jersey-Maryland Interconnection (PJM), the regional transmission organization. Concerns have

[14] Land Development Services Technical Bulletin, No: 23-07: https://www.fairfaxcounty.gov/landdevelopment/sites/landdevelopment/files/assets/documents/23-07-adoption-2021-virginia-uniform-statewide-building-code-usbc.pdf?utm_medium=email&utm_source=govdelivery

been raised by the public that the uniquely large energy demands of data centers could present a challenge in planning for reliable power to all customers. However, in meetings with staff, Dominion has indicated that data center growth does not pose a risk in terms of reliability to residential and other customers. Dominion has also stated that PJM has sufficient power available, and the risks of inadequate transmission capacity would be borne by the data center customer. While the planning for power infrastructure falls to PJM and the utility companies, with regulation by the SCC, land use approvals for data centers are the purview of the County. Therefore, staff recommends that the County pursue discussions with Dominion and NOVEC on enhancing coordination on data center applications through the review of energy capacity analyses. Communication about proposed data centers could facilitate planning for utility service and inform County land use decisions. Energy capacity analyses would allow an assessment of regional power supplies into the future and a common understanding of the power demands of data centers. The growth in data centers and their associated electricity load could be compared against the ability of the existing infrastructure to satisfy those forecast load demands to identify needed transmission infrastructure upgrades, and potential reliability issues, including the timeframe and duration of any electricity delivery shortages. The analyses could also state whether electricity constraints may impact other electricity customers.

Transmission lines and substations: Because of their energy demands, data centers need to be located near a substation that is near a major transmission line. If sufficient substation and transmission line infrastructure does not exist, the utility company will have to plan for and construct the necessary infrastructure to serve its customers. Construction of substations and transmission lines usually involves land clearing. Once constructed, the utilities can have visual and noise impacts and, depending on their location, impacts on natural resources and environmentally sensitive areas. Although utility infrastructure is usually separate from a data center project, and the infrastructure is part of the larger grid that supports other customers, the need for certain infrastructure can be directly attributed to data center development. Therefore, when a proposed data center is proposed, related needs for utility infrastructure and its impacts should be evaluated as part of the new coordination process suggested above. Dominion has indicated that the costs of infrastructure projects are absorbed across the system's customers, with some of the costs covered by PJM as well. Because of the need for proximity, some data center developers seek land near existing transmission lines or include enough land area to support a substation. A substation typically has a 300 MW capacity, so a data center campus may need to provide a new substation. Data center developers may coordinate with the utility company in various ways to facilitate the development of a new substation, if needed, including selling or donating land. As noted above, a new Plan appendix could include consideration of the distance from and availability of a substation and transmission lines to serve a proposed data center.

Greenhouse gas emissions: Increased electricity demand also increases GHG emissions, which may make it harder to meet the state and County GHG emission reduction goals:

- The Virginia Clean Economy Act (VCEA) establishes mandatory renewable portfolio standards for Dominion Energy to deliver electricity from 100% renewable sources by 2045 and Appalachian Power by 2050.
- Fairfax County's Community-wide Energy and Climate Action Plan (CECAP) sets a goal for the entire community to be carbon neutral by 2050. Based on the 2020 GHG inventory, 48% of emissions come from the use of energy in buildings (25% commercial plus 23% residential).

Approximately 25% of GHG emissions in Fairfax County comes from commercial buildings. Fairfax County community-wide GHG emissions have decreased by 30% between 2005 and 2020, despite a 12% growth in population.[15] This decline in GHG emissions reflects a strong and consistent effort across multiple sectors, especially increased energy efficiency and conservation in residential and commercial buildings, cleaner vehicles travelling fewer miles, and a greener electric grid. Strategies to reduce energy use and related GHG emissions include improving energy efficiency and transitioning to clean, renewable energy.

Energy Efficiency: A review of best practices indicates that data centers can improve energy efficiency with current technology. Data centers typically measure their power utilization efficiency (PUE), which is the total facility power including cooling systems divided by IT equipment power. The PUE is a performance metric, with a PUE of 1.1 to 1.3 or less representing an efficient facility. To promote energy efficiency, a PUE standard or another performance metric could be included in the new appendix in the Policy Plan for data centers undergoing rezoning or SE review. The ability for staff to review this standard would need to be considered. Additionally, given the substantial energy demands of data centers, proposed data centers could be encouraged to achieve LEED-Data Center Silver certification or greater. Under Section C405.12 of the 2021 Virginia Energy Conservation Code, data centers will be required to monitor their energy consumption. The County could pursue partnerships with data center operators for the voluntary sharing of that information with the County, which could assist in measuring the achievement of CECAP goals.

Renewables: Regarding the use of clean, renewable energy sources, data centers rely on the power grid and are not able, at this time, to generate sufficient power onsite through solar or other renewable sources. As previously noted, a data center of about 400,000 square feet would likely have a capacity of 48 to 60 MW. With current solar panel technology, approximately 5 acres of solar panels would be needed to produce 1 MW of power. Therefore, a 48 MW data center would need at least 260 acres of solar panels to be self-sufficient. Nevertheless, data centers should be encouraged to install onsite solar and invest in offsite renewable energy. Some data center operators have sustainability goals. For example, Meta states that they have maintained net zero GHG in global operations since

[15] Community-Wide Greenhouse Gas Emissions Inventory Summaries, MWCOG: https://www.mwcog.org/documents/2022/12/27/community-wide-greenhouse-gas-emissions-inventory-summaries-featured-publications-greenhouse-gas/

2020, primarily by purchasing 100% renewable energy. Meta has an additional goal to reach net zero emissions across its value chain by 2030.[16] Amazon states that it is the world's largest corporate purchaser of renewable energy and is on target to power its operations with 100% renewable energy by 2025 and to reach net-zero carbon emissions by 2040.[17]

3. Water Demand

Current Regulations and Guidelines

The Zoning Ordinance does not regulate water demand. The Environment Element of the Comprehensive Plan Policy Plan provides limited recommendations on water demand topics through the discussion of water conservation for buildings sufficient to attain certification through LEED-NC, -CS, or equivalent. A majority of water-related recommendations in the Comprehensive Plan Policy Plan are related to exterior stormwater management mitigation and best practices.

Research and Recommendations

The amount of water used by a data center depends on the type of cooling system used. There are reports of data centers in other jurisdictions that use large amounts of water. However, since water demand is highly variable according to the technology used onsite and the climate of the area, the analysis in this report relies primarily on water use data and recommendations provided by Fairfax Water, which are included in Attachment 2.

Fairfax Water reviewed water use by data centers located on Sunrise Valley Drive and found that they use an average of approximately 38,000 gallons per day (gpd) which equals about 90 to 100 gallons/1,000 square feet. This is higher than the planning values Fairfax Water uses for office uses (60 gallons/1,000 square feet), but lower than retail (140 gallons/1,000 square feet) or hotel (180 gallons/1,000 square feet). Fairfax Water also compared water usage information from the Prince William County Service Authority and Loudoun Water and found comparable average water usage by data centers. Fairfax Water has concluded that with its periodic planning process, it is well prepared to address overall water supply needs.

Typically, it has been reported that air cooling systems use more energy but less water, while evaporative cooling systems use more water and less energy. However, not all data centers with evaporative cooling systems use large amounts of water. Techniques that data centers may use to reduce water consumption include, but are not limited to, rainwater harvesting and closed-loop cooling systems. The direct evaporative cooling systems being employed by newer data centers do not require chillers or cooling towers and the water usage is reported as approximately ten percent of older evaporative cooling systems. For example, Amazon has indicated that its typical data centers (250,000 square feet) use an average of approximately three million gallons of water per year, which equals only 8,220 gpd. [While recent articles

[16] Meta sustainability: https://sustainability.fb.com/2023-sustainability-report/
[17] Amazon: https://sustainability.aboutamazon.com/products-services/the-cloud?energyType=true

regarding a proposed Amazon data center campus in central Virginia reported a projected use of approximately 21 million gallons per building per year based on 640,000 gpd, Amazon has indicated this report is a miscalculation because the 640,000 gpd is the peak day demand, with an estimated average number of ten peak days per year.] According to industry sources, a data center with direct evaporative cooling systems in Virginia only needs to use water during the hot summer months.

Some data center companies have goals to reduce their water demand. For example, both Meta and Amazon have a water positive goal to return more water to communities than they use in data center operations by 2030.[18] One approach to reducing water usage is to use recycled or reclaimed water systems for non-potable water uses, such as industrial cooling. Loudoun Water operates such a system serving over 50 data centers. Fairfax has a reclaimed water system available in the Lorton area, but to date, no data centers are using that system.[19]

Based on this information, staff has not identified any potential Comprehensive Plan or Zoning Ordinance amendments related to water demand at this time. As Fairfax Water noted, it is possible that the declining per capita and per employee water use trends could change; therefore, staff recommends that monitoring of data centers and coordination with Fairfax Water continue, and the issue of water demand be revisited on a regular basis.

4. Water Quality

Current Regulations and Guidelines

Stormwater runoff: The County's Stormwater Management Ordinance (Chapter 124 of the County Code[20]) is designed to mitigate stormwater runoff impacts from all impervious cover regardless of land use type. Runoff from a data center building is no different than runoff from any other building. Additionally, development that requires a site plan and occurs within the Water Supply Protection Overlay District[21] must provide water quality control measures designed to reduce the projected phosphorus runoff pollution by one-half for the proposed use. Stormwater impacts can also be mitigated by other measures, such as preservation of open space, floodplain protection, and landscaping and screening as required

[18] Meta: https://datacenters.atmeta.com/wp-content/uploads/2023/10/Water-Stewardship.pdf; Amazon: https://www.aboutamazon.com/news/aws/aws-water-positive-by-2030
[19] Fairfax reclaimed water system: https://www.fairfaxcounty.gov/publicworks/wastewater/water-reuse
[20] Chapter 124: https://library.municode.com/va/fairfax_county/codes/code_of_ordinances?nodeId=THCOCOFAVI1976_CH124STMAOR
[21] WSPOD: https://online.encodeplus.com/regs/fairfaxcounty-va/doc-viewer.aspx?tocid=001.004.004.005#secid-2542

under the Zoning Ordinance, as well as tree preservation as required under the Tree Conservation Ordinance (Chapter 122 of the County Code[22]).

Additionally, to ensure that stormwater is appropriately managed (water quality and water quantity), the Comprehensive Plan promotes site design and low-impact development (LID) techniques that reduce stormwater runoff volumes and peak flows; increase groundwater recharge; and increase the preservation of undisturbed areas. Developments are expected to optimize stormwater management and water quality controls through the use of innovative infiltration techniques, nonstructural BMPs and bioengineering practices, and infiltration landscaping. The Environment Element of the Comprehensive Plan Policy Plan also identifies Environmental Quality Corridors (EQCs) as an integrated network of ecologically valuable land and surface waters that should be protected and enhanced for the present and future residents of Fairfax County. The policy categorizes characteristics of EQCs including habitat quality, connectivity, pollution reduction capabilities, hydrology, stream buffering, and stream protection; the policy recognizes that EQCs are delineated through the entitlement process based on policy criteria. The Plan also recommends protecting and restoring the ecological integrity of streams and protecting the Chesapeake Bay from the avoidable impacts of land use activities.[23]

Diesel tanks for backup generators (spills): Federal, state, and County regulations address the fuel storage tanks for backup generators:

- Virginia Department of Environmental Quality (DEQ) requirements – Aboveground Storage Tanks | Virginia DEQ[24]
- Fairfax County Fuel Storage Tank requirements – Fuel Storage Tanks | Planning, Permitting and Construction (fairfaxcounty.gov)[25]

Research and Recommendations

Water quality impacts can include: a) cooling system discharges to the wastewater system; b) spills or leaks from diesel tanks; and/or c) stormwater runoff.

Cooling systems: According to data center industry sources, most newer interior cooling systems utilized by data centers, even those that use water, do not have cooling towers that discharge to wastewater or stormwater systems. However, for those that do have cooling

[22] Chapter 122: https://library.municode.com/va/fairfax_county/codes/code_of_ordinances?nodeId=THCOCOFAVI1976_CH122TRCOOR

[23] Objective 2, 3 and 9: Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment: https://www.fairfaxcounty.gov/planning-development/sites/planning-development/files/assets/compplan/policy/environment.pdf

[24] VDEQ storage tank requirements: https://www.deq.virginia.gov/our-programs/land-waste/petroleum-tanks/aboveground-storage-tanks

[25] County storage tank requirements: https://www.fairfaxcounty.gov/plan2build/fuel-storage-tanks#:~:text=Tank(s)%20capacity%20of%20500,and%20plan%20reviews%20may%20apply

towers, evaporative cooling concentrates salts in the water that must be periodically discharged to the wastewater system. Even if no other chemicals are added to the system, the discharge has concentrated sodium, a constituent of concern in drinking water. If the facility is in the sewer collection area of the Upper Occoquan Service Authority (UOSA), the treated wastewater discharges to the Bull Run River upstream of the Occoquan Reservoir, which is a potable water source. Although this is true of any commercial or industrial use that employs a cooling tower, the extensive cooling systems needed by data centers heighten the potential concern. Currently, the County prohibits the use of bromide as a treatment additive in cooling water systems that discharge to UOSA based on direction from UOSA.

As noted in the attached comments from Fairfax Water, their facility for treatment of raw water from the Occoquan Reservoir is not designed to remove salts or other emerging contaminants of concern. Although the federal Environmental Protection Agency (EPA) set a health advisory of 20 mg/L for sodium levels in potable water,[26] an advisory is not an enforceable federal standard and the UOSA pre-treatment requirements do not include a standard for sodium. Consideration could be given to establishing Comprehensive Plan guidance to encourage data centers to monitor their discharges and, if needed, provide for pre-treatment. Additionally, to reduce the potential for impacts to potable water, within the UOSA service area, the Plan could encourage the use of non-chemical/non-water-based cooling systems or systems that do not discharge to the wastewater or stormwater systems.

Diesel tanks for backup generators (spills): Typically, depending on the size of the generator, about 5,000 to 15,000 gallons of diesel fuel are stored in individual, above-ground, double-walled tanks below each generator to provide sufficient fuel for 24 to 72 hours. Existing state regulations include procedures to prevent pollution of state waters, lands, and storm drain systems from the discharge of fuel from aboveground storage tanks that are 25,000 gallons or more. Further analysis could be done to determine whether these existing regulations could be enhanced. Consideration could also be given to including SE standards in the Zoning Ordinance (or amending another chapter of the County Code) for tanks smaller than 25,000 gallons for proper surface grading, berms, or other additional containment practices to protect surface water and ground water by ensuring that if the tank were to fail or if a spill were to occur during filling, the fuel does not enter the stormwater system or open space areas.

Stormwater runoff: Regarding stormwater runoff, data centers are similar to other nonresidential uses with expansive impervious surfaces. With the provisions in place to address stormwater runoff as described above, in staff's opinion no additional recommendations are necessary for data centers. However, in general, water quality on industrial sites would benefit from site designs that include green roofs, increased open space and native tree and plant vegetation. Projects subject to rezoning or SE review should be

[26] EPA advisory on sodium: https://www.epa.gov/sites/default/files/2014-09/documents/support_cc1_sodium_dwreport.pdf

encouraged to exceed minimum requirements for open space, tree preservation and planting, and stormwater treatment.

5. Air Quality

Current Regulations and Guidelines

The Zoning Ordinance does not directly regulate air quality. Through the Comprehensive Plan, the County seeks to preserve and improve air quality and expects that state-of-the-art technologies will be applied to minimize emissions from stationary sources of air pollution.[27]

For data centers, backup generators are the source of air pollutants that are a concern, and these emissions are regulated by DEQ. DEQ monitors criteria air pollutants across the state, in accordance with the Clean Air Act, a federal law that provides for the protection of human health and the environment. Data center projects require Minor New Source Review (NSR) permits from DEQ for their backup generators, which are powered by diesel fuel. Minor NSR permits in Northern Virginia receive stricter scrutiny due to non-attainment of air quality standards in the Washington, DC region. Over the past decades, the EPA has developed a tiered regulatory system that applies to backup generators (non-road diesel engines):[28]

- Tier I – phased in from 1994 to 1997
- Tier II – phased in from 2000 to 2005
- Tier III – phased in from 2006 to 2008 for smaller engines with 50 to 750 hp
- Tier IV – phased in from 2008 to 2015 and requires a 90% reduction of certain emissions with reductions made possible through newer control technologies.

Research and Recommendations

Potential pollutants released into the air from generator use include nitrogen oxides (NO_X), particulate matter (PM_{10} and $PM_{2.5}$), carbon monoxide (CO), volatile organic compounds (VOC), and sulfur dioxide (SO_2), all of which are regulated by DEQ. DEQ maintains 36 monitoring sites across the Commonwealth to measure air pollutants. One air quality monitoring station is located in Loudoun County and two are located in Fairfax County:

- Broad Run High School: Ashburn, Loudoun County, Virginia - Pollutants measured: O_3, NO_2, and $PM_{2.5}$
- Franconia District Park: Franconia, Fairfax County, Virginia - Pollutants measured: SO_2, O_3, $PM_{2.5}$, and PM_{10}
- 6831 Backlick Road: Springfield, Fairfax County, Virginia - Pollutants measured: CO, NO_2, and $PM_{2.5}$

[27] Objective 1: Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environment, Amended through 6-28-2022, Pages 2-5

[28] EPA: https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-emissions-heavy-equipment-compression

Due to the current and expected growth of the data center industry in Northern Virginia, additional monitoring may be beneficial in tracking air quality near large numbers of data centers.

Along with lower emissions, Tier IV generators provide increased fuel efficiencies, incorporate modern pollution-control technologies, require less maintenance, and reduce operating costs. These emission reductions are typically achieved by using advanced exhaust gas after-treatment technologies, with most Tier IV engine families using urea-selective catalyst reduction filters (SCR) for emissions control. The use of diesel generators for backup is the current industry standard. Until cleaner alternatives become more available, staff recommends that the Comprehensive Plan encourage the use of Tier IV generators and state-of-the-art technology to reduce GHG emissions.

Renewables: As energy providers are able to produce more power from renewable sources, air pollutants and GHG emissions from non-renewable sources will decrease over time. Dominion does not allow commercial consumers to choose the generating source for the power they consume, since all types of energy sources are placed into the entire grid; however, as noted above under Energy Demand, data center operators should be encouraged to invest in renewable energies to offset their carbon footprint. Through the Virginia Clean Economy Act, Dominion Energy Virginia and Appalachian Power are required to retire electric generating units located in the Commonwealth that emit carbon as a by-product of combusting fuel to generate electricity; the utilities are also required to construct, acquire, or enter into agreements to purchase generating capacity located in the Commonwealth using energy derived from sunlight or onshore wind.[29]

6. Noise

Current Regulations and Guidelines

The Fairfax County Noise Ordinance (Chapter 108.1 of the County Code) regulates sound generation for all uses, including data centers. Among other standards, the Noise Ordinance limits the maximum sound levels that can be generated when the sound is measured at the property boundary or at any point within another property affected by the sound. The standards in the table below apply according to the use and zoning district of the property impacted by the noise (not the property generating the noise).[30]

[29] Virginia House of Delegates Bill 1526, adopted as the Virginia Clean Economy Act
[30] Section 108.1-4-2 of the Noise Ordinance: https://library.municode.com/va/fairfax_county/codes/code_of_ordinances?nodeId=THCOCOFAVI1976_CH108.1NOOR

Maximum Sound Levels			
Use and Zoning District Classification	Time of Day	Continuous Sound (dBA)	Impulse Sound (dB)
Residential areas in residential districts	7 a.m. to 10 p.m.	60	100
Residential areas in residential districts	10 p.m. to 7 a.m.	55	80
Nonresidential areas in residential districts	All	60	100
Mixed use area	7 a.m. to 10 p.m.	65	100
Mixed use area	10 p.m. to 7 a.m.	60	80
Commercial districts	All	65	100
Industrial districts	7 a.m. to 10 p.m.	72	120
Industrial districts	10 p.m. to 7 a.m.	65	100

Table 2: Noise Ordinance Standards

Section 108.1-5-1(g) of the Noise Ordinance exempts the operation of backup generators during power outages from storms or other emergencies as well as the testing and maintenance of generators between 7 a.m. and 9 p.m. for up to two hours per day. Separately, DEQ does not allow for generator testing between 7 a.m. and 5 p.m. from May 1 to September 30 to minimize impacts on air quality from ozone. Therefore, during those months, generator testing would be limited to the evening hours from 5 p.m. to 9 p.m.

To reduce noise impacts, a use standard for data centers in the Zoning Ordinance requires all equipment for cooling and backup generators to be contained within an enclosed building, except in the I-4, I-5, and I-6 Districts.[31]

The Environment Element of the Comprehensive Plan Policy Plan currently provides guidance and recommendations only for transportation-related noise, such as motor vehicle and airport-related noise. There are no other policies for non-transportation-related noise uses.

Research and Recommendations

Noise from data centers, which can be significant if not mitigated, is primarily generated by two sources: the cooling systems and the backup generators. The potential impacts vary considerably according to the type of equipment, location (proximity to residential or other noise-sensitive uses), site design, and the mitigation measures employed. Related infrastructure such as electric substations may also generate noise.

[31] Subsection 4102.6.A(1) of the Zoning Ordinance: https://online.encodeplus.com/regs/fairfaxcounty-va/doc-viewer.aspx#secid-2854

Data centers require substantially more cooling as compared to other uses due to the heat produced from densely packed servers. To provide context, a data center server room might require 100 tons of cooling (per 10,000 square feet, using a median total heat number) as compared to a shopping mall which would require 40 tons, or an office which would need 29 tons. Cooling systems generate a continuous noise, and concerns have also been noted in articles about the low frequency of the noise generated by certain cooling equipment. Generally, the sound from lower frequencies propagates farther than that from higher frequencies and may be felt, even if it is not audible. As noted above, the use of diesel generators for backup is the current industry standard. To provide for backup in the case of power interruption, data centers have large numbers of generators as compared to other uses. For example, a hospital would typically have three to five backup generators, while a data center typically has over 20 generators.[32] Although the generators are only for emergencies, each one needs to be tested and maintained, requiring a runtime of about five to 15 minutes per generator each month. It appears that in the past, the emergency use of backup generators in Fairfax and surrounding areas has been infrequent. One data center representative indicated that backup generators are typically used for emergency purposes a few hours each year while another stated that the generators are typically used for about 53 total hours per facility per year. Consideration could be given to amending the Noise Ordinance for uses such as data centers with large numbers of backup generators to remove the exemptions for testing and maintenance of generators, as well as the full emergency use of backup generators.

A review of noise studies submitted as part of rezoning or SE applications for data center projects in Fairfax County indicated that measures were consistently needed to reduce the potential noise to comply with the Noise Ordinance. A variety of measures were proposed in those cases, including upgraded equipment, sound-attenuating enclosures for generators, acoustical barriers and louvers, silencers on air handling equipment, attenuators on both the intake and exhaust for generators, and the location of the mechanical yard. Given the need for noise mitigation and the variety of options that may be tailored for each site and facility, consideration could be given to providing guidelines in the Comprehensive Plan for the review of noise studies for projects undergoing rezoning or SE review and for amending the Zoning Ordinance to include noise study submission requirements for zoning applications. Noise studies could be submitted as part of a rezoning or SE application and updated pre-construction (prior to building permit approval) and post-construction (prior to issuance of a Nonresidential Use Permit) to demonstrate compliance with the Noise Ordinance. The noise modeling could address the worst-case scenario, including all cooling equipment at full operational load, as well as the maximum number of generators that may be tested at one time. In addition, the noise modeling could address the emergency use of backup generators

[32] The number of generators varies according to the energy demand of the data center. For example, one data center in Fairfax with approximately 400,000 square feet of gross floor area has 20 generators with a total capacity of about 45 MW. Another campus project with over 2 million square feet is planned to have over 100 generators with a total capacity of about 259 MW.

and include the frequency octave band limits. Comprehensive Plan guidance could be considered for noise studies to include particular attention to impacts on residential uses and sensitive habitats. Noise mitigation equipment could be considered to avoid noise impacts to both the human environment and the habitats of local fauna.

As previously noted, the Zoning Ordinance requires all equipment for cooling and backup generators for data centers to be contained within an enclosed building, except in the I-4, I-5, and I-6 Districts.[33] The exemption of these industrial districts recognized other industrial uses allowed in those districts. However, given the potential noise impacts from data centers because of their unique cooling requirements and use of generators, consideration could be given to requiring equipment enclosures for all data centers and other similar industrial uses.

As noted above, the maximum sound levels apply to all uses, whether that be the cooling system for an office building, the trucking associated with a freight distribution facility, or a contractor's storage yard. It has been suggested that lower sound levels should apply to data centers; however, staff does not have information that the dBA for a data center should be regulated differently from that for other uses. On the other hand, further research and consideration could be given to establishing standards for lower frequencies, perhaps measured as dBC.[34]

7. Building Design

Current Regulations and Guidelines

The Zoning Ordinance does not currently have any regulations regarding the architectural design of data centers. Architectural design standards are included in the Ordinance for large retail sales establishments and goods distribution hubs when approved by SE, to minimize the impacts of building bulk through variations in roof lines and setbacks, landscaping, and enhanced architectural treatments such as windows. Standards are also included for self-storage facilities in certain zoning districts to require that storage bay doors or lighted hallways not be visible from the outside, and the building must be multistory and office-like in appearance. The I-4, I-5, and I-6 Districts limit the maximum building height to 75 feet and the FAR to 0.5, without SE approval. For projects undergoing rezoning or SE review, Appendix 12 of the Policy Plan specifies criteria for building design, including the need for high-quality design and materials that complement the architecture of surrounding uses. Loading areas should be screened, and visual impacts should be minimized by avoiding undifferentiated facades and providing variation in height, fenestration, materials, patterns, textures, colors, and accent materials.

[33] Subsection 4102.6.A(1) of the Zoning Ordinance: https://online.encodeplus.com/regs/fairfaxcounty-va/doc-viewer.aspx#secid-2854

[34] Generally, dBA is intended to match typical human hearing; dBC does not have the weighting applied for dBA and may be more appropriate for consideration of low frequencies.

Research and Recommendations

The development of large data centers raises concerns regarding building design and aesthetics because of their bulk and height. They are typically constructed of concrete with minimal fenestration. Larger data centers are often 75 feet in height or more. Also, data centers have related equipment, which, in addition to backup generators, may include water towers and electrical substations.

As identified in the attached report from Clarion Associates, certain other jurisdictions have or are in the process of adopting zoning standards for building design, including Prince William and Loudoun Counties, and Atlanta, Georgia. Similar to the Comprehensive Plan guidance, the standards are intended to provide for variation and interest in design, such as requiring façade changes for height, recesses, fenestration, building and accent materials, and a defined main entrance, as well as mechanical screening.

Given the potential impacts of the bulk of larger data centers, the current guidelines for building design in Appendix 12 of the Policy Plan could be reviewed and considered for all data centers undergoing rezoning or SE review to improve the view of the data center and related equipment from public roads and nearby residential uses. Additionally, submission requirements for rezoning or SE applications could be added to the Zoning Ordinance for architectural elevations (for consideration of the large massing and scale impacts), proposed materials and color palette, and provision of sight line studies with renderings or perspectives from surrounding roads and residential areas.

SUMMARY OF RECOMMENDATIONS FOR GUIDELINES AND STANDARDS

Below is a summary of the recommendations included in the text of this report. These recommendations are presented for Comprehensive Plan guidelines and Zoning Ordinance standards that could be established for data centers to be approved by SE in conventional zoning districts and rezoning/development plan approval in planned districts, where permitted. As previously noted, data centers could continue to be allowed by right; however, some of the recommendations, such as a review of noise studies and building design and encouraging increased open space, tree planting, and stormwater treatment, may be more effectively implemented through an SE review. The SE review process would ensure a robust County review with careful consideration of potential impacts and allow for public hearings to solicit community feedback.

1. Land Use and Site Design

Zoning Ordinance:

- Consider revising permissions to require SE approval for data centers, regardless of size, in the C-3, C-4, and I-2 through I-6 Districts. In addition to recommendations included below under other topic areas, standards for special exception review should include the

consideration of the size of a proposed data center and its distance (buildings and generators) from surrounding existing and planned residential development.
- Where data centers are allowed in the Planned Districts, add a standard to clarify that the use must be specifically identified on the approved development plan, including the location, size, height, and setbacks.

Comprehensive Plan:
- Create a new appendix to the Land Use Element of the Policy Plan for data centers with updated performance criteria. The new appendix should include guidelines that would be utilized in the review of all data centers through the rezoning or special exception process, not just those seeking additional intensity in industrial areas. The guidelines could include consideration of compatibility with future planned uses for the property and surrounding properties.
- Consider recommendations for enhanced buffering for data centers located near residential, noise sensitive uses, and environmentally sensitive areas.
- Consider guidelines for distances from existing or planned substations or transmission lines that can service the data center.

2. Energy Demand

Zoning Ordinance:
- Add zoning application submission requirements for rezoning and SE applications for assessments of future energy needs that will be used in staff's review in accordance with Comprehensive Plan guidelines.

Comprehensive Plan:
- Consider adding an energy performance standard like PUE to promote energy efficiency data centers undergoing rezoning or SE review.
- Encourage LEED-Data Center Silver certification or greater for data centers undergoing rezoning or SE review.
- Encourage data centers to install onsite solar and invest in offsite renewable energy to offset their energy demand and carbon footprint for data centers undergoing rezoning or SE review.

Other Recommendations:
- Establish a new process for coordination with Dominion and NOVEC about proposed data centers during the review of zoning applications, which may include assessments of future energy needs as it relates to existing and planned power infrastructure.
- Pursue partnerships with data center operators for the voluntary sharing of facility energy consumption to assist the County in measuring the achievement of CECAP goals.

3. Water Quality

Zoning Ordinance:

- Consider adding SE standards in the Zoning Ordinance (or amending another chapter of the County Code) for fuel tanks smaller than 25,000 gallons for proper surface grading, berms, or other additional containment practices to protect surface water and ground water by ensuring that if the tank were to fail or if a spill were to occur during filling, the fuel does not enter the stormwater system or open space areas.

Comprehensive Plan:

- Encourage data centers to address potential water quality concerns through the monitoring of cooling system discharge into the wastewater system and, if needed, providing pre-treatment.
- To avoid potential impacts on potable water, within the UOSA service area, encourage the use of cooling systems that do not discharge to the wastewater or stormwater systems, or non-chemical and non-water-based cooling systems.
- Encourage projects subject to rezoning or SE review to exceed minimum requirements for open space and tree preservation and planting.

4. Air Quality

Comprehensive Plan:

- Encourage data centers undergoing rezoning or SE review to minimize air quality impacts through a variety of approaches:
  - Apply state of the art technology to minimize air pollution from backup generators.
  - Encourage the use of Tier IV backup generators, and replacement of existing Tier II generators with Tier IV generators.

Other Recommendations:

- Request DEQ to install additional air quality monitoring stations in Fairfax County.

5. Noise

Zoning Ordinance:

- Consider adding zoning application submission requirements for data centers undergoing rezoning or SE review to quantify the increase in noise on adjacent uses, support review in accordance with Comprehensive Plan guidelines, and demonstrate compliance with the Noise Ordinance.
- Consider expanding the current Zoning Ordinance equipment enclosure requirement to apply in all zoning districts where data centers and other similar industrial uses are allowed.

Noise Ordinance:

- Consider amending the Noise Ordinance to remove exemptions for uses with large numbers of backup generators and require the testing and maintenance as well as the full emergency use of backup generators to comply with the Noise Ordinance standards.

Comprehensive Plan:

- Noise studies for projects undergoing rezoning or SE review could include an evaluation of impacts on residential uses and sensitive habitats. Noise mitigation equipment should be considered to avoid noise impacts to both the human environment and the habitats of local fauna.
- Consider amending the Plan to recommend that data center proposals evaluate and mitigate potential noise impacts:
  - Noise studies could be submitted as part of a rezoning or SE application, for pre-construction (prior to building permit approval) and post-construction (prior to issuance of a Nonresidential Use Permit) to quantify the increase in noise on adjacent uses and demonstrate compliance with the Noise Ordinance.
  - Noise modeling could address the worst-case scenario, including all cooling equipment at full operational load, as well as the maximum number of generators that may be tested at one time.
  - Noise modeling could also address the backup use of backup generators.
  - Noise modeling could include the frequency octave band limits.

Other Recommendations:

- Conduct additional research on establishing standards for lower frequencies in the Noise Ordinance.

6. Building Design

Zoning Ordinance:

- Consider adding submission requirements for rezoning and SE applications to include:
  - Architectural elevations (to address the large massing and scale of data centers)
  - Materials and color palette
  - Sight line studies, including renderings or perspectives from the right-of-way and nearby residential uses.

Comprehensive Plan:

- Review the current guidelines for Building Design in Appendix 12 and consider applying them to projects undergoing rezoning or SE review, including consideration of façade variation, a defined entrance feature, screening of equipment, and other techniques to improve the view of the building from public roads and nearby residential uses.

NEXT STEPS

Data centers are important facilities to support the modern, digital world – particularly in the Northern Virginia region where data center infrastructure is significant. Given their unique characteristics, careful consideration of their location, design, and impacts (including potential mitigation measures) is needed to ensure that data centers are compatible with the surrounding community. This report presents research and related recommendations for possible amendments to the Comprehensive Plan, Zoning Ordinance, Noise Ordinance, and potentially other chapters of the County Code. While staff will use these considerations in the review of any data center entitlement applications in the context of our current guidelines and regulations, staff recommends that the Board direct staff to begin work on amendments to the Comprehensive Plan, Zoning Ordinance, and other chapters of the County Code to facilitate implementation of the recommendations as outlined above and any others the Board might recommend.

Additionally, staff would support future direction from the Board on a closer evaluation of legislative authority for related topics in which the County currently lacks sufficient regulatory authority. Examples of this could include addressing energy efficiency (e.g., PUE), salinity in water discharges, and air quality.

The County's One Fairfax policy would provide the framework to consider equity in the development of any future amendments to the Comprehensive Plan, the Zoning Ordinance, or other chapters of the County Code. This could include enhanced outreach to ensure diverse perspectives are heard and respected. An equity impact analysis could include consideration of the location of vulnerable areas within the County and their relationship to potential data center locations.

If requested, staff is available to present these recommendations at an upcoming Land Use Policy Committee meeting. Questions and comments can be directed to Carmen Bishop at 703-324-1314, and Katie Hermann at 703-324-1280, or by email to ffx-data-centers@PublicInput.com.

ATTACHMENTS

1. Data Center Maps
2. Fairfax Water Comments
3. Clarion Report

Attachment 1: Data Center Maps

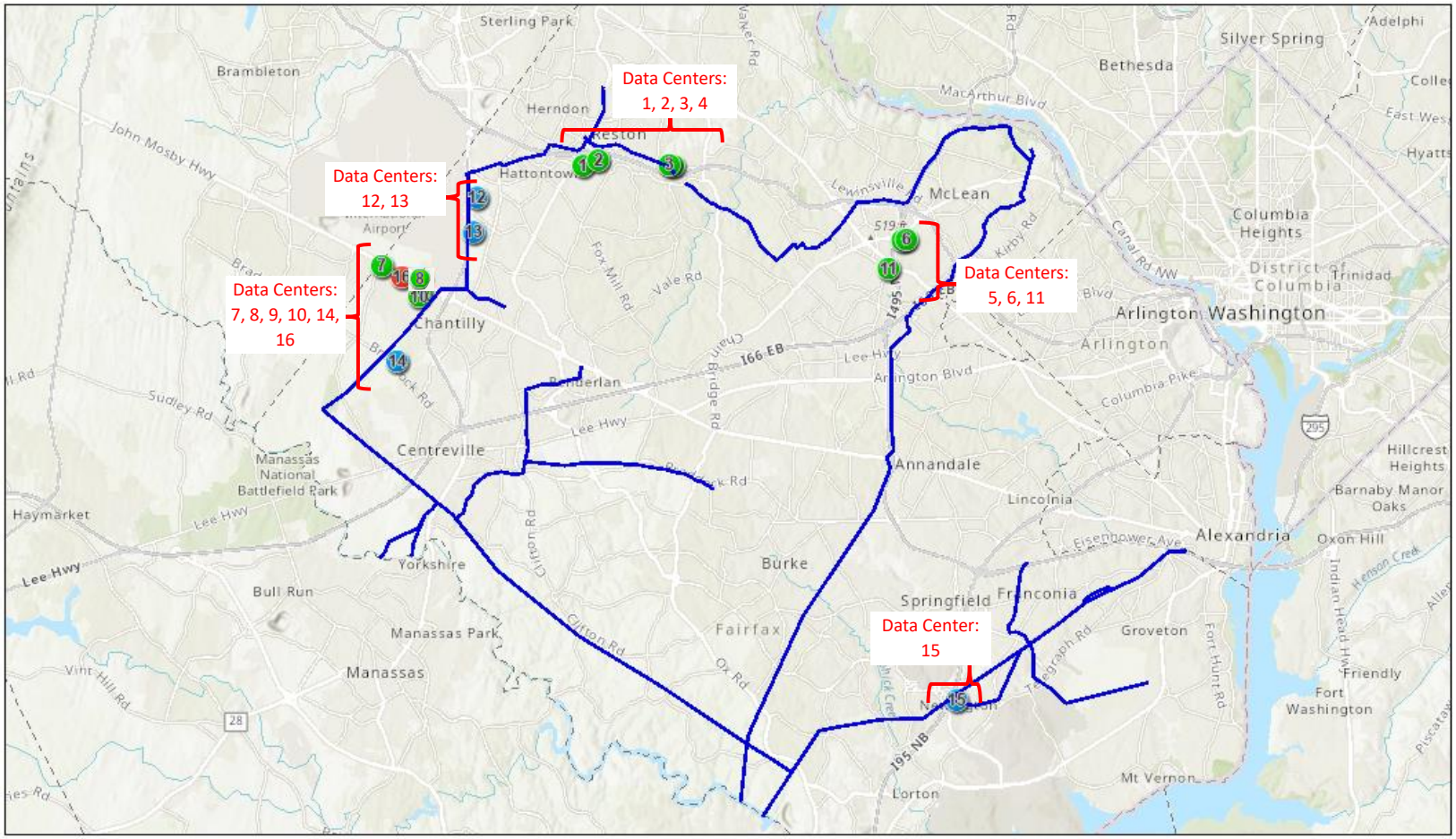
Fairfax Data Centers

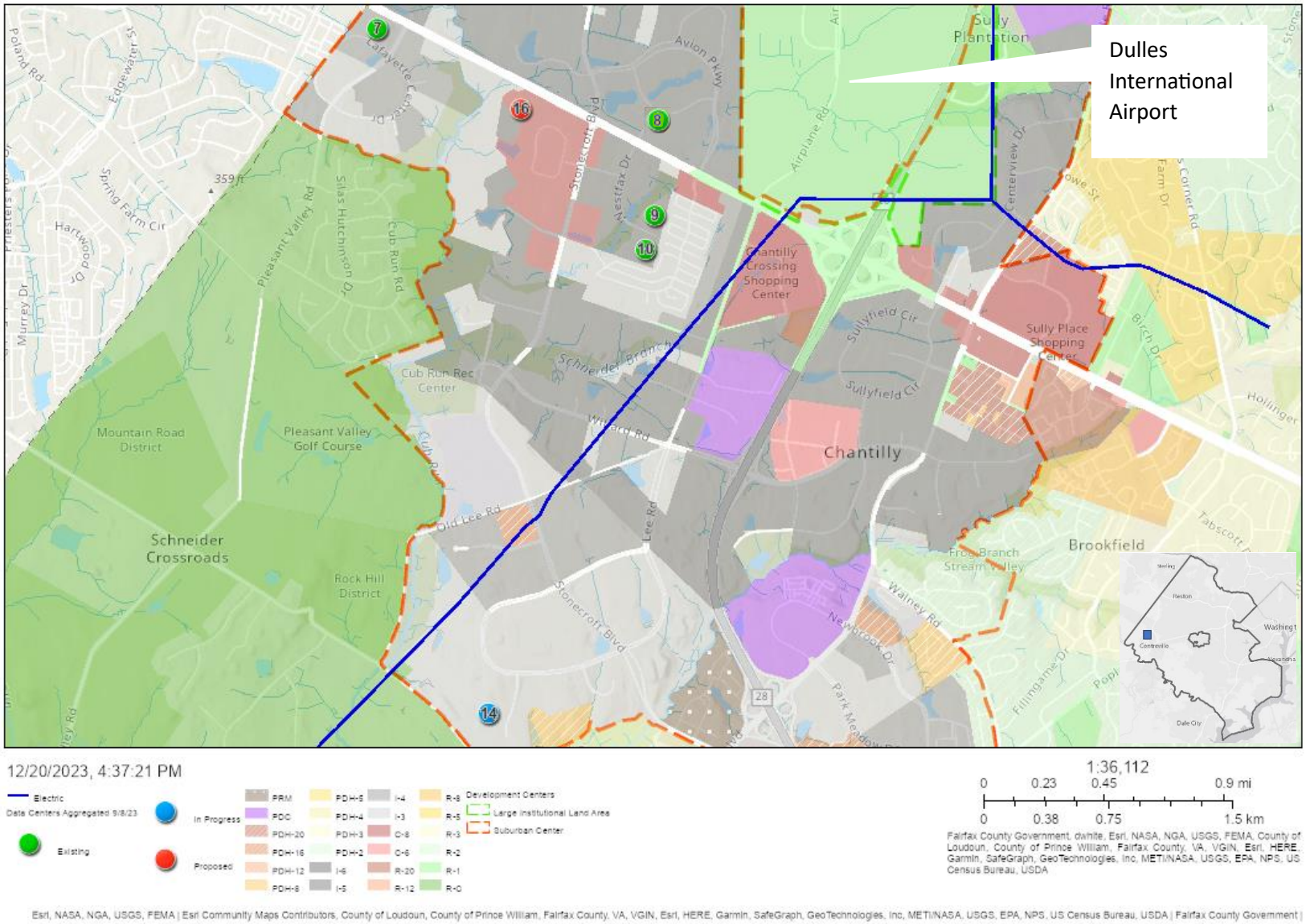
	Name	Address	Tax Map	Zoning District	Square Feet of Gross Floor Area	Zoning Case or By Right
	Existing					
1[1]	Coresite VA3	12379A Sunrise Valley	17-3 ((1)) 32A	I-5	332,957 (existing) 943,600 (total approved by SE)	RZ 2017-HM-032 & SE 2017-HM-030; Rezoning & increase in FAR
2	Coresite 12100 SV & 12098 SV	12098 Sunrise Valley	17-3 ((8))(3A) 1A	I-4	423,341 (existing)	SE 2011-HM-019 for increase in FAR
3	Faraday Building	1807 Michael Faraday	18-3 ((5)) 10	I-5	30,609 (existing	By right
4	Digital Realty/Lemur Properties	1780 Business Center	18-3 ((8)) 9A	I-3/I-4	264,888 (existing)	By right
5	Elias DC Assets	1764A Old Meadow	29-4 ((6)) 97F	PTC	69,089 (existing)	Pre-existing use before rezoning to PTC under RZ -2014-PR-021
6	Roosevelt Building	1755 Old Meadow	29-4 ((6)) 105	PTC	72,546 (existing)	Pre-existing use before rezoning to PTC under RZ -2014-PR-021
7	Lafayette Business Data Center	4030 Lafayette Center	33-2 ((1)) 10D	I-4	145,409 (existing)	By right
8	AWS Virginia Mallory	3980 Virginia Mallory / 14501 Avion	34-1 ((3)) 13	I-5	542,942 (existing) 768,392 (approved by site plan)	By right
9	AWS Westfax B	4100 Westfax	34-3 ((9)) 3A	I-5	95,000 (existing)	By right
10	AWS Westfax A	4101 Westfax	34-3 ((9)) 4	I-5	95,000 (existing)	By right
11	Equinix	7990 Quantum	39-2 ((1)) 13D	I-3	202,500 (existing)	By right
	In Progress[2]					
12	Renaissance Technology Park	13860 Redskin	24-2 ((14)) 1 - 6	I-5	2,136,040 (approved by SE) 2,130,000 (approved by site plan)	SE-2021-SU-00017 for increase in height
13	Perspecta Datacenter Campus/AWS	13600 EDS	24-4 ((1)) 6B7, 6B8	I-5	1,046,632 (approved by site plan)	By right

[1] Numbers correspond to maps

[2] In progress includes projects where any necessary zoning entitlement has been approved, or for by right projects, a site plan has been approved, but a certificate of occupancy has not been issued.

	Name	Address	Tax Map	Zoning District	Square Feet of Gross Floor Area	Zoning Case or By Right
14	Parkstone Tech Park	5140 Parkstone	43-4 ((6)) 37B	PDC	500,000 (approved by RZ) 419,410 (approved by site plan)	RZ-2021-SU-003
15	AWS Loisdale Station	7951 and 7961 Loisdale	99-2 ((1)) 8A	I-5	240,000 (approved by RZ/SE) 235,422 (approved by site plan)	RZ-2021-LE-015 & SE-2021-LE-010; Rezone & increase in height
	Proposed					
16	Chantilly Premier	None	33-2 ((1)) 6 pt	I-5 (proposed)	402,000 (proposed)	RZ-2022-SU-00019 & SE-2022-SU-00038; Rezone & increase in height


Data Centers: 1, 2, 3, 4
Data Centers: 12, 13
Data Centers: 7, 8, 9, 10, 14, 16
Data Centers: 5, 6, 11
Data Center: 15
Sterling Park
Brambleton
Herndon
Reston
Hattontown
Chantilly
Centreville
Manassas National Battlefield Park
Haymarket
Manassas
Manassas Park
Bull Run
Yorkshire
Sudley Rd
Lee Hwy
John Mosby Hwy
Vint Hill Rd
Fox Mill Rd
Vale Rd
Chain Bridge Rd
Clifton Rd
Ox Rd
Fairfax
Burke
Annandale
Lincolnia
Springfield
Franconia
Groveton
Fort Hunt Rd
Alexandria
Arlington
Arlington Blvd
Columbia Pike
Eisenhower Ave
Lorton
Mt Vernon
Fort Washington
Friendly
Oxon Hill
Barnaby Manor Oaks
Hillcrest Heights
Columbia Heights
District of Columbia
Trinidad
Washington
McLean
Bethesda
Silver Spring
Adelphi
MacArthur Blvd
Leesburg Pike
Kirby Rd
Canal Rd NW
Lewinsville Rd
Braddock Rd
Rolling Rd
Telegraph Rd
Indian Head Hwy
Piscataway
Hemson Creek
Airport
28
66 EB
495
295
12/20/2023, 2:41:49 PM
Data Centers
Existing (11)
In Progress (4)
Proposed (1)
Electric Lines
1:288,895
0 2 4 8 mi
0 3 6 12 km
Esri, NASA, NGA, USGS, County of Prince William, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, NPS, USDA
County of Prince William, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA | Esri, NASA, NGA, USGS | Fairfax County Government | dwhite | Fairfax County, Virginia; Office of the County Executive; One Fairfax | Fairfax



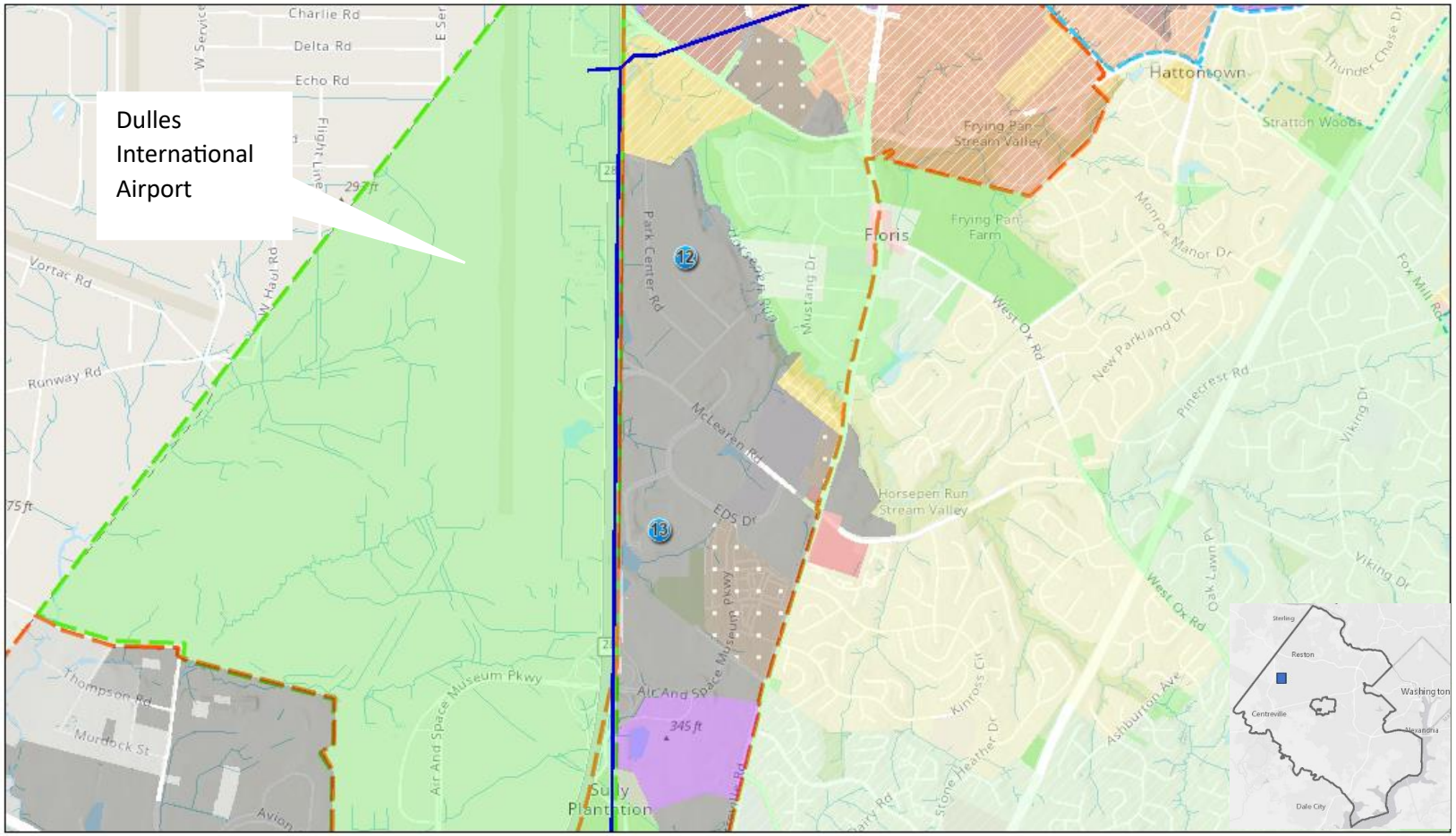
12/20/2023, 4:37:21 PM

Electric
Data Centers Aggregated 9/8/23
Existing
In Progress
Proposed
PRM PDC PDH-20 PDH-16 PDH-12 PDH-8 PDH-5 PDH-4 PDH-3 PDH-2 I-6 I-5 I-4 I-3 C-8 C-6 R-20 R-12 R-8 R-5 R-3 R-2 R-1 R-0
Development Centers
Large Institutional Land Area
Suburban Center

1:36,112
0 0.23 0.45 0.9 mi
0 0.38 0.75 1.5 km

Fairfax County Government, dwhite, Esri, NASA, NGA, USGS, FEMA, County of Loudoun, County of Prince William, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Loudoun, County of Prince William, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Fairfax County Government |



12/20/2023, 4:33:46 PM

Electric
Data Centers Aggregated 9/8/23
In Progress
PRM

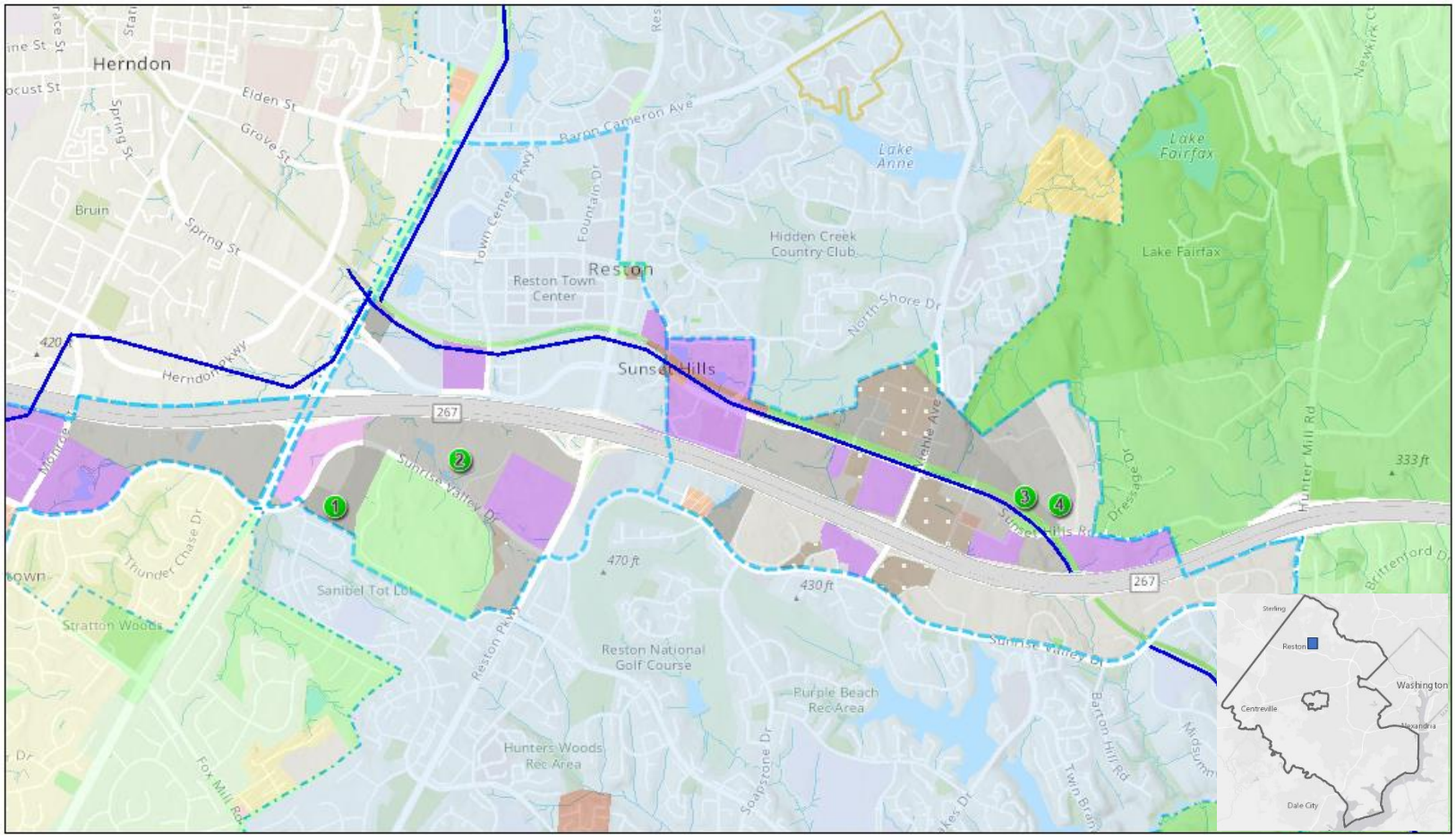
PDC
PRC
PDH-30
PDH-20
PDH-16
PDH-12
PDH-8
PDH-5
PDH-4
PDH-3
PDH-2
I-5
I-4
I-3
C-8
C-6
C-5
R-12
R-3
R-2
R-1

Reston Area Boundary
Development Centers
Large Institutional Land Area
Suburban Center
Transit Station Area

1:36,112
0 0.23 0.45 0.9 mi
0 0.38 0.75 1.5 km

Fairfax County Government, dwhite, Esri, NASA, NGA, USGS, FEMA, County of Loudoun, County of Prince William, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Loudoun, County of Prince William, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Fairfax County Government |



12/20/2023, 4:30:27 PM

Electric

Data Centers Aggregated 9/8/23

Existing

PRM

PDC

PRC

PDH-12

PDH-5

PDH-4

PDH-1

I-5

I-4

I-3

I-2

C-8

C-5

C-3

C-2

R-30

R-20

R-12

R-3

R-2

R-1

R-E

Commercial Revitalization Districts & Areas

AREA

Reston Area Boundary

Development Centers

Transit Station Area

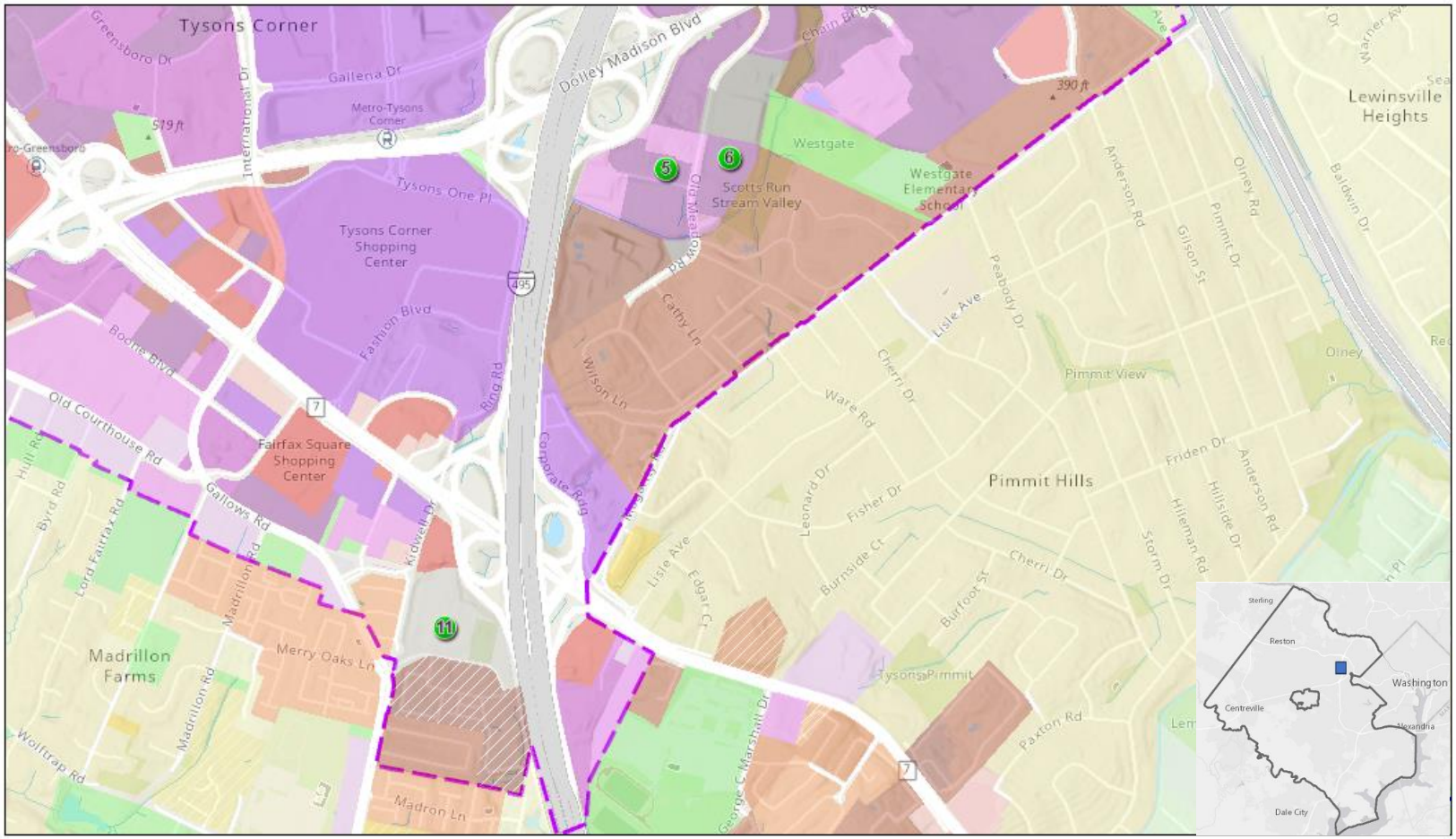
1:36,112

0 0.23 0.45 0.9 mi

0 0.38 0.75 1.5 km

Fairfax County Government, County of Loudoun, Fairfax County, VA, MNCPPC, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, dwhite, Esri, NASA, NGA, USGS, FEMA

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Loudoun, Fairfax County, VA, MNCPPC, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Fairfax County Government | dwhite | Fairfax



12/20/2023, 4:56:38 PM

Electric

Data Centers Aggregated 9/8/23

Existing

PTC

PDC, PDH-30, PDH-16, PDH-12, PDH-5, PDH-4, PDH-3, PDH-2, I-4, I-3, C-8, C-7, C-6, C-5, C-4, C-3, C-2, C-1, R-30, R-20, R-16, R-12, R-8, R-4, R-3, R-2, R-1

Development Centers

Urban Center

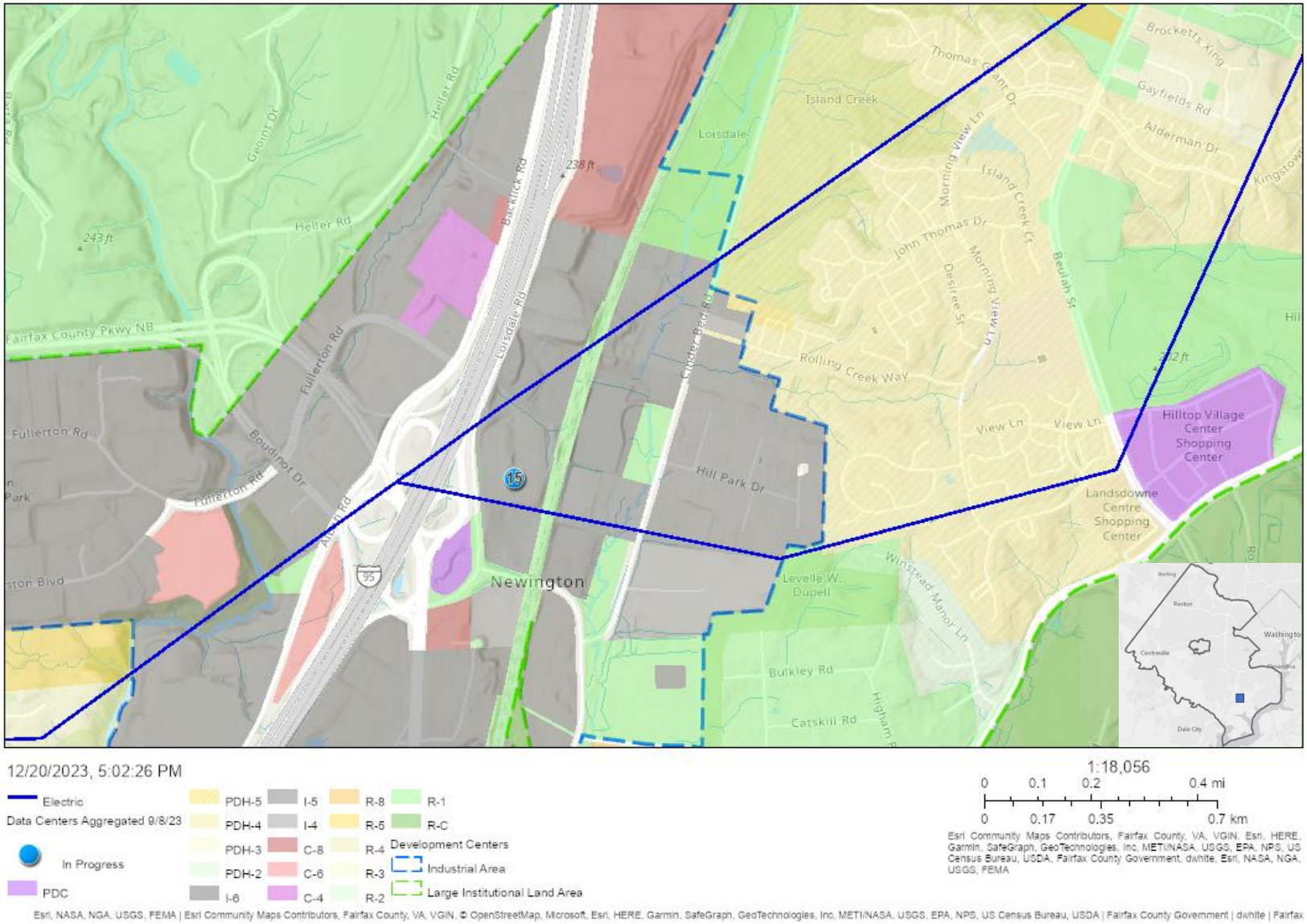
1:18,056

0 0.1 0.2 0.4 mi

0 0.17 0.35 0.7 km

Esri Community Maps Contributors, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Fairfax County Government, dwhite, Esri, NASA, NGA, USGS, FEMA

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, Fairfax County, VA, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Fairfax County Government | dwhite | Fairfax


Island Creek
Loisdale
Brocketts Xing
Gayfields Rd
Alderman Dr
Thomas Grant Dr
Morning View Ln
Island Creek Ct
John Thomas Dr
Desiree St
Beulah St
Rolling Creek Way
View Ln
Hilltop Village Center Shopping Center
Landsdowne Centre Shopping Center
Hill Park Dr
Heller Rd
Geomt Dr
Buckrock Rd
238 ft
243 ft
Fairfax County Pkwy NB
Fullerton Rd
Loisdale Rd
Boudinot Dr
Alban Rd
Newington
Levelle W. Dupell
Winstead Manor Ln
Bulkley Rd
Catskill Rd
Sterling
Reston
Centreville
Dale City
12/20/2023, 5:02:26 PM
Electric
Data Centers Aggregated 9/8/23
In Progress
PDC
PDH-5
PDH-4
PDH-3
PDH-2
I-6
I-5
I-4
C-8
C-6
C-4
R-8
R-5
R-4
R-3
R-2
R-1
R-C
Development Centers
Industrial Area
Large Institutional Land Area
1:18,056
0 0.1 0.2 0.4 mi
0 0.17 0.35 0.7 km
Esri Community Maps Contributors, Fairfax County, VA, VGIN, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, Fairfax County Government, dwhite, Esri, NASA, NGA, USGS, FEMA
Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, Fairfax County, VA, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA | Fairfax County Government | dwhite | Fairfax

Fairfax Water
8560 Arlington Boulevard, Fairfax, Virginia 22031

PLANNING & ENGINEERING DIVISION
Nat Atapoor, P.E., CCM
Director
(703) 289-6325

November 6, 2023

Ms. Carmen Bishop
Deputy Zoning Administrator
Ordinance Administration Section
Zoning Administration Division
12055 Government Center Parkway, Suite 807
Fairfax, VA 22035

Re: Fairfax Water Responses to Fairfax County Staff Questions Regarding Data Centers

Dear Ms. Bishop:

Please find the following summarizing water system impacts to assist in your response to the Board of Supervisors directive to evaluate guidelines for new data centers.

Question 1: *Do we have sufficient water and infrastructure to accommodate data centers and other projected growth?*

Response: Fairfax Water uses land use and demographic information furnished by local governments to evaluate projected water demands on the water system and plan sufficient water infrastructure system to meet the community's need. Future demands are calculated based on projected regional population and employment growth projections provided by the Metropolitan Washington Council of Governments. Projections are developed and used to evaluate the water system to meet demands, currently assessed through the year 2045. As a result of this periodic planning process, Fairfax Water remains well-prepared to address any water infrastructure needs that may be needed.

Employee water unit use in Fairfax Water's retail service area continues to decline, a long-term trend that has occurred over the past few decades and continues today. This trend is consistent with national water use trends that have documented declining per capita and per employee water use. Please note that data center water use depends on many site-specific factors, including but not limited to the type of cooling used (air/water) and facility specifics (size, equipment, cooling technology, and other factors). Given the uncertainty in site-specific factors, it's possible that a large increase in the number of data centers could, over the long term, change or reverse Fairfax Water's employee unit water use trend.

A more in-depth evaluation of this would require an assessment of data center re-development potential, data center development market viability, and land-use entitlement potential for land units under consideration for data centers. Given a comprehensive inventory of land units that could be converted to data centers in Fairfax County, a comparison of water use with Fairfax Water's projected population and employment forecasts could be estimated. Such an analysis could be useful to assess the maximum potential water demand that may be required to serve new data centers in Fairfax Water's retail service area.

Question 2: *How does the water consumption from data centers compare to other nonresidential users?*

Response: It can be difficult to directly compare data center water use with other non-residential uses. As mentioned, water consumption of data centers depends on many site-specific factors, including but not limited to the type of cooling used (air/water) and facility specifics (size, equipment, cooling technology, etc.). At the request of Fairfax County DPD staff, Fairfax Water recently reviewed data center water use for a few large data center facilities (both in the 12000 block of Sunrise Valley Drive) located in our retail service area with sufficient operating history to assess their water use. Our review determined that during calendar year 2022, data center water use for each facility was approximately 38,000 gallons per day. Based on the gross floor area of these facilities, water use averaged between 90 and 100 gallons per 1,000 square feet of area. By comparison, planning values used by Fairfax Water for other types of commercial use include:

- Retail: 140 gallons per 1,000 sq ft
- Office: 60 gallons per 1,000 sq ft
- Hotel: 180 gallons per 1,000 sq ft

Therefore, based on square footage basis, water use of data centers appears to be more than office use but less than retail and hotel use.

Question 3: *Using known water usage rates by existing and proposed data centers in the County and in other nearby jurisdictions, could Fairfax Water provide a value for typical water usage, perhaps correlated to the gross floor area of these existing data centers?*

Response: Recognizing that water consumption of data centers depends on many site-specific factors, data center water use in our region for existing operational data centers can serve as a reference point.

Consider the following:

- The Prince William County Service Authority provided information to the Prince William County Planning Department summarizing water use for 25 operating data centers in Prince William County (as of late 2021). This records review found the

average daily water consumption of a single data center building was about 18,000 gallons per day, while the maximum day consumption of a single data center building is about 88,000 gallons per day. Reference: https://www.pwcva.gov/assets/2021-10/DCOZOD%20%20Economic%20Development%20memo.pdf

- Loudoun Water operates a reclaimed water system serving over 50 data centers in Loudoun County. The water use of the reclaimed water system by these data center customers averaged 1.9 MGD in 2022, or about 37,000 gallons per day per data center. Reference: https://www.loudounwater.org/commercial-customers/reclaimed-water-program

Recognizing that many site-specific factors need to be considered, the water use review conducted by Fairfax Water (mentioned in the response to Question #2) confirmed the general water use ranges for data centers in Northern Virginia identified by our neighboring systems. Average water use on a unit basis is estimated in the response to question #3.

Question 4: *Do you anticipate any changes to water demand forecasts based on a potential increase in data centers in Fairfax?*

Response: Consistent with our long-range planning process, Fairfax Water's water demand forecasts will be adjusted over time to reflect changes in population and employee unit water use. Site-specific factors including the equipment specifics, type of cooling and other site-specific factors that impact water use vary among different facilities. Fairfax Water's long-term decline in per employee water use has continued despite dozens of existing data centers in Fairfax Water's retail service area. Currently, there is no evidence that our water demand forecast requires a change to our traditional forecasting methodology.

Question 5: *How do data centers impact the water quality of the Occoquan?*

Response: Fairfax Water is concerned with chemical use in the Occoquan watershed, particularly from commercial and industrial sources. These chemicals are discharged into the sanitary sewer system and readily pass through the municipal wastewater and water treatment process. Chemical use associated with data centers can include sodium and bromide-based chemicals (salts) designed to provide and protect water quality in the recirculating cooling water systems. A portion of the water used in these systems needs to be "blowdown" or discharged into the sanitary sewer system. Since the municipal wastewater treatment process at the Upper Occoquan Service Authority (UOSA) is not designed to remove these chemicals, they can pass through without substantial reduction and increase pollutant load into the Occoquan Reservoir, one of the two water supply sources of drinking water for Fairfax Water. Fairfax Water's water treatment plant is not designed to remove salts (and other emerging compounds such as per-and polyfluoroalkyl substances or PFAS) through the water treatment process.

Question 6: *Overall, what concerns do data centers raise for Fairfax Water and does Fairfax Water have suggested approaches to addressing those concerns?*

Response: Fairfax Water suggests that data centers within the Occoquan watershed (such as Fairfax County's sewershed treated at the UOSA plant) use non-chemical/non-water based cooling or have industrial pre-treatment permit requirements to eliminate chemical discharge to the sanitary sewer system upstream of the Occoquan Reservoir. As noted above, Fairfax Water has concerns with certain chemical uses associated with data centers that can be transmitted to the UOSA sanitary sewershed and pass through the wastewater treatment process without reduction or removal. To address potential non-point source pollutant impacts on the Occoquan Reservoir, Fairfax Water suggests: the use of stormwater management practices consistent with County and Water Supply Overlay District (WSPOD) requirements that go above and beyond Virginia Stormwater Management requirements, and the use of environmental, stream resource and tree protection management practices to reduce the impacts of runoff on the Occoquan Reservoir.

Should you have any further questions or require additional information, please do not hesitate to contact me at (703) 289-6318.

Sincerely,

Gregory J. Prelewicz, P.E.
Manager, Planning

ATTACHMENT 4.b

Article – *As Data Centers Zap Power, Some Pols Ponder The Unthinkable: Pulling The Plug*, dated October 9, 2024

As Data Centers Zap Power, Some Pols Ponder The Unthinkable: Pulling The Plug

October 9, 2024 | By Dan Rabb and Maddy McCarty

It isn't every day that Texas legislators liken an industry to pigs at the trough or accuse it of "crashing our grid and turning the lights off."

But it is happening in the famously business-friendly Lone Star State as lawmakers turn increasingly hostile toward a real estate asset class playing an outsized role in nearly doubling (https://apnews.com/us-news/texas-state-government-texas-general-news-d8f648128b1661d0c86865eab788b4e5) statewide demand on its mostly self-contained power grid (https://www.bisnow.com/tags/power-grid) over the next six years.



Data centers (https://www.bisnow.com/tags/data-centers), which house thousands of servers providing the computing power for major corporations, are a booming industry in Texas. Much of the growth is fueled by demand from the world's largest tech companies — Amazon (https://www.bisnow.com/tags/amazon), Microsoft (https://www.bisnow.com/tags/microsoft), Google (https://www.bisnow.com/tags/google) and Meta (https://www.bisnow.com/tags/meta) — which need facilities to support their massive cloud (https://www.bisnow.com/tags/cloud) businesses and, increasingly, artificial intelligence (https://www.bisnow.com/tags/artificial-intelligence).

Texas has also emerged as the undisputed U.S. capital for bitcoin (https://www.bisnow.com/tags/bitcoin) mines, specialty data centers devoted to processing cryptocurrency (https://www.bisnow.com/tags/cryptocurrency) transactions.

All that growth is expected to account for more than half of a projected power demand spike that hit legislators like a ton of bricks this summer when the Electricity Reliability Council of Texas presented new and startlingly higher numbers.

And it came as the state was making progress toward shoring up its grid after a catastrophic 2021 winter storm shut it down, killing hundreds and wreaking billions (https://www.bisnow.com/houston/news/infrastructure/project-eyes-a-link-of-ercot-grid-with-other-southeastern-states-122278) in property damage.

Texas isn't alone in worrying about energy stability. National projections show usage from data centers will double by the end of the decade and rise even further in industry hot spots like Dallas-Fort Worth. Some jurisdictions have imposed limits (https://www.bisnow.com/national/news/data-center/loudoun-countys-new-data-center-rules-leaving-some-developers-in-limbo-115766), and the Biden administration made developing new solutions to the industry's increasingly acute energy crisis (https://www.bisnow.com/national/news/data-center/were-not-even-close-data-center-power-crunch-gets-worse-with-no-end-in-sight-122415) a national priority.

Yet the unexpected surge has Texas lawmakers reeling, asking questions about the worth of huge power consumers to the economy and calling for ways to put the brakes on an industry speeding ahead faster than anywhere else in the U.S. outside of Northern Virginia.

"I'm more interested in building the grid to service customers in their homes, apartments, and normal businesses and keeping costs as low as possible for them instead of for very niche industries that have massive power demands and produce few jobs," Texas Lt. Gov. Dan Patrick (https://www.bisnow.com/tags/lt.-gov.-dan-patrick) said on social media platform X (https://x.com/LtGovTX/status/1800968003636408657?lang=en) after ERCOT (https://www.bisnow.com/tags/ercot) presented the new projections.

"We want data centers, but it can't be the Wild Wild West of data centers and crypto miners crashing our grid and turning the lights off."

The debate has refocused attention on the state's fragile grid and limited energy infrastructure. And the avalanche of new demand is spiking fears of massive bills ahead for residents and businesses.

“It has huge policy implications,” Texas Sen. Nathan Johnson, a Democrat from Dallas, said at a June hearing. “And every assumption that we've made over the past four years is now called into question.”

From Dozens Of Megawatts To Hundreds

Dallas is the country's second-largest data center market and one of the industry’s traditional hubs. More data center firms are headquartered in Dallas than any other city.

At the end of the second quarter, there were 966 megawatts of total inventory, with 339 MW under construction and 3,091 MW planned in DFW, according to JLL (https://www.us.jll.com/en/trends-and-insights/research/na-data-center-report). The total number of megawatts in use by data centers in the Dallas market is up 77% since 2020, according to CBRE (https://www.cbre.com/insights/reports/north-america-data-center-trends-h1-2024).



Meanwhile, the Austin-San Antonio region is considered the largest of the nation’s “secondary” data center markets. It was the fastest-growing data center market through the first half of this year, the CBRE report says, and its combined under-construction activity more than quadrupled from a year earlier.

Data centers are attracted to sites with low power costs, targeted tax incentives and robust optical fiber network infrastructure nearby. Many parts of Texas hit all these marks.

But the new wave of data center demand caught ERCOT and utilities across the nation (https://www.bisnow.com/national/news/data-center/more-skin-in-the-game-power-utilities-say-data-centers-must-foot-the-bill-for-billions-in-grid-upgrades-124385) by surprise.

Data centers will represent 6.6% of electricity (https://www.bisnow.com/tags/electricity) consumption in the U.S. by 2028, up from just 1.5% in 2018, according to TD Cowen (https://www.bisnow.com/national/news/data-center/td-cowen-data-centers-share-of-us-energy-use-to-quadruple-124474). Other studies (https://carboncredits.com/us-data-centers-power-requirement-will-double-by-2030/) predict the industry's share of power use will be as high as 9.1%.

In Texas, 60% of the 40 GW of new load expected in the months ahead consists of new data centers and bitcoin mining (https://www.bisnow.com/tags/bitcoin-mining), according to Texas Public Utility Commissioner Lori Cobos. But what is catching providers most off guard is that each new facility is using far more power than ever before.

The size of data center campuses, measured in the amount of energy they consume, has shot up over the past four years from dozens of megawatts to hundreds, with major tech companies now looking to deploy more than a gigawatt of capacity at a time.

The reason is AI (https://www.bisnow.com/tags/ai). High-performance computing equipment, such as the graphics processing units made by companies like Nvidia (https://www.bisnow.com/tags/nvidia), use far more power than traditional data center servers. A Google search using AI computing consumes around 10 times more energy (https://www.goldmansachs.com/insights/articles/AI-poised-to-drive-160-increase-in-power-demand)than a traditional search.

"We're not talking about 50-MW data centers anymore," said Enchanted Rock Chief Commercial Officer Allan Schurr, whose firm partners with large energy users to locate on-site power generation. "We're talking about 500-MW or gigawatt-scale data centers."

'Too Many Pigs At The Table'

"Five years ago, we didn't see AI-type data centers coming on the grid. No one was talking about that," ERCOT Chief Operating Officer Woody Rickerson told lawmakers at a June Senate Business and Commerce Committee hearing when lawmakers first learned expectations about future power demand had been upended.

"Those are extremely large. Just for comparison's sake, the city of Lubbock is about 700 MW, and some of these AI data centers are over 2,000 MW, so we're talking about putting three Lubbocks in 24 months at a site."

When Texas demand hit a new high of 85 gigawatts in 2023, the hottest year recorded in the state, ERCOT expected demand to rise to 110 GW by 2030. After changing its projection methodology (https://www.kvue.com/article/news/local/texas/ercot-long-term-planning-procress/269-adf87150-d459-42cb-b826-029b506bcb20) in April, it raised that number to 150 GW.

The new projection brought worries about the health of the Texas grid to a head, seemingly sending some lawmakers into panic mode. Some wondered aloud whether the state could stop data centers and bitcoin mines from coming at all.

“AI’s just come on the scene, but who knows what’s next, even after that, that will consume even more?” said Sen. Donna Campbell, a Republican whose district includes parts of Austin and San Antonio. “Can we just say, ‘No, you can’t come’? Can we just say no? Too many pigs at the table just run out of food if they don’t come with their own trough full of food.”

Much of the concern stems from 2021's Winter Storm Uri (https://www.bisnow.com/tags/winter-storm-uri), which laid bare the Texas grid's vulnerability. More than 4 million homes and businesses were left without power amid freezing temperatures.



Power demand before Uri-related blackouts began was 69 gigawatt-hours (https://experience.arcgis.com/experience/cc48fcfebfae414b99b3d18f86c72c27/page/Power-Demand-During-Uri/), a new winter high. The Texas grid can typically handle 70 GWh, but 14 GW of natural gas and coal-fired power plants were offline for maintenance (https://experience.arcgis.com/experience/cc48fcfebfae414b99b3d18f86c72c27/page/Power-Supply-During-Uri/), a common practice during winter months.

But this time, disaster ensued. In addition to loss of life, by March 2022 (https://www.tdi.texas.gov/reports/documents/feb2021-tx-winter-weather-summary-mar2022.pdf), the Texas Department of Insurance had tallied 510,772 freeze-related insurance claims, with an expected payout total of $11.2B. The average incurred loss for commercial property was about $149K.

ERCOT, the Public Utilities Commission and lawmakers responded by going all out to ensure adequate generation resources would become available when the system is under stress. But with the gears of that fraught process in motion, the unexpected wave of electrical demand from data centers and bitcoin mines tossed a new wrench in the works.

There is a chance the state is “building a system that won’t fit,” said state Sen. Robert Nichols, a Republican from Jacksonville.

“This is so far different from anything we’ve ever seen.”

Fear And Black Swans

But is the influx of data centers actually increasing the risk of catastrophic blackouts across Texas? The answer is complicated.

On one hand, experts refute the notion that a data center with the power consumption of a small city could suddenly switch on and take grid operators by surprise, plunging large swaths of Texas into darkness. Connecting a data center to the ERCOT grid isn't a free-for-all — it requires an extensive approval process, and permission is only granted once sufficient infrastructure is in place.

Still, energy experts like Enchanted Rock’s Schurr acknowledge that the ERCOT grid becomes more vulnerable as the addition of data centers and other large industrial power loads keeps demand on the grid in the upper range of its capacity. Grid operators must make sure there is always enough capacity operating or ready to operate for anticipated power demand, with extra in reserve in case of plant failures or other unforeseen events.

The problems come when an event like Uri reduces grid capacity, but data centers are already encroaching on the reserve margins of extra power, Shurr said.

“We have to plan for the extreme events, the black swans,” he said. “If data centers are the cause of squeezing that reserve margin, then the reliability during those extreme events can be at risk.”

Many in the industry are quick to point out that data centers have their own backup electricity sources on-site, typically in the form of diesel or natural gas generators, allowing facilities to remain fully operational off grid. Nearly every data center in Texas remained online (https://www.bisnow.com/dallas-ft-worth/news/data-center/despite-arctic-inspired-panic-texas-data-centers-are-doing-alright-107802) during Winter Storm Uri, and their on-site power meant they didn’t contribute stress on the already overmatched ERCOT system.

But much of the concern around data centers’ impact on the Texas power grid has focused on one contentious corner of the broader data center ecosystem: bitcoin mines.

Unlike traditional data centers, bitcoin mining facilities don’t use the same amount of power all the time. As long as a miner’s power costs are less than the price of bitcoin, a facility will run at full tilt. But during times of energy scarcity, when the price of power goes up, bitcoin miners typically shut down entirely, pulling potentially hundreds of megawatts off the grid.

This pattern of electricity usage aligns with what ERCOT's operators want. Yet it can also raise the risk of catastrophic grid failures. ERCOT and utilities have little transparency into bitcoin miners' operations, making real-time predictions about energy demand challenging.



And if grid operators don't correctly anticipate when bitcoin miners will shut down during periods of high demand, disaster can follow.

"It's a little bit of a hold-your-breath moment when we go into scarcity, not knowing for sure what that demand response is going to look like from one day to the next," ERCOT's Rickerson told lawmakers in June.

However, the characterization of bitcoin mining as an inherently destabilizing force on the state's energy infrastructure has also received pushback from miners and ERCOT leadership, who say bitcoin miners can be part of the solution.

ERCOT has implemented demand response programs, in which major power consumers agree to effectively give their allotted power back to the grid by dramatically reducing electricity consumption during times of peak demand — for a price. Bitcoin mines are a natural fit for demand response.

But only about a third of Texas bitcoin mining operations are in such a program, according to Texas Blockchain Council President Lee Bratcher.

ERCOT leadership and mining groups like Bratcher's are aligned in wanting to see all miners become so-called controllable load resources, giving ERCOT transparency into their operations and a say in when they disconnect during periods of high demand. These facilities could become an important stability resource, effectively adding gigawatts of emergency capacity to the grid.

Who's Stuck With The Bill?

Texas lawmakers aren't just worried about data centers and crypto mines making the state's electricity less reliable. They're also worried about them making it more expensive.

The flood of massive data centers and bitcoin mining developments seeking connections to the ERCOT grid far exceeds the capacity of Texas' existing power infrastructure, particularly the transmission lines and substations needed to deliver power to these projects. ERCOT and its associated utilities, like all U.S. power providers, are legally obligated to fulfill these requests.

That means spending billions to expand grid capacity.

ERCOT already has $14B worth of transmission projects in some stage of preconstruction or development, and a significant increase in spending is needed to meet the wave of demand projected to be just around the corner, ERCOT's leadership told lawmakers. In theory, the cost of these capital projects will be covered by data centers paying for the power they use.

But if billions of dollars are spent building transmission lines for a data center campus that never ends up being built or uses just a fraction of the electricity its developers asked for, the huge cost of these projects would be borne by all Texans in their power bills.

State lawmakers were quick to raise concerns about the potential for higher power rates, which they said would have the greatest impact on the state's most vulnerable households.

"I want to make sure that we don't increase the cost of everybody who can least afford it for a specialized project that's for industries that are very profitable," Sen. Jose Menendez, a San Antonio Democrat, told ERCOT leadership at the hearing.

Clouding the issue, ERCOT has little insight into how much of its record interconnection queue will materialize. In the data center industry and among utilities, there is broad consensus that much of the projected increase will never come to fruition — as much as 80% of ERCOT's projection, Bratcher said.

A data center developer might apply for interconnections for 100 MW in five potential locations but only plan on building at one of them. That looks like 500 MW to ERCOT, but in reality it would only be 100 MW, Bratcher said.

Adding to this "phantom load," landowners or developers with no relevant experience have made large connection requests for properties to boost land values and potentially flip the parcels to data center firms.

"In every single market, we've seen a flood of private equity guys and landowners who go to the utility and get a power study for 500 MW for a farm just so that land's worth six times as much," JLL U.S. Data Center Managing Director Andy Cvengros (https://www.bisnow.com/tags/andy-cvengros) said. "Utilities are looking at us to help them understand who's real and who's not."



Some steps are already being taken to help ERCOT make more accurate demand projections and separate the wheat from the chaff, hoping to lower the risk Texans will be stuck with the bill for billions in unneeded transmission infrastructure.

Oncor (https://www.bisnow.com/dallas-ft-worth/news/data-center/data-center-demand-continues-to-boom-in-dfw-even-as-other-assets-falter-119757), which transmits and delivers electricity to much of the Dallas-Fort Worth region and parts of the Permian Basin (https://www.bisnow.com/tags/permian-basin), started taking advantage of a law passed last year allowing transmission providers to give input on which loads they felt were likely to connect, Oncor Vice President Ellen Buck said during the Senate hearing.

Oncor determined that only 25 GW of the 47 GW seeking connections were likely to move forward after examining whether the requesting entity was legitimate, like a major tech firm or known developer, and whether they had started making financial commitments toward their projects, such as securing property or ordering equipment.

“What we're looking at is, what's the customer's evidence of skin in the game?” Buck told the committee.

There is also support for charging potential connectors (https://www.bisnow.com/national/news/data-center/the-machete-approach-a-fight-between-data-centers-and-an-ohio-utility-may-preview-more-turmoil-ahead-125992) large fees, securing another form of collateral or requiring expensive studies as part of the application to request a connection. Those measures, widely used in other markets, could make speculative requests less likely.

“As a data center industry, as a bitcoin mining industry, we are all supportive of ERCOT charging fees for loads to be in the interconnection queue because we understand how important it is for them to have an accurate picture of what load is coming,” Bratcher said. “If that hurts our bottom line, then so be it.”

Reaching A ‘Tipping Point’

The increasingly hostile rhetoric from Texas lawmakers may signal a changing political landscape for the data center and bitcoin mining industries, which until recently were welcomed with open arms.

The severest suggestions floated by elected officials, banning bitcoin mining or new grid connections for data centers, have yet to manifest as concrete legislative proposals. But more limited bills were introduced, including a measure to limit bitcoin miners’ participation in demand response programs (https://www.coindesk.com/policy/2023/05/30/texas-bill-that-would-limit-miners-participation-in-cost-saving-grid-programs-stopped-in-house-committee/).

Meanwhile, there is a sense that the tone of the conversation around data centers and crypto mining in Austin is taking a rapid turn toward the negative.

“Suddenly they flipped on crypto a few months ago,” said University of Houston (https://www.bisnow.com/tags/university-of-houston) energy fellow Ed Hirs, who predicted in 2013 (https://www.chron.com/opinion/outlook/article/texas-suffers-from-soviet-style-electricity-4301693.php) that ERCOT’s deregulated grid would result in power generation and distribution shortfalls. “I guess they read the pieces I've been putting out.”

Texas would hardly be the first place where data centers have worn out their welcome. That pattern has played out (https://www.bisnow.com/national/news/data-center/an-expensive-lesson-facing-growing-local-hostility-data-center-developers-are-finally-trying-to-win-hearts-and-minds-122476) in a growing number of development hotbeds, where a data center building boom has sparked political efforts (https://www.bisnow.com/national/news/data-center/virginia-lawmakers-look-to-eliminate-data-centers-as-by-right-use-125001) to control or limit the industry’s growth.

While specific grievances driving opposition vary by market, concerns over the impact of skyrocketing electricity demand have led government officials and utilities in places like Columbus, Ohio (https://www.bisnow.com/national/news/data-center/the-machete-approach-a-fight-between-data-centers-and-an-ohio-utility-may-preview-more-turmoil-ahead-125992), and Dublin (https://www.irishtimes.com/business/2023/11/27/data-centre-moratorium-could-strangle-digital-growth-and-impact-carbon-targets/) to pursue what are effectively moratoriums on new data center development (https://www.bisnow.com/tags/data-center-development).

The risks data centers pose to the reliability and price of electricity in Texas may be solvable through policy and regulatory changes. But industry players like Bill Thomas, chief energy officer at data center campus developer CleanArc (https://www.bisnow.com/tags/cleanarc-data-centers), caution that lawmakers and ERCOT could follow other jurisdictions' lead and decide that data centers just aren’t worth the trouble.

“I don't know what that tipping point is,” Thomas said. “Everything's bigger in Texas, but I think they've probably reached it.”

Check out Bisnow early next week when Data Centers Reporter Dan Rabb takes a closer look at crypto mining. The industry has been maligned by some politicians, but industry leaders say they can be part of the state's energy solution.

Contact Maddy McCarty at maddy.mccarty@bisnow.com (mailto:maddy.mccarty@bisnow.com)

See Also: Europe’s Largest Property Lender To Pull Back From New Office Loans (/london/news/capital-markets/europes-largest-property-lender-to-pull-back-from-new-office-loans-126242)

Related Topics: JLL (https://www.bisnow.com/tags/jll), University of Houston (https://www.bisnow.com/tags/university-of-houston), Nathan Johnson (https://www.bisnow.com/tags/nathan-johnson), Ed Hirs (https://www.bisnow.com/tags/ed-hirs), Lt. Gov. Dan Patrick (https://www.bisnow.com/tags/lt.-gov.-dan-patrick), Andy Cvengros (https://www.bisnow.com/tags/andy-cvengros), ERCOT (https://www.bisnow.com/tags/ercot), Texas grid (https://www.bisnow.com/tags/texas-grid), Enchanted Rock (https://www.bisnow.com/tags/enchanted-rock), Oncor (https://www.bisnow.com/tags/oncor), CleanArc Data Centers (https://www.bisnow.com/tags/cleanarc-data-centers), Woody Rickerson (https://www.bisnow.com/tags/woody-rickerson), Lori Cobos (https://www.bisnow.com/tags/lori-cobos), Sen. Donna Campbell (https://www.bisnow.com/tags/sen.-donna-campbell), Bill Thomas (https://www.bisnow.com/tags/bill-thomas), Electricity Reliability Council of Texas (https://www.bisnow.com/tags/electricity-reliability-council-of-texas), Allan Schurr (https://www.bisnow.com/tags/allan-schurr), Public Utility Commission of Texas (https://www.bisnow.com/tags/public-utility-commission-of-texas), Robert Nichols (https://www.bisnow.com/tags/robert-nichols), Lee Bratcher (https://www.bisnow.com/tags/lee-bratcher), Texas Blockchain Council (https://www.bisnow.com/tags/texas-blockchain-council), Ellen Buck (https://www.bisnow.com/tags/ellen-buck)

ATTACHMENT 4.c

Article – Recommendations for Proposed Zoning Ordinance Amendment for Data Center Impacts in Fairfax County, dated May 20, 2024

(https://www.facebook.com/GreatFallsVASierraClubChapter/) (https://www.meetup.com/Sierra-Club-GFG-Meetup/)

Recommendations for Proposed Zoning Ordinance Amendment for Data Center Impacts in Fairfax County

Recommendations for Proposed Zoning Ordinance Amendment for Data Center Impacts in Fairfax County

May 20, 2024

Dear Members of the Board of Supervisors and Planning Commissioners,

We are writing to share our recommendations to address the impacts of accelerated growth of the data center industry in Fairfax County. We appreciate that the county has studied and issued "Data Centers – Report and Recommendations." At the same time, the public deserves stronger protections than those that have been proposed in the Staff Summary dated April 23, 2024 with draft Zoning Ordinance Amendment (ZOA) language and the May 17, 2024 Staff Report in order to ensure that county policies adequately mitigate the myriad of negative environmental and public health impacts of this use.

Our concerns about the magnitude of future data center development focus particularly on the massive energy demand, water consumption and resulting increases in carbon emissions. In addition to the few standards offered in this draft ZOA in order to obviate the significant environmental impacts, it is essential that the county require:

comprehensive building energy efficiency; procurement of new renewable energy by companies; the use of sustainable building materials, avoiding highly toxic diesel generator pollution and other natural resources protections.

In order to try to meet the unique set of impacts associated with data centers, we recommend that:

1. The county take a comprehensive regulation approach to the data center "use" and also expand "use-specific standards" as part of this effort.

2. Data centers be regulated so that environmental and health mitigations are proportional to harmful impacts.

3. All data center proposed developments be subject to a Special Exception (SE).

Impacts of Virginia's Data Centers

With the acceleration of computing and cooling demands from artificial intelligence and other rapidly- changing technologies, data centers now require far more energy and water to run. Today, the industry seeks data centers that are larger and often taller to pack in more servers to run more energy and water intensive applications. Yesterday's data centers use far fewer resources compared to those planned to host artificial intelligence and other new applications, which could require at least 10 times the power to run.

Fairfax County has recently begun to approve larger facilities in tandem with market demand and their impacts won't be fully understood until they come online. Those facilities (such as Chantilly Premier and Renaissance) are not in operation but appear to be more in line with data centers built in neighboring jurisdictions, giving us a reasonable basis for predicting impact.

We are deeply concerned about the projected total demand of energy to service data centers. With revised forecasts from PJM, the region's grid provider, the data center industry in Virginia is now expected

to need over 25,000 MW (25 GW) just to service Virginia's data centers by 20391. This would be the equivalent of 28 coal plants (the size of Clover Power Plant in Hallifax County, still in operation at 877 MW.) Newly approved transmission lines are expected to bring coal to Virginia already delaying coal plant closures.2 Dominion has also revived pre-pandemic plans to build a natural gas peaker plant in Chesterfield County to meet growing grid demand in the coming years, due to data center growth. Data center developers, rather than the ratepayer or taxpayer, should bear the expense of infrastructure needed to operate their facilities so that Fairfax County residents do not shoulder the burden.

Because the data center growth is driving Dominion's reliance on fossil-fueled generation,3 Dominion has projected to double greenhouse gas emissions to 36,000,000 metric tons by 2048.4 That Loudoun County's GHG emissions have increased by over 50% due to data centers5 is a serious concern for the region and the state and foreshadows what will happen in other jurisdictions if mitigating protective measures aren't enacted. The energy trajectory created with this unprecedented industrial build out could reverse the ongoing work to deliver a cleaner grid, which will also undermine the county's ability to meet its Community-wide Energy and Climate Action Plan (CECAP) goals. All of this is to say that the increases in carbon we are seeing makes clear that effective local policies to mitigate these impacts are imperative.

Recommendations for Data Center Use Standards

Screening/Enclosures:
We support requiring equipment enclosures. Does this include enclosing diesel generators? Is that considered "mechanically feasible" or would we expect a waiver on those? We recommend that generators and HVAC equipment be located away from (not adjacent to) residential, public and commercial uses, in order to reduce pollution, noise and aesthetic impacts to adjacent properties.

Maximum Size:
Data Centers are rapidly growing in size and server capacity. For instance, newly built or proposed data centers in Loudoun County are generally over 200,000 square feet and increasingly as much as 1,000,000 square feet. Demand for hyperscale size buildings reflect market conditions post 2023, thereby precluding the need for by right

standards under 80,000 square feet. (The currently under review by right Plaza 500 Bren Mar proposal is for 461,244 sf and Chantilly Premier was approved at 402,000 sf and other recent projects are over 1 million sf)

Likewise, we believe that the demand for and speculation around data center development does not warrant a credit for repurposing under a by right standard. Repurposing of underperforming commercial properties for data centers is already underway at an accelerated pace in other jurisdictions, so the incentivizing redevelopment for data centers is unnecessary. Further, a possible 200,000 square foot addition is a substantial 2.5 times the square footage that is proposed as a by right maximum. Either way, our strong recommendation is to require the data center use to be subject to a Special Exception across the board so that proffers can be offered to mitigate impacts.

While there are some similarities in transportation, freight, warehouse and distribution-related industrial facilities, the data center use differs significantly from other industrial uses in the sheer magnitude of its impact on land, energy and water resources. The possibility that under certain conditions it could

1 https://www.pjm.com/-/media/planning/res-adeq/load-forecast/load-forecast-supplement.ashx
2 https://www.washingtonpost.com/business/interactive/2024/data-centers-internet-power-source-coal/
3 (https://www.sierraclub.org/press-releases/2023/05/dominion-announces-future-energy-production-customers- and-its-bleak)
4 Dominion Energy's 2023 IRP, page 7, preferred plans B and C summary. https://www.dominionenergy.com/- /media/pdfs/global/company/desc-2023-integrated-resource-plan.pdf
5Metropolitan Washington Council of Governments

function as a power plant must also be taken into consideration. This concept, to provide an air quality variance for diesel generators in Fairfax, Loudoun and Prince William Counties, was floated last year by the Department of Environmental

Quality.6 And while it was later withdrawn, it could be revived due to energy and transmission constraints. One must consider that Fairfax County is highly populated and quickly urbanizing, and with the majority of I-5 districts residing directly adjacent to residential areas, the health hazards to adding thousands of diesel generators near population centers could be harmful to far larger numbers of residents based on proximity.

Further, since the county's Policy Plan does not currently have adequate standards for data centers, a Special Exception gives the board flexibility to address issues such as green building and renewable energy, stormwater, water use that also cannot adequately be regulated under by right conditions.

Noise Impacts:
We support pre and post construction studies with adequate standards to protect adjacent properties 24/7. Further, we believe data center noise should not be audible over the property line and the ZOA and/or county Noise Ordinance should provide for this. This measure would protect neighbors from the continuous low humming noises as well as noise from generators. Generators should not run from 8 pm to 8 am. This is a health issue, as well as a comfort issue for residents.

Setbacks:
Setbacks should not only be from residential areas, they also should be from schools, hospitals, parks and other public amenities. We generally suggest a buffer of 500 feet. In terms of noise and disturbance, the usefulness of a protective buffer adjacent neighbors and uses is also predicated on the efficacy of the noise ordinance and/or noise mitigations required by the county and provided by the developer for the combined impacts of the building, cooling systems and generators. In order the achieve the property line measurement under "noise impacts," buffers may have to be expanded and natural barriers, such as mature trees planted.

It was shocking to learn that a new substation for the Plaza 500 by right data centers, currently under review by the county, is proposed a very short distance of 80 feet from residential townhomes. While the state plays a large role in approving substations, localities must have protections in place so that major energy infrastructure is far from homes, schools, hospitals and other public spaces. There is no way such placement could "minimize adverse visual impacts" as well. On the other side of this proposed development, transmission lines are planned to be constructed in the Resource

Protection Area of Turkeycock Run. In this current situation, a small buffer of 200 feet would be wholly inadequate to protect adjacent properties. We suggest that additional protective language be included in this ZOA to avoid these situations.

Distance from Metro:
Data Centers should be sited at least 1 mile from TSAs and major transit hubs such as Metro stations. Siting Data centers within walking distance of 15-20 minutes of transit undermines the County's smart growth goals to populate residential, employment centers and mixed-use residential near transit. Data Centers employ few people and if near transit, take up valuable space, reducing the utility of critical county transit infrastructure. Current data centers near the Reston Town Center and Loudoun Station Metros are examples of this. For the same reason, even under an SE, at least a 1-mile standard should be in force. Further, the SE process would allow the county to ensure that data centers are not sited in industrial zones a mile or more from major transit near incompatible development. For instance, the Mosaic District is a mile or more from the Dunn Loring Metro and there are similar areas near the Springfield Metro where existing industrial areas or commercial areas that would qualify for larger data center development by repositioning under this proposed ZOA would be incompatible with other uses

6 https://www.deq.virginia.gov/Home/Components/Calendar/Event/971/17

Page 4

and/or would reduce the potential to build for transit use. So, instead of a (5) "lesser" distance, a holistic look at a transit area might call for a greater distance.

Zoning Districts:
We support the option to remove permission for data centers in the PRC District. This use seems incompatible with the PRC focus on green open space.

Use-Specific Standards addressed in the Study, but not in the draft ZOA

Several significant issues were addressed in the January 9, 2024 Data Center Study that are excluded from the draft ZOA language. Deferring the implementation of use-specific standards contributes risk to the power grid, increases in carbon emissions,

depletion of local water resources and public health. The county should be prepared now to address the emerging and more intense resource demands and environmental impacts of any proposed development. There should be a pause in approvals of the data center use until the following critical issues are adequately addressed.

Diesel Generator Impacts:

We ask that you avoid the use of unhealthy diesel fuel or natural gas for back-up generators. Alternatively, we ask that you require on-site microgrids for back up for each building with solar and battery storage. We recommend that if diesel is allowed, a requirement be established for Tier IV generators or the best available/highest standard technology that is the least polluting. These generators should be treated as having the potential to be used as power plants (see above), so their cumulative effects to public health should be well understood.

One Fairfax/Equity Protections
We urge the county to protect vulnerable populations under One Fairfax from health and pollution harms. Has DPD or other agencies conducted a formal analysis of the potential impact on neighborhoods likely to see data center development? Low-income areas which already suffer or may suffer from neighborhood conditions that challenge public health should be protected from the polluting effects of data centers and not located near them. Such protections should be integrated into this ZOA.

Energy Impacts:
We must require state-of-the-art building and cooling efficiency to address the massive energy demand associated with this use. Given the extent of potential use for the purpose, Fairfax County data centers should be at least in the top 10% nationwide for efficiency and water use. As mentioned in the Study, a Power Utilization Standard (PUE) performance metric should be required to promote energy efficiency. We suggest a PUE of 1.12 or less with a method of third-party certification be required under a Special Exception.

It is our understanding that LEED-silver does not ensure that the building will deliver the needed level of energy efficiency. LEED-DC Gold or stronger certification with ASHRAE 90.4 is needed. All buildings must be constructed and operated using best practices or better in the industry with respect to building construction, noise attenuation, and cooling technologies. We suggest that third party certification be

required of the building's design and construction according to the standards which are utilized. We ask that you benchmark renewable and total energy use for data center reporting requirements and make the information public. We recommend the following best practices language for energy efficiency in any data center application:

***Best Practices for Energy Efficiency**: All buildings on the Property must be constructed and operated using best practices or better in the industry with respect to building construction, noise attenuation, and cooling technologies. All data center buildings must be constructed to LEED (Leadership in Energy and Environmental Design) "Gold" standards for Building Design and*

Page 5

Construction, achieving at least 16 of the 18 points available in the Optimize Energy Performance section of the Energy and Atmosphere category or a recognized industry equivalent such as EnergyStar certification, with a certification score of at least 90 points. Prior to the issuance of the permanent certificate of occupancy for such building, a licensed engineer or architect must provide the Planning Department with certification that such building was constructed according to the standards specified under LEED Gold or EnergyStar certification at the 90-point scoring level. Any other recognized building industry equivalent that may be used for the building design and construction must produce equal or better energy efficiency performance than the two standards mentioned above. The operation and maintenance of all data center buildings must be consistent with generally recognized industry energy efficiency standards and guidelines for data centers (i.e. ASHRAE Standard 90.4), to the maximum extent possible.

Carbon Costs:

Data Centers are a climate issue. Strong proffers could also reduce future climate mitigation costs resulting from emissions associated with data centers. Projects of this magnitude should require thorough impact analyses of its impact on the county's carbon footprint. Since we know that emissions increases are associated with the data center use, and it will increasingly depend on going "back to coal" to meet energy demand, what will the county do to ensure that its carbon emissions do not increase if new and data centers come online?

Water Impacts:
It is imperative to have a solid understanding of the water quantity needed for operation of the centers, as well as water quality issues presented. When data centers are serviced by public water sources, the public should have an understanding of water demand and quality impact.

Jurisdictions servicing data centers with AI applications have seen huge increases in water consumption. This is an emerging area of concern and discussion by the industry and in many local communities. Based on limitations of air cooling for AI applications and what might have been an industry standard in the past, the use of liquid cooling is increasing by necessity.7 The experience of Des Moines, Iowa gives us a peek into water usage8 and the additional strain that can be placed on the region's drinking water supply.

Therefore, water impact studies should be performed before any approvals and the data should be made publicly available sufficiently in advance to allow for public consideration and comment; water pollution prevention measures should protect soils and capture chemical residue; outflows should protect from residue such as bromine and salt; a significant percentage of water should be recycled or reclaimed and should neither deplete nor imperil surface or groundwater sources needed for drinking water; and drinking water for residents should be designated as a priority use during drought conditions.

Transportation Impacts:
The traffic analysis and plan should take into consideration the impact on transportation and imperative of safe delivery of diesel fuel and that the time of delivery should not impact nearby neighborhoods.

7 https://www.datacenterknowledge.com/industry-perspectives/data-center-liquid-cooling-moving-niche- mainstream#close-modal
8 https://apnews.com/article/chatgpt-gpt4-iowa-ai-water-consumption-microsoft-f551fde98083d17a7e8d904f8be822c4

Page 6

Conclusion

Last year (2023) was the hottest year in 170 years of record keeping, even *exceeding scientists' predictions*. The fact that climate change is an existential threat to all of us requiring swift action of every level of government has been repeated so often that scientists sound like a broken record. And yet, this is an existential issue and so their warnings must be heeded.

The land use regulatory power at the local level is foundational to ensuring data center developers are held accountable for short and long-term impacts and therefore are protecting ratepayers and Fairfax County residents from the long-term costs for carbon mitigation, and the impacts on air quality, and energy and water bills.

As always, we are happy to discuss these recommendations at any time.

Thanks,

Ann Bennett
Land Use Chair, Sierra Club Great Falls Group Virginia Chapter Data Center Issues Chair

Susan Bonney
Chair, Sierra Club Great Falls Group

CC: John Morrill OEEC, Rachel Flynn, DCE

Carmen Bishop, DZA Katherine Hermann, DPD

9 https://www.nytimes.com/interactive/2024/04/20/upshot/carbon-dioxide-growth.html

Sign Up for Email Updates from the Great Falls Group.

first name

last name

email

zip

Sign Up

By signing up, you are opting in to receive periodic communications from the Sierra Club.

Sierra Club News

Orphaned Oil and Gas Wells Are a Huge Source of Greenhouse Gases (/sierra/2024-3-fall/notes-here-there/orphaned-oil-and-gas-wells-are-huge-source-greenhouse-gases)
This company is racing to fix Pennsyvania's leaking wells

Meet the Mainers at the Bleeding Edge of the Home Electrification Revolution (/sierra/2024-3-fall/notes-here-there/meet-mainers-bleeding-edge-home-electrification-revolution)
Progressive state incentives, plus the IRA, allow Maine to install heat pumps faster than any other state

Electrify Your Wheels: Check Out the New Range of E-Bikes (/sierra/2024-3-fall/feature/electrify-your-wheels-check-out-new-range-e-bikes)
What kind of cyclist are you?

Electrify Your Wheels: Here Are the Latest EVs for Bargain Hunters (/sierra/2024-3-fall/feature/electrify-your-wheels-here-are-latest-evs-bargain-hunters)
There are more affordable EVs than ever before

How to Navigate the Clean Energy Transition (/sierra/2024-3-fall/feature/how-navigate-clean-energy-transition)
Some tips for electrifying your home and transportation

More Sierra Club news (/articles)

ATTACHMENT 5
Notice of Determination

Notice of Exemption

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

To:

X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

☐ Los Angeles, County Clerk
Environmental Filings
12400 Imperial Highway #1201
Norwalk, CA 90650
Attn: Business Filings and Registration

Project Title: Data Center Regulations
Project Location - Specific: Citywide
Project Location - City: Monterey Park
Project Location - County: Los Angeles

Description of Project:
Adopt regulations governing data centers within Saturn Park in accordance with Section 3(A) of Ordinance No. 2198 (adopted by voters as Measure JJ on November 3, 2020).

Name of Public Agency Approving Project: City of Monterey Park
Name of Person or Agency Carrying Out Project: City of Monterey Park

Exempt Status: (*check one*)

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

X Categorical Exemption. State type and section number: § 15060(c)(2), § 15378(b)(5) § 15301 § 15303 and § 15061(b)(3)

☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:
Pursuant to 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 City reviewed the environmental impacts of the proposed regulations. No additional environmental review is required for these regulations pursuant to CEQA Guidelines § 15060(c)(2), § 15378(b)(5) § 15301 § 15303 and § 15061(b)(3). These regulations are exempt from additional CEQA review because the regulations would amend existing zoning to govern data centers within Saturn Park in accordance with the voter enacted Land Use Element. This will not have a direct or reasonably foreseeable indirect physical change in the environment and does not qualify as a "project" under CEQA because it will not make physical changes to the environment. Additionally, the regulations are exempt from additional CEQA review under the commonsense exemption that it will not affect the environment. Any future data center project applications will require separate environmental review as required by applicable law.

Lead Agency Contact Person: Jessica Serrano Telephone (626) 307-1463

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: J. Serrano Date: 11/6/24 Title: Director of Community Development

☐ Signed by Lead Agency Date received for filing at OPR:

☐ Signed by Applicant

City Council Staff Report

DATE: November 6, 2024

AGENDA ITEM NO: New Business - 5A

TO: The Honorable Mayor and City Council

FROM: Shawn Igoe, Director of Public Works

SUBJECT: Consideration and possible action to introduce and waive first reading of an Ordinance setting speed limits based upon certification of the 2017 Engineering and Traffic Survey for speed limits effective through October 2031 and the 2024 Engineering and Traffic Survey of 26 Locations for speed limits through October 2038

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waiving first reading for an Ordinance setting speed limits throughout the City; and
2. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

This Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq*., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq*., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of speed control regulations established in accordance with California law and will not have the effect of deleting or substantially changing any regulatory standards or findings. This Ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

BOARD/COMMISSION REVIEW:

The Public Works Director presented a draft engineering and traffic survey evaluating safe and reasonable speed limits 26 segments citywide, including its recommendations, to the Traffic Commission on October 17, 2024. The Traffic Commission was informed that the item would be presented to the City Council for consideration, and it did not express any questions or concerns.

EXECUTIVE SUMMARY:

The City's consultant, Transtech Engineers, Inc., assessed and certified 45 segments listed in the City's 2017 Engineering and Traffic Survey and determined that no significant changes in roadway or traffic conditions have occurred on these segments, (see Attachment 2) including, without limitation, changes in adjoining property or land use, roadway width, or traffic volume, and therefore the posted speed limits are valid for 14 years from the adopted date of the survey effective between October 2017 through October 2031.

Twenty-six of the original 73 segments from the 2017 City-wide speed survey were separately reviewed and a new Engineering and Traffic Survey ("ETS") was completed for these segments.

Transtech Engineers completed the ETS pursuant to California law including, without limitation, Vehicle Code § 627, for the purpose of establishing safe and reasonable speed limits. These may be enforced using radar at pre-determined locations. The ETS recommends reducing the speed limit on the following 14 of the 26 segments included in the ETS:

- Alhambra Avenue between Garvey Avenue and Graves Avenue
- Atlantic Boulevard between Harding Avenue and El Repetto Drive
- Atlantic Boulevard between El Repetto Drive and Floral Drive
- Avenida Cesar Chavez between West City Limit and Atlantic Boulevard
- Floral Drive between Monterey Pass Road and Atlantic Boulevard
- Garfield Avenue between Graves Avenue and El Repetto Drive
- Garfield Avenue between El Repetto Drive and Riggin Street
- Orange Avenue between Hellman Avenue and Garvey Avenue
- Orange Avenue between Garvey Avenue and Graves Avenue
- Orange Avenue between Graves Avenue and Metro Drive
- Orange Avenue between Metro Drive and Saturn Street
- Pomona Boulevard between Gerhart Avenue and Garfield Avenue
- Pomona Boulevard between Garfield Avenue and Markland Drive
- Potrero Grande Drive between Markland Drive and Arroyo Drive

Accordingly, the Public Works Director ("Director") recommends that the City Council consider introducing and waiving first reading of the attached Ordinance.

BACKGROUND:

On November 1, 2017 City Council adopted Ordinance No. 2144, approving the 2017 Traffic Speed Zone Survey for 73 segments within the City. On September 4, 2024 the City adopted Ordinance No. 2248 establishing speed limits for 2 of the 73 segments along Hellman Ave. As part of the evaluation of the Citywide speed limits, Transtech evaluated 45 segments of the City's 2017 Engineering and Traffic Survey and determined that no significant changes in roadway or traffic conditions have occurred on these segments, indicated on the following list, including but not limited to changes in adjoining property or

land use, roadway width, or traffic volume, and therefore the posted speed limits are valid between October 2017 through October 2031.

The following table lists the 45 segments recertified:

Table 1: City of Monterey Park 14-Year Certification of the 2017 Engineering and Traffic Survey Speed Limits
2017 Adopted Speed Limits are Effective until October of 2031

ID	Primary Location	Limits		Street Classification CRS Maps	Adopted 2017 Speed Limit
		Beginning	Ending		
1	Abajo Road	Garvey Avenue	Vagabond Drive	Local	25
2	Ackley Street	Fulton Avenue	Orange Avenue	Collector	25
3	Ackley Street	Orange Avenue	Arroyo Drive	Secondary	25
4	Brightwood Street	Crest Vista Drive	Atlantic Boulevard	Local	25
5	Cadiz Street/Crest Vista Drive	Ridgecrest Street	Atlantic Boulevard	Collector	25
6	Casuda Canyon Drive	Garvey Avenue	Alzado Street	Collector	25
7	Casuda Canyon Drive	Alzado Street	Corporate Center Drive	Collector	30
8	Coral View Street	Garfield Avenue	Fulton Avenue	Collector	25
9	Corporate Center Drive	Ramona Boulevard	Casuda Canyon Drive	Secondary	40
10	Corporate Center Drive	Casuda Canyon Drive	Floral Drive	Secondary	40
11	Crest Vista Drive	Ridgcrest Street	Floral Drive	Collector	25
12	El Repetto Drive	Atlantic Boulevard	Garfield Avenue	Collector	25
13	Emerson Avenue	Atlantic Boulevard	Garfield Avenue	Secondary	25
14	Emerson Avenue	Garfield Avenue	New Avenue	Secondary	25
15	Findlay Avenue	Riggin Street	Pomona Boulevard	Secondary	25
16	First Street	West City Limit	Atlantic Boulevard	Secondary	35
17	Fulton Avenue	Kempton Avenue	Coral View Street	Local/Collector	25
18	Fulton Avenue	Coral View Street	Floral Drive	Collector	30
19	Fulton Avenue	Floral Drive	Pomona Boulevard	Collector	25
20	Grandridge Avenue	Garfield Avenue	El Repetto Drive	Local	25
21	Graves Avenue	Garfield Avenue	New Avenue	Secondary	30
22	Harding Avenue	Atlantic Boulevard	Ramona Avenue	Secondary	25
23	Hillside Street	Ridge Crest Street	Floral Drive	Local	25
24	Kempton Avenue	Lincoln Avenue	Fulton Avenue (s)	Local	25
25	Markland Drive	Riggin Street	Potrero Grande	Local/Collector	25

			Drive		
26	McPherrin Avenue	Garvey Avenue	Harding Avenue	Local	25
27	Monterey Pass Road	Garvey Avenue	Vagabond Road	Secondary	40
28	Monterey Pass Road	Vagabond Road	Floral Drive	Secondary	40
29	New Avenue	Hellman Avenue	Garvey Avenue	Principal Arterial	35
30	New Avenue	Garvey Avenue	Graves Avenue	Secondary	35
31	Newmark Avenue	Atlantic Boulevard	Garfield Avenue	Collector	30
32	Newmark Avenue	Garfield Avenue	New Avenue	Collector	30
33	Ramona Avenue	Garvey Avenue	Garfield Avenue	Collector	25
34	Ramona Boulevard	West City Limits	North City Limits	Secondary	35
35	Ridgcrest Street	Hillside Street	Floral Avenue	Local	25
36	Riggin Street	Atlantic Boulevard	Findlay Avenue	Secondary	35
37	Riggin Street	Findlay Avenue	Garfield Avenue	Secondary	35
38	Riggin Street	Garfield Avenue	Fulton Avenue	Secondary/Local	30
39	Saturn Street	Atlas Avenue	Potrero Grande Drive	Secondary	40
40	Verde Vista Drive	Casuda Canyon Drive	Abajo Drive	Local	25
41	Wilcox Avenue	Kempton Avenue	Coral View Street	Local	25
42	Wilcox Avenue	Coral View Street	Riggin Street	Local/Secondary	25
43	Wilcox Avenue	Riggin Street	Pomona Boulevard	Secondary	35
44	Ynez Avenue	Hellman Avenue	Garvey Avenue	Collector	30
45	Ynez Avenue	Garvey Avenue	Graves Avenue	Local	25

Twenty-six segments were separately studied. Out of those, 14 segments are proposed to be changed as shown in Table 2 below.

When a speed limit is to be posted, it is established to the nearest 5 mph increment of the 85th percentile speed limit of free-flowing traffic. Allowed exceptions are:

- Option 1: A 5 MPH Reduction in 85th% speed by 5 MPH for Rounding Down to Nearest Posted Limit if no further reduction is used.
- Option 2: A 5 MPH from the 85th% speed due to road conditions, high concentration of pedestrian and bicyclist, senior center and land use.
- Option 3: A 5 MPH lower than 85th% speed based on a higher-than-expected collision rate, land use and roadway conditions.

These options were considered as part of the Engineering and Traffic Survey performed.

Table 2: City of Monterey Park 2024 Engineering and Traffic Survey Summary							
ID	Primary Location	Limits		Street Class. (A)	Existing Posted Speed	Change in Limit? Yes/No	Proposed 2024 Speed Limit
		Beginning	Ending				
1	Alhambra Avenue	Hellman Avenue	Garvey Avenue	Collector	30	No	30[1]
2	Alhambra Avenue	Garvey Avenue	Graves Avenue	Collector	35	Yes	30[1]
3	Atlantic Boulevard	Hellman Avenue	Garvey Avenue	Primary	30	No	30[1]
4	Atlantic Boulevard	Garvey Avenue	Harding Avenue	Primary	35	No	35
5	Atlantic Boulevard	Harding Avenue	El Repetto Drive	Primary	40	Yes	35[2]
6	Atlantic Boulevard	El Repetto Drive	Floral Drive	Primary	40	Yes	35[2]
7	Atlantic Boulevard	Floral Drive	First Street	Primary	35	No	35[1]
8	Avenida Cesar Chavez	West City Limit	Atlantic Boulevard	Secondary	35	Yes	30[2]
9	Floral Drive	West City Limit	Monterey Pass Road	Secondary	35	No	35
10	Floral Drive	Monterey Pass Road	Atlantic Boulevard	Secondary	40	Yes	35[2]
11	Garfield Avenue	Hellman Avenue	Newmark Avenue	Primary	30	No	30[1]
12	Garfield Avenue	Newmark Avenue	Graves Avenue	Primary	35	No	35[1]
13	Garfield Avenue	Graves Avenue	El Repetto Drive	Primary	40	Yes	35[2]
14	Garfield Avenue	El Repetto Drive	Riggin Street	Primary	40	Yes	35[2]
15	Garfield Avenue	Riggin Street	Pomona Boulevard	Primary	35	No	35[1]
16	Garvey Avenue	Casuda Canyon Drive	Fremont Avenue	Secondary	40	No	40
17	Garvey Avenue	Fremont Avenue	Atlantic Boulevard	Secondary	40	No	40
18	Garvey Avenue	Atlantic Boulevard	Garfield Avenue	Secondary	30	No	30

19	Garvey Avenue	Garfield Avenue	New Avenue	Secondary	30	No	30[1]
20	Orange Avenue	Hellman Avenue	Garvey Avenue	Secondary	30	Yes	25[2]
21	Orange Avenue	Garvey Avenue	Graves Avenue	Secondary	30	Yes	25[2]
22	Orange Avenue	Graves Avenue	Metro Drive	Secondary	30	Yes	25[2]
23	Orange Avenue	Metro Drive	Saturn Street	Secondary	35	Yes	30[2]
24	Pomona Boulevard	Gerhart Avenue	Garfield Avenue	Primary	40	Yes	35[2]
25	Pomona Boulevard	Garfield Avenue	Markland Drive	Primary	40	Yes	35[2]
26	Potrero Grande Drive	Markland Drive	Arroyo Drive	Primary	45	Yes	40[2]

The purpose of the ETS is to establish updated speed limits that can be enforced using radar. Applicable sections of the California Vehicle Code (CVC) and Department of Transportation California Manual on Uniform Traffic Control Devices (CAMUTCD) were followed so that the posted speed limits can be upheld by the courts and do not constitute a "Speed Trap" as defined by California law.

By preparing the ETS, and after appropriate signage is posted giving notice of the speed limits, the Police Department may use radar and other electronic devices that measure the speed of moving objects to enforce the posted speed limit.

2024-25 STRATEGIC PLAN GOAL:

The proposed Ordinance supports the City's strategic goal to maintain, build and modernize infrastructure and facilities to support the current and future needs of the City and community.

FISCAL IMPACT:

Upon adoption of the proposed resolution, City staff will replace the speed limit signs along the affected 14 segments where speed limits is proposed to be reduced. The cost for sign replacement is included in the City's FY 2024-25 operational budget in Traffic Control account 239-4206-5315

Respectfully submitted by:

Shawn Igoe
Public Works Director

Approved by:

Inez Alvarez
City Manager

Reviewed by:

Karl H. Berger
City Attorney

ATTACHMENT:

1. Ordinance (including Exhibit “A” (ETS))
2. Certification of the 2017 Engineering and Traffic Survey to 14 years
3. 2024 Engineering and Traffic Survey of 26 locations

ATTACHMENT 1
Ordinance (including Exhibit "A" (ETS))

CITY OF MONTEREY PARK

ORDINANCE NO.

AN ORDINANCE ESTABLISHING SPEED LIMITS FOR CERTAIN LOCATIONS AS PROVIDED BY MONTEREY PARK MUNICIPAL CODE § 10.32.010(B) IN ACCORDANCE WITH VEHICLE CODE § 22357 BASED UPON AN ENGINEERING AND TRAFFIC SURVEY AS DEFINED BY VEHICLE CODE § 627.

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: The City Council finds as follows:

A. Vehicle Code § 22352 establishes prima facie speed limits throughout the City;

B. Vehicle Code § 22357 authorizes the City to establish certain speed limits based upon an engineering and traffic survey as defined by Vehicle Code § 627;

C. In accordance with Vehicle Code § 40802, the speed limits authorized by Vehicle Code § 22357 must be justified by engineering and traffic surveys conducted every five to 10 years;

D. The City adopted its last Engineering and Traffic Survey August 2, 2017. On October 11, 2024 Transtech Engineers, Inc. certified the 2017 Engineering and Traffic Survey to be accurate for an additional 14 years ("2017 Certification Report"). The 2017 Certification Report determined no significant changes on 45 out of 73 segments, thereby certifying the posted speed limits effective October 2017 through October 2031. Additionally, a supplemental 2024 Engineering and Traffic Survey of 26 Locations was completed October 11, 2024 (meeting the requirements of Vehicle Code § 627) for the remaining 26 segments ("2024 Engineering and Traffic Survey"). The 2024 Engineering and Traffic Survey recommended a speed limit change on 14 of the 26 segments analyzed. The 2024 Engineering and Traffic Survey also confirms the certification of 12 segments, maintaining the current posted speed limits. The 2017 Certification Report and 2024 Engineering and Traffic Survey, collectively the "Survey" are attached as Exhibit "A" and incorporated by reference; and

E. This Ordinance, and the speed limits established below, rely upon the Survey for purposes of Vehicle Code § 22357 and is adopted in accordance with Monterey Park Municipal Code § 10.32.010(B) as an uncodified ordinance.

SECTION 2: The City Council adopts the 2017 Certification Report. Based upon the Report, and in accordance with Vehicle Code §§ 22352 and 22357, the City Council amends Exhibit A to Ordinance No. 2144, adopted November 1, 2017, for speed limits effective until October 2031 as follows:

Table 1: City of Monterey Park 14-Year Certification of the 2017 Engineering and Traffic Survey Speed Limits
2017 Adopted Speed Limits are Effective until October of 2031

ID	Primary Location	Limits		Street Classification	Adopted 2017 Speed
		Beginning	Ending	CRS Maps	Limit
1	Abajo Road	Garvey Avenue	Vagabond Drive	Local	25
2	Ackley Street	Fulton Avenue	Orange Avenue	Collector	25
3	Ackley Street	Orange Avenue	Arroyo Drive	Secondary	25
4	Brightwood Street	Crest Vista Drive	Atlantic Boulevard	Local	25
5	Cadiz Street/Crest Vista Drive	Ridgecrest Street	Atlantic Boulevard	Collector	25
6	Casuda Canyon Drive	Garvey Avenue	Alzado Street	Collector	25
7	Casuda Canyon Drive	Alzado Street	Corporate Center Drive	Collector	30
8	Coral View Street	Garfield Avenue	Fulton Avenue	Collector	25
9	Corporate Center Drive	Ramona Boulevard	Casuda Canyon Drive	Secondary	40
10	Corporate Center Drive	Casuda Canyon Drive	Floral Drive	Secondary	40
11	Crest Vista Drive	Ridgcrest Street	Floral Drive	Collector	25
12	El Repetto Drive	Atlantic Boulevard	Garfield Avenue	Collector	25
13	Emerson Avenue	Atlantic Boulevard	Garfield Avenue	Secondary	25
14	Emerson Avenue	Garfield Avenue	New Avenue	Secondary	25
15	Findlay Avenue	Riggin Street	Pomona Boulevard	Secondary	25
16	First Street	West City Limit	Atlantic Boulevard	Secondary	35
17	Fulton Avenue	Kempton Avenue	Coral View Street	Local/Collector	25
18	Fulton Avenue	Coral View Street	Floral Drive	Collector	30
19	Fulton Avenue	Floral Drive	Pomona Boulevard	Collector	25
20	Grandridge Avenue	Garfield Avenue	El Repetto Drive	Local	25
21	Graves Avenue	Garfield Avenue	New Avenue	Secondary	30
22	Harding Avenue	Atlantic Boulevard	Ramona Avenue	Secondary	25
23	Hillside Street	Ridge Crest Street	Floral Drive	Local	25
24	Kempton Avenue	Lincoln Avenue	Fulton Avenue (s)	Local	25
25	Markland Drive	Riggin Street	Potrero Grande Drive	Local/Collector	25

26	McPherrin Avenue	Garvey Avenue	Harding Avenue	Local	25
27	Monterey Pass Road	Garvey Avenue	Vagabond Road	Secondary	40
28	Monterey Pass Road	Vagabond Road	Floral Drive	Secondary	40
29	New Avenue	Hellman Avenue	Garvey Avenue	Principal Arterial	35
30	New Avenue	Garvey Avenue	Graves Avenue	Secondary	35
31	Newmark Avenue	Atlantic Boulevard	Garfield Avenue	Collector	30
32	Newmark Avenue	Garfield Avenue	New Avenue	Collector	30
33	Ramona Avenue	Garvey Avenue	Garfield Avenue	Collector	25
34	Ramona Boulevard	West City Limits	North City Limits	Secondary	35
35	Ridgcrest Street	Hillside Street	Floral Avenue	Local	25
36	Riggin Street	Atlantic Boulevard	Findlay Avenue	Secondary	35
37	Riggin Street	Findlay Avenue	Garfield Avenue	Secondary	35
38	Riggin Street	Garfield Avenue	Fulton Avenue	Secondary/Local	30
39	Saturn Street	Atlas Avenue	Potrero Grande Drive	Secondary	40
40	Verde Vista Drive	Casuda Canyon Drive	Abajo Drive	Local	25
41	Wilcox Avenue	Kempton Avenue	Coral View Street	Local	25
42	Wilcox Avenue	Coral View Street	Riggin Street	Local/Secondary	25
43	Wilcox Avenue	Riggin Street	Pomona Boulevard	Secondary	35
44	Ynez Avenue	Hellman Avenue	Garvey Avenue	Collector	30
45	Ynez Avenue	Garvey Avenue	Graves Avenue	Local	25

SECTION 3: The City Council adopts the 2024 Engineering and Traffic Survey. Based upon the Survey, and in accordance with Vehicle Code §§ 22352 and 22357, the City Council amends Exhibit A to Ordinance No. 2144, adopted November 1, 2017, for speed limits effective until October 2038 as follows:

Table 2: City of Monterey Park 2024 Engineering and Traffic Survey Summary 30

ID	Primary Location	Limits		Street Class. (A)	Existing Posted Speed	Change in Limit? Yes/No	Proposed 2024 Speed Limit
		Beginning	Ending				
1	Alhambra Avenue	Hellman Avenue	Garvey Avenue	Collector	30	No	30[1]
2	Alhambra Avenue	Garvey Avenue	Graves Avenue	Collector	35	Yes	30[1]
3	Atlantic Boulevard	Hellman Avenue	Garvey Avenue	Primary	30	No	30[1]

4	Atlantic Boulevard	Garvey Avenue	Harding Avenue	Primary	35	No	35
5	Atlantic Boulevard	Harding Avenue	El Repetto Drive	Primary	40	Yes	35[2]
6	Atlantic Boulevard	El Repetto Drive	Floral Drive	Primary	40	Yes	35[2]
7	Atlantic Boulevard	Floral Drive	First Street	Primary	35	No	35[1]
8	Avenida Cesar Chavez	West City Limit	Atlantic Boulevard	Secondary	35	Yes	30[2]
9	Floral Drive	West City Limit	Monterey Pass Road	Secondary	35	No	35
10	Floral Drive	Monterey Pass Road	Atlantic Boulevard	Secondary	40	Yes	35[2]
11	Garfield Avenue	Hellman Avenue	Newmark Avenue	Primary	30	No	30[1]
12	Garfield Avenue	Newmark Avenue	Graves Avenue	Primary	35	No	35[1]
13	Garfield Avenue	Graves Avenue	El Repetto Drive	Primary	40	Yes	35[2]
14	Garfield Avenue	El Repetto Drive	Riggin Street	Primary	40	Yes	35[2]
15	Garfield Avenue	Riggin Street	Pomona Boulevard	Primary	35	No	35[1]
16	Garvey Avenue	Casuda Canyon Drive	Fremont Avenue	Secondary	40	No	40
17	Garvey Avenue	Fremont Avenue	Atlantic Boulevard	Secondary	40	No	40
18	Garvey Avenue	Atlantic Boulevard	Garfield Avenue	Secondary	30	No	30
19	Garvey Avenue	Garfield Avenue	New Avenue	Secondary	30	No	30[1]
20	Orange Avenue	Hellman Avenue	Garvey Avenue	Secondary	30	Yes	25[2]
21	Orange Avenue	Garvey Avenue	Graves Avenue	Secondary	30	Yes	25[2]
22	Orange Avenue	Graves Avenue	Metro Drive	Secondary	30	Yes	25[2]
23	Orange Avenue	Metro Drive	Saturn Street	Secondary	35	Yes	30[2]
24	Pomona Boulevard	Gerhart Avenue	Garfield Avenue	Primary	40	Yes	35[2]

25	Pomona Boulevard	Garfield Avenue	Markland Drive	Primary	40	Yes	35[2]
26	Potrero Grande Drive	Markland Drive	Arroyo Drive	Primary	45	Yes	40[2]

SECTION 4: The City Manager, or designee, is authorized and directed to (a) install signs providing notification of the speed limits established in Sections 2 and 3 of this Ordinance; and (b) take any additional action required to implement this Ordinance.

SECTION 5: California Environmental Quality Act Exemption. The City Council determines that this ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq*., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq*., the "CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of speed control regulations established in accordance with California law and will not have the effect of deleting or substantially changing any regulatory standards or findings. This Ordinance, therefore, is an action being taken for enhanced protection of the environment and that does not have the potential to cause significant effects on the environment. Consequently, it is categorically exempt in accordance with CEQA Guidelines §§ 15301 as a minor alteration of existing public or private structures involving no expansion of use; 15305 as a minor alteration in land use limitations which do not result in any changes in land use or density; and 15308 as an action taken by a regulatory agency as authorized by California law to assure maintenance or protection of the environment.

SECTION 6: Repeal or amendment of any provision of the MPMC or any other ordinance will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 7: If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other the city ordinance by this Ordinance will be rendered void and cause such MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 8: The City Clerk 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 fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 9: This Ordinance will become effective on the 30th day following its passage and adoption.

PASSED AND ADOPTED this 6th day of November, 2024.

_____
Thomas Wong, Mayor

ATTEST:

_____
Maychelle Yee, City Clerk

APPROVED AS TO FORM:

_____
Karl H. Berger, City Attorney

ATTACHMENT 2
Certification of the 2017 Engineering and Traffic Survey to 14 years

Submitted To:

CITY OF MONTEREY PARK CALIFORNIA

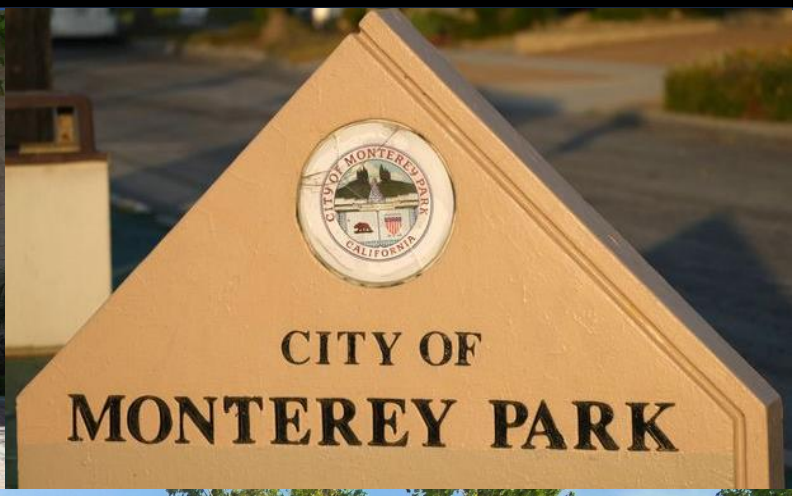
DRAFT

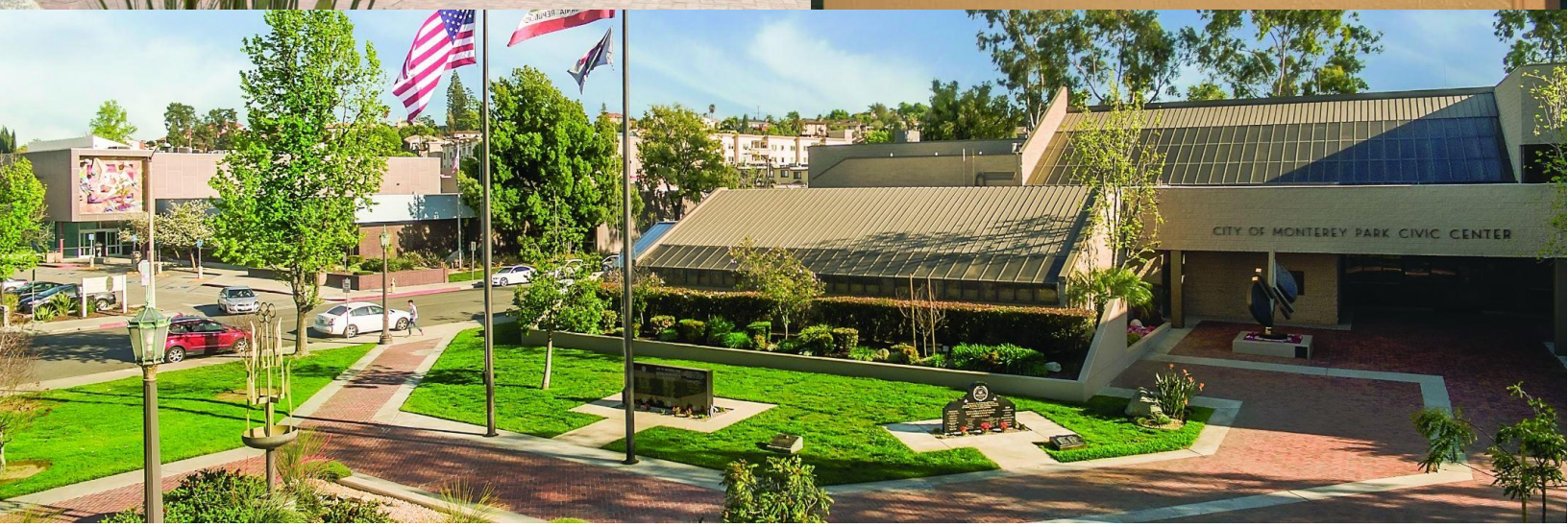
CERTIFICATION OF THE 2017 ENGINEERING AND TRAFFIC SURVEY TO 14-YEARS, EFFECTIVE UNTIL OCTOBER 2031

Adopted by Monterey Park City Council

Resolution No. xx-xx on Date XX, 2024







TRANSTECH
Est. 1989

Submitted By:
TRANSTECH ENGINEERS, INC.

Contact Person
Jana Robbins, PTP, RSP
E: jana.robbins@transtech.org

Transtech.org
855.595.2495 (toll-free)
ISO 9001 Certified

DRAFT

INSERT SIGNED CITY COUNCIL RESOLUTION HERE

DRAFT

PREPARER'S CERTIFICATION

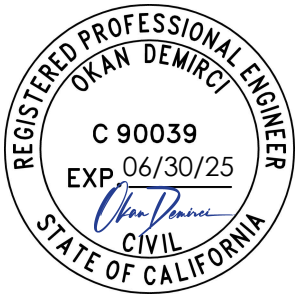
CITY OF MONTEREY PARK, CALIFORNIA
CERTIFICATION OF THE
2017 ENGINEERING AND TRAFFIC SURVEY
TO 14-YEARS

CVC SECTION 627

EFFECTIVE DATES: OCTOBER 2017 THROUGH OCTOBER 2031

THE 14-YEAR CERTIFICATION WAS ADOPTED BY MONTEREY PARK CITY COUNCIL RESOLUTION NO. ## ON DATE

Certified By:
Okan Demirci, PE, Contract City Engineer



Okan Demirci, PE
License Type: Registered Professional Engineer
License Number: 90039

CERTIFICATION BY ENGINEER

I, Okan Demirci, contract City Engineer, do hereby certify that (45) segments found in the 2017 Engineering and Traffic Survey for the City of Monterey Parks are in compliance with CVC (California Vehicle Code), Section 40802, Paragraph (c), Sub-paragraphs (1) and (2)/(B)/(i)/(II). I have evaluated the (45) street segments listed in the City's 2017 Engineering and Traffic Survey, and determined that no significant changes in roadway or traffic conditions have occurred on these (45) street segments indicated on the attached list, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, and therefore, where noted on the attached list, posted speed limits shall be valid for 14 years from the adopted date of the survey effective between October 2017 through October 2031. (28) of the original (73) street segments from the 2017 City-Wide Speed Survey were pulled from the 14 year certification and a new engineering and traffic survey was completed

DRAFT

for these segments. The speed survey completed for these segments will be under separate cover.

Table 1: City of Monterey Park 14-Year Certification of the 2017 Engineering and Traffic Survey Speed Limits
2017 Adopted Speed Limits are Effective until October of 2031

ID	Primary Location	Limits		Street Classification CRS Maps	Adopted 2017 Speed Limit
		Beginning	Ending		
1	Abajo Road	Garvey Avenue	Vagabond Drive	Local	25
2	Ackley Street	Fulton Avenue	Orange Avenue	Collector	25
3	Ackley Street	Orange Avenue	Arroyo Drive	Secondary	25
4	Brightwood Street	Crest Vista Drive	Atlantic Boulevard	Local	25
5	Cadiz Street/Crest Vista Drive	Ridgecrest Street	Atlantic Boulevard	Collector	25
6	Casuda Canyon Drive	Garvey Avenue	Alzado Street	Collector	25
7	Casuda Canyon Drive	Alzado Street	Corporate Center Drive	Collector	30
8	Coral View Street	Garfield Avenue	Fulton Avenue	Collector	25
9	Corporate Center Drive	Ramona Boulevard	Casuda Canyon Drive	Secondary	40
10	Corporate Center Drive	Casuda Canyon Drive	Floral Drive	Secondary	40
11	Crest Vista Drive	Ridgcrest Street	Floral Drive	Collector	25
12	El Repetto Drive	Atlantic Boulevard	Garfield Avenue	Collector	25
13	Emerson Avenue	Atlantic Boulevard	Garfield Avenue	Secondary	25
14	Emerson Avenue	Garfield Avenue	New Avenue	Secondary	25
15	Findlay Avenue	Riggin Street	Pomona Boulevard	Secondary	25
16	First Street	West City Limit	Atlantic Boulevard	Secondary	35
17	Fulton Avenue	Kempton Avenue	Coral View Street	Local/Collector	25
18	Fulton Avenue	Coral View Street	Floral Drive	Collector	30
19	Fulton Avenue	Floral Drive	Pomona Boulevard	Collector	25
20	Grandridge Avenue	Garfield Avenue	El Repetto Drive	Local	25
21	Graves Avenue	Garfield Avenue	New Avenue	Secondary	30
22	Harding Avenue	Atlantic Boulevard	Ramona Avenue	Secondary	25
23	Hillside Street	Ridge Crest Street	Floral Drive	Local	25
24	Kempton Avenue	Lincoln Avenue	Fulton Avenue (s)	Local	25
25	Markland Drive	Riggin Street	Potrero Grande Drive	Local/Collector	25
26	McPherrin Avenue	Garvey Avenue	Harding Avenue	Local	25
27	Monterey Pass Road	Garvey Avenue	Vagabond Road	Secondary	40
28	Monterey Pass Road	Vagabond Road	Floral Drive	Secondary	40
29	New Avenue	Hellman Avenue	Garvey Avenue	Principal Arterial	35
30	New Avenue	Garvey Avenue	Graves Avenue	Secondary	35
31	Newmark Avenue	Atlantic Boulevard	Garfield Avenue	Collector	30
32	Newmark Avenue	Garfield Avenue	New Avenue	Collector	30
33	Ramona Avenue	Garvey Avenue	Garfield Avenue	Collector	25
34	Ramona Boulevard	West City Limits	North City Limits	Secondary	35
35	Ridgcrest Street	Hillside Street	Floral Avenue	Local	25
36	Riggin Street	Atlantic Boulevard	Findlay Avenue	Secondary	35
37	Riggin Street	Findlay Avenue	Garfield Avenue	Secondary	35
38	Riggin Street	Garfield Avenue	Fulton Avenue	Secondary/Local	30
39	Saturn Street	Atlas Avenue	Potrero Grande Drive	Secondary	40

DRAFT

Table 1: City of Monterey Park 14-Year Certification of the 2017 Engineering and Traffic Survey Speed Limits
2017 Adopted Speed Limits are Effective until October of 2031

ID	Primary Location	Limits		Street Classification CRS Maps	Adopted 2017 Speed Limit
		Beginning	Ending		
40	Verde Vista Drive	Casuda Canyon Drive	Abajo Drive	Local	25
41	Wilcox Avenue	Kempton Avenue	Coral View Street	Local	25
42	Wilcox Avenue	Coral View Street	Riggin Street	Local/Secondary	25
43	Wilcox Avenue	Riggin Street	Pomona Boulevard	Secondary	35
44	Ynez Avenue	Hellman Avenue	Garvey Avenue	Collector	30
45	Ynez Avenue	Garvey Avenue	Graves Avenue	Local	25

ATTACHMENT 3
2024 Engineering and Traffic Survey of 26 locations

Submitted To:

CITY OF MONTEREY PARK CALIFORNIA

DRAFT

2024 ENGINEERING AND TRAFFIC SURVEY 26 LOCATIONS CVC SECTION 627

Adopted by Monterey Park City Council

Ordinance No. xx-xx on Date XX, 2024







TRANSTECH
Est. 1989

Submitted By:
TRANSTECH ENGINEERS, INC.

Contact Person
Jana Robbins, PTP, RSP
E: jana.robbins@transtech.org

Transtech.org
855.595.2495 (toll-free)
ISO 9001 Certified

TABLE OF CONTENTS

SECTION	PAGE
Cover Page	i
Table of Contents	ii
Monterey Park City Council Adopted Ordinance No. xx-xx (Adopted October x, 2024)	iii
Preparer's Certification (Engineer's Stamp and Signature)	iv
Section 1: Introduction	1
✓ Table 1: List of Segments in Speed Survey	1
✓ Street Classifications	2
Section 2: Overview	4
✓ California Vehicle Code	4
✓ Local Authority to Establish Prima Facie Speed Limits	5
✓ Speed Trap	5
✓ Engineering and Traffic Survey	6
✓ California Manual on Uniform Traffic Control Devices	7
✓ Data Collection	8
✓ Procedures	9
Section 3: Summary of Recommendations	10
✓ Table 2: City of Monterey Park 2024 Engineering and Traffic Survey Summary	12
Section 4: City of Monterey Park 2024 Citywide Speed Limit Map and Average Daily Traffic (ADT) Map	15
✓ City of Monterey Park 2024 Citywide Speed Limit Map	16
✓ City of Monterey Park 2024 Citywide Average Daily Traffic (ADT) Map	17
Section 5: Engineering and Traffic Survey Summary Forms	18
Section 6: Average Daily Traffic (ADT) Counts	65

INSERT SIGNED CITY COUNCIL ORDINANCE HERE

PREPARER'S CERTIFICATION

CITY OF MONTEREY PARK, CALIFORNIA
PREPARER'S CERTIFICATION

CITY OF MONTEREY PARK, CALIFORNIA
ENGINEERING AND TRAFFIC SURVEY
CVC SECTION 627
EFFECTIVE DATE: OCTOBER X, 2024

ADOPTED BY ALHAMBRA CITY COUNCIL ORDINANCE NO. XX-XX ON OCTOBER X, 2024

Certified By:
Okan Demirci, PE, Contract City Engineer



Okan Demirci, PE
License Type: Registered Professional Engineer
License Number: 90039

CERTIFICATION BY ENGINEER

I, Okan Demirci, contract City Engineer, do hereby certify that the October 2024 Engineering and Traffic Survey for the City of Monterey Park was performed under my supervision. I certify that I am both experienced in performing surveys of this type and am duly registered in the State of California as a professional Engineer. The survey has been conducted in strict compliance with guidelines contained in the California Vehicle Code and the California Manual on Uniform Traffic Control Devices. Data contained in this report represents a true and accurate description of traffic conditions existing on City of Monterey Park Streets.

SECTION 1: INTRODUCTION

The purpose of this report is to prepare an Engineering and Traffic Survey at pre-determined locations in the City of Monterey Park to establish updated speed limits that can be enforced using radar. An Engineering and Traffic assessment was prepared for 26 street segments in the City of Monterey Park. Applicable sections of the California Vehicle Code (CVC) and Department of Transportation California Manual on Uniform Traffic Control Devices (CAMUTCD), per Revision 7 March 2023, have been followed so that the posted speed limits can be upheld by the courts and do not constitute a "Speed Trap" as defined by CVC Section 40802. The following table lists all of the street segments considered in the 2024 Speed Survey.

SEGMENT SUMMARY

Table 1: City of Monterey Park Engineering and Traffic Survey Speed Limits

ID	Primary Location	Limits		Street Classification on CRS Maps	Adopted 2017 Speed Limit
		Beginning	Ending		
1	Alhambra Avenue	Hellman Avenue	Garvey Avenue	Collector	30
2	Alhambra Avenue	Garvey Avenue	Graves Avenue	Collector	35
3	Atlantic Boulevard	Hellman Avenue	Garvey Avenue	Principal	30
4	Atlantic Boulevard	Garvey Avenue	Harding Avenue	Principal	35
5	Atlantic Boulevard	Harding Avenue	El Repetto Drive	Principal	40
6	Atlantic Boulevard	El Repetto Drive	Floral Drive	Principal	40
7	Atlantic Boulevard	Floral Drive	First Street	Principal	35
8	Avenida Cesar Chavez	West City Limit	Atlantic Boulevard	Secondary	35
9	Floral Drive	West City Limit	Monterey Pass Road	Secondary	35
10	Floral Drive	Monterey Pass Road	Atlantic Boulevard	Secondary	35
11	Garfield Avenue	Hellman Avenue	Newmark Avenue	Principal	30
12	Garfield Avenue	Newmark Avenue	Graves Avenue	Principal	35
13	Garfield Avenue	Graves Avenue	El Repetto Drive	Principal	40
14	Garfield Avenue	El Repetto Drive	Riggin Street	Principal	40
15	Garfield Avenue	Riggin Street	Pomona Boulevard	Principal	35
16	Garvey Avenue	Casuda Canyon Drive	Fremont Avenue	Secondary	40

Table 1: City of Monterey Park Engineering and Traffic Survey Speed Limits					
ID	Primary Location	Limits		Street Classification on CRS Maps	Adopted 2017 Speed Limit
		Beginning	Ending		
17	Garvey Avenue	Fremont Avenue	Atlantic Boulevard	Secondary	40
18	Garvey Avenue	Atlantic Boulevard	Garfield Avenue	Secondary	30
19	Garvey Avenue	Garfield Avenue	New Avenue	Secondary	30
20	Orange Avenue	Hellman Avenue	Garvey Avenue	Secondary	30
21	Orange Avenue	Garvey Avenue	Graves Avenue	Secondary	30
22	Orange Avenue	Graves Avenue	Metro Drive	Secondary	30
23	Orange Avenue	Metro Drive	Saturn Street	Secondary	35
24	Pomona Boulevard	Gerhart Avenue	Garfield Avenue	Principal	40
25	Pomona Boulevard	Garfield Avenue	Markland Drive	Principal	40
26	Potrero Grande Drive	Markland Drive	Arroyo Drive	Principal	45

[1] Road Classifications Based on Caltrans Road Classification (CRS) maps

STREET CLASSIFICATIONS

Each of these segments is classified and defined with roadway classifications as listed in the California Road Systems (CRS) Maps that are approved by the Federal Highway Administration and maintained by the Department of Transportation (CVC 40802). Functional classifications are used in determining which type of roads are eligible for Federal funding to maintain the roads. Usually Principal Arterials, Secondary Arterial and Major Collectors are eligible.

Functional classification is the process by which streets and highways are grouped into classes, or systems, according to the character of service they are intended to provide. Basic to this process is the recognition that individual roads and streets do not serve travel independently in any major way. Rather, most travel involves movement through a network of roads. Functional classification defines how a particular road or street plays in serving the flow of trips through a highway network. The four functional systems for urbanized areas are urban principal arterials, minor arterials, major collectors, and local roads.

Principal Arterial: Principal Arterials carry most of the trips entering and leaving the City as well as serves the major centers of activity of a City, carries the highest traffic volume along its corridors while carrying the major portion of trips entering and leaving the urban area.

Secondary Arterial: The secondary arterial street system includes all arterials not classified as principal and contains facilities that place more emphasis on land access than the higher system

and offer a lower level of traffic mobility. Such facilities may carry local bus routes and provide intra-community continuity, but ideally should not penetrate identifiable neighborhoods. This system should include urban connections to rural collector roads where such connections have not been classified as urban principal arterials.

Collector: The collector street system provides both land access service and traffic circulation within residential neighborhoods, commercial and industrial areas. It differs from the arterial system in that facilities on the collector system may penetrate residential neighborhoods, distributing trips from the arterials through the area to the ultimate destination. Conversely, the collector street also collects traffic from local streets in residential neighborhoods and channels it into the arterial system.

Local: These roadways provide direct access to individual residential properties, schools, and churches typically with a posted speed of 25 MPH. Through traffic on local streets are usually discouraged. Local roads within residential and business district zones are not subject to Speed Trap provisions and are posted at the Prima Facie speed limit. Service to through traffic movement is usually deliberately discouraged.

The following segments have been categorized and classified as follows by the City of Monterey Park.

Principal:

- Atlantic Boulevard between Hellman Avenue and Garvey Avenue
- Atlantic Boulevard between Garvey Avenue and Harding Avenue
- Atlantic Boulevard between Harding Avenue and El Repetto Drive
- Atlantic Boulevard between El Repetto Drive and Floral Drive
- Atlantic Boulevard between Floral Drive and First Street
- Garfield Avenue between Hellman Avenue and Newmark Avenue
- Garfield Avenue between Newmark Avenue and Graves Avenue
- Garfield Avenue between Graves Avenue and El Repetto Drive
- Garfield Avenue between El Repetto Drive and Riggin Street
- Garfield Avenue between Riggin Street and Pomona Boulevard
- Pomona Boulevard between Gerhart Avenue and Garfield Avenue
- Pomona Boulevard between Garfield Avenue and Markland Drive
- Potrero Grande Drive between Markland Drive and Arroyo Drive

Secondary:

- Avenida Cesar Chavez between West City Limit and Atlantic Boulevard
- Floral Drive between West City Limit and Monterey Pass Road
- Floral Drive between Monterey Pass Road and Atlantic Boulevard
- Garvey Avenue between Casuda Canyon Drive and Fremont Avenue
- Garvey Avenue between Fremont Avenue and Atlantic Boulevard
- Garvey Avenue between Atlantic Boulevard and Garfield Avenue
- Garvey Avenue between Garfield Avenue and New Avenue
- Orange Avenue between Hellman Avenue and Garvey Avenue
- Orange Avenue between Garvey Avenue and Graves Avenue

- Orange Avenue between Graves Avenue and Metro Drive
- Orange Avenue between Metro Drive and Saturn Street

Collector:

- Alhambra Avenue between Hellman Avenue and Garvey Avenue
- Alhambra Avenue between Garvey Avenue and Graves Avenue

SECTION 2: OVERVIEW

CALIFORNIA VEHICLE CODE:

Speed limits in California are governed by the California Vehicle Code (CVC), Sections 22348 through 22413. The statutes establish or provide means of establishing speed limits by:

1. Basic speed limit law.
   Section 22350 of the CVC provides that no person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, traffic and the surface and width of the highway, and in no event at a speed which endangers the safety of persons or property. This is the basic speed limit law.

2. Prima facie speed limits are specified by statute or established by the State or local authorities within their respective jurisdictions on the basis of an engineering and traffic survey. Prima facie speed limits are specific limits stated in the CVC or specific limits established on the basis of an engineering and traffic survey authorized by the CVC. Prima facie speed limits are preempted by the basic speed limit law when the conditions in CVC Section 22350 are met.

   Section 22352 of the CVC establishes prima facie speed limits as follows and shall be applicable unless changed as authorized in the CVC and if so changed, only when signs have been erected giving notice of the change:

   a. Fifteen miles per hour.
      - At a railroad grade crossing with an obstructed view.
      - At an uncontrolled highway intersection with an obstructed view.
      - In an alley.

   b. Twenty-five miles per hour.
      - On any highway other than a State highway, in any business or residence district, CVC Sections 235 and 515 define a "business district" and a "residence district" respectively. Section 240 and 40802 of the CVC prescribes a method for determining whether a highway can be considered within a business or residence district.
      - Unless a different limit is established by procedures described elsewhere in the code.
      - In a school zone, posted with SCHOOL warning signs.
      - When passing a facility primarily used by senior citizens and contiguous to a street other than a State highway and posted with a SENIOR warning sign.

Increase of local speed limits to 65 miles per hour

Section 22357.

(a) Whenever a local authority determines upon the basis of an engineering and traffic survey that a speed greater than 25 mph would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any street other than a state highway otherwise subject to a prima facie limit of 25 mph, local authorities may by ordinance determine and declare a prima facie speed limit of 30, 35, 40, 45, 50, 55 or 60 mph or a maximum speed of 65mph, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe. The speed limit shall become effective when signs are installed on the street and not revised unless justified on the basis of an engineering and traffic survey.

LOCAL AUTHORITY TO ESTABLISH PRIMA FACIE SPEED LIMITS:

Sections 22357 and 22358 of CVC authorize local authorities to establish prima facie speed limits on streets and roads under their jurisdiction on the basis of an engineering and traffic survey. The declared prima Facie limits shall become effective when appropriate signs giving notice are erected upon the street.

SPEED TRAP:

Section 40802 2B(i) of the CVC provides that prima facie speed limits established under Sections 22352, 22354, 22357, 22358 and 22358.3 may not be enforced by radar unless the speed limit has been justified by an engineering and traffic survey conducted within one of the following time periods; five years to the date of the violation, within the last 7 years or if an engineering and traffic survey was conducted more than 7 years prior to the date of the alleged violation, and a registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, the survey applies for 14 years.

This section does not apply to local streets, roads, school zones or senior zones which have been set at the Prima Facie speed limit. Local streets are defined to have the following characteristics:

- Width not more than 40 feet
- Not more than .5 miles of uninterrupted length
- 1 lane in each direction

Senior Zones are those areas approaching or passing a senior center building or other facility primarily used by senior citizens or the grounds thereof that is posted with a standard "Senior" warning sign pursuant to Section 22352.

CVC Section 515. A residence district is that portion of a highway and the property contiguous thereto, other than a business district, (a) upon one side of which highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures, or (b) upon both sides of which highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures.

Those segments classified as a local street in the California Road System (CRS) and are in a residential district and have a prima facie speed limit of 25 mph are not typically included in engineering and traffic studies.

ENGINEERING AND TRAFFIC SURVEY:

Section 627 of CVC defines the term engineering and traffic survey and lists its requirements. Section 627 states: "An engineering and traffic survey shall include, among other requirements deemed necessary by the Department of Transportation, consideration of all of the following: prevailing speeds as determined by traffic engineering measurements, accident records, highway traffic and roadside conditions not readily apparent to the driver."

The Engineering and Traffic Survey should contain sufficient information to document that the conditions of CVC Section 627 have been complied with and that other conditions not readily apparent to motorists are properly identified.

In determining the speed limit, which most appropriately facilitates the orderly movement of traffic and is reasonable and prudent, crucial factors such as prevailing speeds, unexpected conditions, and collision records are examined.

Determination of posted speed limits follow the latest CAMUTCD Policy as Revision 7 March 2023 by the State of California Department of Transportation. Speed limits shall be established at the nearest 5 mph increment of the 85th percentile speed of free-flowing traffic (CVC Section 22358.6(a)). However, in cases in which the speed limit needs to be rounded up to the nearest five miles per hour increment of the 85th percentile speed, the Department of Transportation or a local authority may decide to instead round down the speed limit to the lower five miles per hour increment, but then the Department of Transportation or a local authority shall not reduce the speed limit any further for any reason CVC 21400(4)(b).

An example of the application of this speed limit criteria is as follows:

- If the 85th percentile speed in a speed survey is (37 MPH) then the speed limit would be posted at 35 MPH or optionally reduced to 30 MPH. However,
- If the 85th percentile speed in a speed survey is (38 MPH) then the speed limit would be posted at 40 MPH or optionally reduced to 35 MPH.

The 85th percentile speed is often referred to as the critical speed. Pace speed is defined as the 10-mile increment of speed containing the largest number of vehicles. Speed limits established on the basis of the 85th percentile conform to the consensus of those who drive highways as to what speed is reasonable and prudent and are not dependent on the judgment of one or a few individuals.

Basic speed law states that no person shall drive at a speed greater than is reasonable or prudent. The majority of drivers comply with this law. Speed limits set at the 85th percentile speed provide law enforcement officers with a means of controlling drivers who will not conform to what the majority considers reasonable and prudent.

When roadside development results in traffic conflicts and unusual conditions which are not readily apparent to drivers, speed limits somewhat below the 85th percentile may be justified.

CALIFORNIA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (CAMUTCD):

Section 2B.13 CAMUTCD: Reduction of 85th Percentile Speed by Justification of an Engineering and Traffic Study and Approved by a Civil or Traffic Engineer.

Standard:
12a: When a speed limit is to be posted, it shall be established at the nearest 5 MPH increment of the 85th-percentile speed of free-flowing traffic, except as shown in the two Options below for rounding down and using 5 mph speed reduction (CVC Section 22358.6(b)), or rounding up (CVC Section 22358.6(c)), or if using additional 5 mph speed reduction on local agency roadways for safety corridor designation (CVC Section 22358.7(a)(1)) or adjacent to land or facility generating high concentrations of bicyclists and pedestrians (CVC Section 22358.7(a)(2)).

Local Agencies may additionally lower the speed limits by 5 mph from those calculated using rounding up or down per CVC Section 22358.6(b) and 22358.6(c) and 5 mph speed reduction using CVC Section 22358.6(b) if after completing and E&TS, find that the speed limit is still more than is reasonable or safe for either of the following reasons:

1. The portion of a highway has been designated as a safety corridor
2. The portion of a highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, especially those vulnerable groups such as children, seniors, persons with disabilities and the unhoused. (Table 2B-106(CA)- Requirements to determine Land or Facility that Generates High Concentrations of Bicyclists or Pedestrians.

Option:

1. For cases in which the nearest 5 mph increment of the 85th-percentile speed would require a rounding down, the posted speed may be reduced by 5 mph from the nearest 5 mph increment of the 85th-percentile speed, in compliance with CVC Sections 627 and 22358.5. CVC Sections 22353, 22353.2, 22353.3, 22353.4, and 22353.5, may also be considered, if applicable. See Standard below for documentation requirements. Refer to CVC Section 22358.6(b).

2. For cases in which the nearest 5 mph increment of the 85th-percentile speed would require a rounding up, then the speed limit may be rounded down to the nearest 5 mph increment below the 85th percentile speed, if no further reduction is used. Refer to CVC Section 21400(b). Refer to CVC Section 22358.6(c).

Standard:
12b: If the speed limit to be posted has had the 5 MPH reduction applied, then an E&TS shall document in writing the conditions and justification for the lower speed limit and be approved by a registered Civil or Traffic Engineer. The reasons for the lower speed limit shall be in compliance with CVC Sections 627 and 22358-22358.7.

Support:

12c: The following example is provided to explain the application of this speed limit criteria:

A. If the 85th percentile speed in a speed survey for a location was 37 MPH, then the speed limit would be established at 35 MPH since it is the closest 5 MPH increment to the 37 MPH speed. As indicated by the option, this 35 MPH established speed limit could be reduced by 5 MPH to 30 MPH if the conditions and justification for using this lower speed limit are documented in the E&TS and approved by a registered Civil or Traffic Engineer.

The fundamentals used to establish speed limits recognize that the majority of drivers behave in a safe and reasonable manner but need to be advised of conditions which may not be readily apparent. For this reason, collision history, roadway conditions, traffic characteristics, and land use, must be analyzed along with speed measurements to determine speed limits. Speed limit changes are usually coordinated with visible changes in roadway conditions or roadside developments.

In general, speed limits cannot be successfully enforced without voluntary compliance by a majority of drivers. Consequently, only the driver whose behavior is clearly out of line with the normal flow of traffic is considered a violator for enforcement purposes.

DATA COLLECTION:

Data was obtained regarding the prevailing speed of vehicles, traffic collisions, visibility restrictions, roadway conditions, presence of pedestrian activities/infrastructure, on-street parking, transit factors, Demographic factors and land use adjacent to the roadways. Radar speed measurements were conducted during the month of August 2024.

Highway, traffic, and roadside land uses were analyzed for conditions not readily apparent to motorists. The criteria and procedures described below were applied when using the electronic radar to measure vehicle speeds on selected streets within the City of Monterey Park. Traffic volume and speed in both directions were recorded.

The hours of radar operation were restricted to off-peak period for heavily traveled streets, and to non-congested peak periods on lightly traveled streets on a weekday. The radar measurements were taken from an unmarked vehicle so as not to alter or impede the free flow of traffic.

A total of 100 samples were obtained for each street segment surveyed, where possible. In no case were sample sizes less than 50 vehicles for each direction. For lower volume streets, samples of free-flowing speeds were taken over several periods/days in order to gather the required survey samples.

Collision data was obtained from the computerized accident records system maintained by the State of California Statewide Integrated Traffic Records System (SWITRS). For purposes of this study, information available for the most recent 4.0-year period was used to develop the collision statistics as a part of the Engineering and Traffic Surveys. Collision data was obtained for the years of January 2020 to December 2023.

Average Daily Traffic (ADT) data at all (26) locations were obtained from counts taken by a private traffic counting firm in August 2024. These counts were taken while schools were in session. Any unusual counts were checked and redone in order to verify the amount of traffic each segment carries. The ADT counts were taken by NDS Services.

National Data & Surveying Services
8370 Wilshire Blvd. Ste, 205
Beverly Hills, CA 90211
Tel (323) 782-0090
www.ndsdata.com

PROCEDURES:

The radar equipment used to collect speed measurements was a SCOUT-MPH Traffic Radar, SHD-04287 serial number, manufactured by Decatur. The unit was calibrated before each series of measurements were taken. Tests of the unit were conducted in accordance with the manufacturer's specifications.

The results of the radar speed measurements were computed, analyzed, and summarized on standard Traffic Survey Forms. Significant values obtained from computations are as follows:

- The Critical Speed or 85th percentile speed, is the speed at or below which 85 percent of the traffic is moving. The Critical Speed is the primary guide in determining what the majority of drivers believe is safe and reasonable. Speed limits set higher than the Critical Speed are not considered reasonable and safe. The accepted practice is to set the speed limit at the nearest 5 MPH increment to the Critical Speed or 85th percentile speed unless other factors require a lower limit.

- The 5 or 10 MPH pace is a measure of the dispersion of speeds within the survey sample and is that 5 or 10 MPH increment containing the highest percentage of speeds in the total sample. The accepted practice is to keep the speed limit within the 10 MPH pace after considering the Critical Speed and any factors requiring a speed lower than the Critical Speed.

The collision data for each street segment was compared to collision rates that can be reasonably expected to occur on streets and highways of the same characteristics. These anticipated collision rates have been developed by Caltrans and are applicable for use in the City of Monterey Park. The collision rates used for this study are as follows:

CALIFORNIA STATE HIGHWAYS
STATEWIDE TRAVEL AND COLLISION RATES*

URBAN (Inside City)	EXPECTED COLLISION RATES
2 and 3 lanes	1.69
4 or more undivided	0.82
4 or more divided	0.89

*Source: *2021 Prepared 2023 Crash Summary for District 7 on California State Highways published by State of California, Business, Transportation and Housing Agency, Department of Transportation, Division of Traffic*

Current collision rates are shown in terms of "accidents per 1,000,000 vehicle miles of travel" for each segment. The rate was calculated for each segment using the following formula:

COLLISION RATE = (N x 5,280 x 1,000,000)/ (ADT x L x Y x 365)

N: number of collisions within the study segment

ADT: average daily traffic volume

The Crossroads Software Collision Program calculated the collision rate for each segment.

As previously indicated, speed limits are usually set at or near the Critical Speed unless there are other factors not readily apparent to a reasonable motorist which may justify a lower limit. The field review of the selected street segments in the City of Monterey Park considered the following factors:

1. Street width and alignment, existing traffic calming measures installed.
2. Pedestrian activity and traffic flow characteristics.
3. Number of lanes, and other channelization and striping patterns.
4. Frequency of intersections, driveways, and on-street parking.
5. Location of stop signs, traffic signals, and other regulatory traffic control devices.
6. Visibility obstructions.
7. Land use and the proximity of schools, senior centers.
8. Uniformity with existing speed zones in adjacent jurisdictions.
9. Any other unusual condition not readily apparent to the driver.
10. Location of any uncontrolled Crosswalks.
11. Bike lanes, bike routes.
12. Adjacent to high concentration of pedestrians or bicyclists

SECTION 3: SUMMARY OF RECOMMENDATIONS

The Engineering and Traffic Survey summaries presented in this report illustrate the results of a thorough evaluation of the data collected and provides a recommended speed limit for each street segment surveyed. In each case, the recommended speed limit is consistent with the prevailing behavior as demonstrated by the radar speed measurements.

The Legislature, in adopting Section 22358.5 of the California Vehicle Code, has made it clear that it is their intent that physical conditions such as width, curvature, grade and surface conditions, or any other condition readily apparent to a driver, in the absence of other factors, would not require special downward speed zoning. The basic rule of Section 22350 is sufficient regulation as to such conditions.

The recommendations contained in this report were intended to establish prima facie speed limits. Prima Facie limits advise the motorist and enforcement agencies of the reasonable speed for a section of highway for prevailing conditions. They are not intended to be absolute. All violations of these speed limits are violations of the basic speed law (Section 22350 of California Vehicle Code). This statute states that a person shall not drive a vehicle as a speed greater than is safe having regard for traffic, roadway, and weather conditions. A prima facie limit merely suggests a safe speed under normal conditions.

Out of the above 26 segments surveyed, based on the 2024 Engineering and Radar Speed survey results, it was determined that fourteen (14) of the speed limits on the studied segments are proposed to be changed.

- Alhambra Avenue between Garvey Avenue and Graves Avenue
- Atlantic Boulevard between Harding Avenue and El Repetto Drive
- Atlantic Boulevard between El Repetto Drive and Floral Drive
- Avenida Cesar Chavez between West City Limit and Atlantic Boulevard
- Floral Drive between Monterey Pass Road and Atlantic Boulevard
- Garfield Avenue between Graves Avenue and El Repetto Drive
- Garfield Avenue between El Repetto Drive and Riggin Street
- Orange Avenue between Hellman Avenue and Garvey Avenue
- Orange Avenue between Garvey Avenue and Graves Avenue
- Orange Avenue between Graves Avenue and Metro Drive
- Orange Avenue between Metro Drive and Saturn Street
- Pomona Boulevard between Gerhart Avenue and Garfield Avenue
- Pomona Boulevard between Garfield Avenue and Markland Drive
- Potrero Grande Drive between Markland Drive and Arroyo Drive

The following Table 2 provides a summary of each of the segments included in the engineering and traffic survey indicating the existing posted speed limit, ADT, number of collisions, collision rates, 85th percentile speed, change in limit and proposed 2024 speed limit.

Table 2: City of Monterey Park 2024 Engineering and Traffic Survey Summary
Adopted by Monterey Park City Council Ordinance No. XX-XX on October XX, 2024

ID	Primary Location	Limits		Street Class. (A)	Existing Posted Speed	2024 ADT	No. of Acc. in 4.0/yr per.	Collision Rate	Expected Collision Rate	85% Speed	10 MPH Pace	Limit Per 85%	Change in Limit? Yes/No	Adopted 2024 Speed Limit
		Beginning	Ending											
1	Alhambra Avenue	Hellman Avenue	Garvey Avenue	Collector	30	7127	6	1.144	1.69	34.7	27-36	35	No	30[1]
2	Alhambra Avenue	Garvey Avenue	Graves Avenue	Collector	35	6424	3	0.639	1.69	34.9	26-35	35	Yes	30[1]
3	Atlantic Boulevard	Hellman Avenue	Garvey Avenue	Primary	30	27971	16	0.776	0.89	34.6	27-36	35	No	30[1]
4	Atlantic Boulevard	Garvey Avenue	Harding Avenue	Primary	35	26927	21	1.229	0.82	37.2	30-39	35	No	35
5	Atlantic Boulevard	Harding Avenue	El Repetto Drive	Primary	40	25568	20	0.707	0.89	40.5	33-42	40	Yes	35[2]
6	Atlantic Boulevard	El Repetto Drive	Floral Drive	Primary	40	25359	4	0.199	0.89	41.3	33-42	40	Yes	35[2]
7	Atlantic Boulevard	Floral Drive	First Street	Primary	35	29927	21	1.445	0.82	37.8	30-39	40	No	35[1]
8	Avenida Cesar Chavez	West City Limit	Atlantic Boulevard	Secondary	35	16580	8	0.586	0.82	36.7	29-38	35	Yes	30[2]
9	Floral Drive	West City Limit	Monterey Pass Road	Secondary	35	16573	5	0.474	0.82	36.9	29-38	35	No	35
10	Floral Drive	Monterey Pass Road	Atlantic Boulevard	Secondary	40	15323	16	0.616	1.69	39.0	31-40	40	Yes	35[2]
11	Garfield Avenue	Hellman Avenue	Newmark Avenue	Primary	30	21013	17	0.803	0.82	34.7	27-36	35	No	30[1]
12	Garfield Avenue	Newmark Avenue	Graves Avenue	Primary	35	20782	5	0.506	0.89	38.4	31-40	40	No	35[1]
13	Garfield Avenue	Graves Avenue	El Repetto Drive	Primary	40	24932	11	0.519	0.82	40.5	33-42	40	Yes	35[2]

Table 2: City of Monterey Park 2024 Engineering and Traffic Survey Summary
Adopted by Monterey Park City Council Ordinance No. XX-XX on October XX, 2024

ID	Primary Location	Limits		Street Class. (A)	Existing Posted Speed	2024 ADT	No. of Acc. in 4.0/yr per.	Collision Rate	Expected Collision Rate	85% Speed	10 MPH Pace	Limit Per 85%	Change in Limit? Yes/No	Adopted 2024 Speed Limit
		Beginning	Ending											
14	Garfield Avenue	El Repetto Drive	Riggin Street	Primary	40	24992	14	0.513	0.82	41.3	34-43	40	Yes	35[2]
15	Garfield Avenue	Riggin Street	Pomona Boulevard	Primary	35	20881	14	2.114	0.89	38.1	30-39	40	No	35[1]
16	Garvey Avenue	Casuda Canyon Drive	Fremont Avenue	Secondary	40	12028	1	0.118	0.89	41.5	33-42	40	No	40
17	Garvey Avenue	Fremont Avenue	Atlantic Boulevard	Secondary	40	21495	8	0.382	0.89	42.4	35-44	40	No	40
18	Garvey Avenue	Atlantic Boulevard	Garfield Avenue	Secondary	30	19113	18	0.988	0.89	32.5	24-33	30	No	30
19	Garvey Avenue	Garfield Avenue	New Avenue	Secondary	30	21948	48	1.779	0.89	33.4	26-35	35	No	30[1]
20	Orange Avenue	Hellman Avenue	Garvey Avenue	Secondary	30	1667	1	0.816	1.69	32.1	24-33	30	Yes	25[2]
21	Orange Avenue	Garvey Avenue	Graves Avenue	Secondary	30	5266	3	0.788	1.69	32.0	24-33	30	Yes	25[2]
22	Orange Avenue	Graves Avenue	Metro Drive	Secondary	30	7823	4	1.081	1.69	32.5	25-34	30	Yes	25[2]
23	Orange Avenue	Metro Drive	Saturn Street	Secondary	35	5057	2	0.32	1.69	36.9	28-37	35	Yes	30[2]
24	Pomona Boulevard	Gerhart Avenue	Garfield Avenue	Primary	40	24520	9	0.312	1.69	42.4	35-44	40	Yes	35[2]
25	Pomona Boulevard	Garfield Avenue	Markland Drive	Primary	40	18997	12	0.603	1.69	42.0	34-43	40	Yes	35[2]
26	Potrero Grande Drive	Markland Drive	Arroyo Drive	Primary	45	15429	18	0.644	0.89	45.9	38-47	45	Yes	40[2]

(A): Street Classifications taken from the California Road Systems Map – FHA and Caltrans based on CVC40802(b)(1)

When a speed limit is to be posted, it shall be established at the nearest 5mph increment of the 85th% speed of free-flowing traffic (CVC Section 22358.8.6a, except as shown in the options below for rounding down and/or using a 5mph speed reduction.

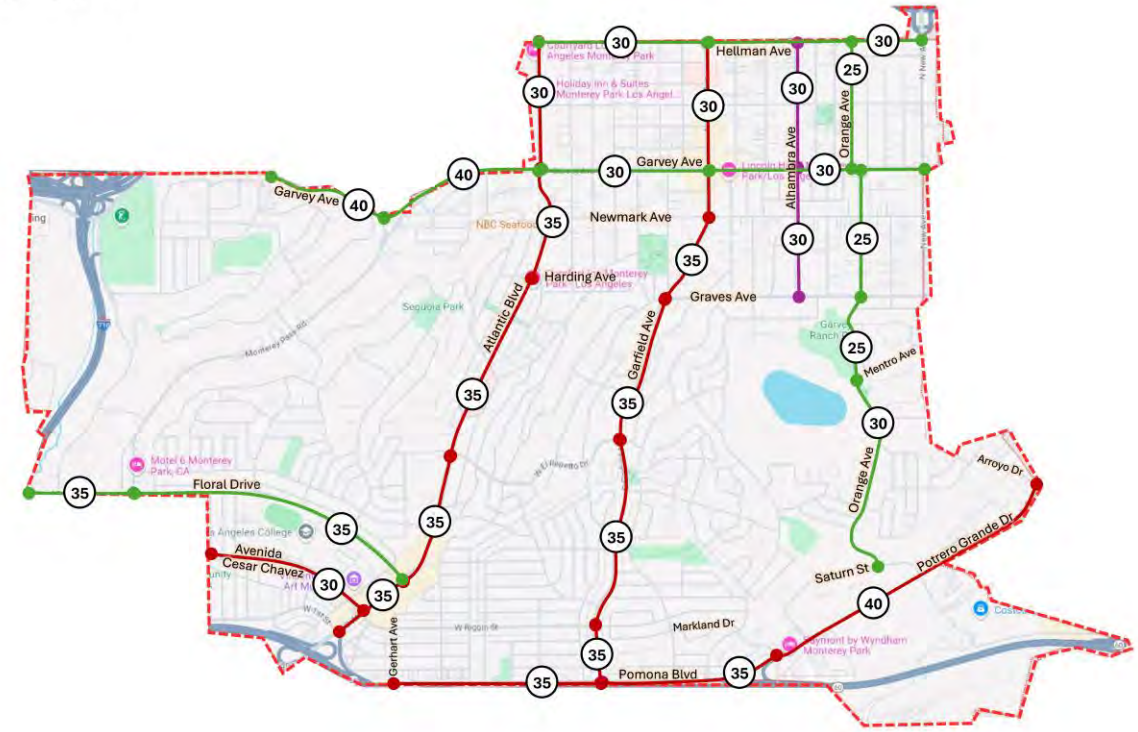
- Option 1: CVC 21400 (b) allows a 5 MPH Reduction in 85th% speed by 5 MPH for Rounding Down to Nearest Posted Limit if no further reduction is used.
- Option 2: CVC 627, 22358.5 and CAMUTCD 2B.13 allows the posted speed to be reduced by 5 MPH from the 85th% speed due to road conditions, high concentration of pedestrian and bicyclist, senior center and land use.
- Option 3: CVC 627, 22358.5 posted speed may be set 5 MPH lower than 85th% speed based on a higher-than-expected collision rate, land use and roadway conditions.

SECTION 4: CITY OF MONTEREY PARK 2024 SPEED LIMIT MAP AND AVERAGE DAILY TRAFFIC (ADT) MAP

The following pages consist of:

- City of Monterey Park 2024 Speed Limit Map
- City of Monterey Park 2024 Average Daily Traffic (ADT) Map.

CITY OF MONTEREY PARK
2024 CITYWIDE SPEED SURVEY MAP



CITY OF MONTEREY PARK

MAP LEGEND

- Principal Arterial
- Minor Arterial
- Major Collector
- Local
- Monterey Park Jurisdictional Boundary

- 25 — 25 MPH
- 30 — 30 MPH
- 35 — 35 MPH
- 40 — 40 MPH

NOTES:

- Most Residential Streets have a Prima Facie Speed Limit of 25 MPH and are not shown on Map.
- Speed Limits are Based on 2024 Engineering and Traffic Survey.

CITY OF MONTEREY PARK CALIFORNIA

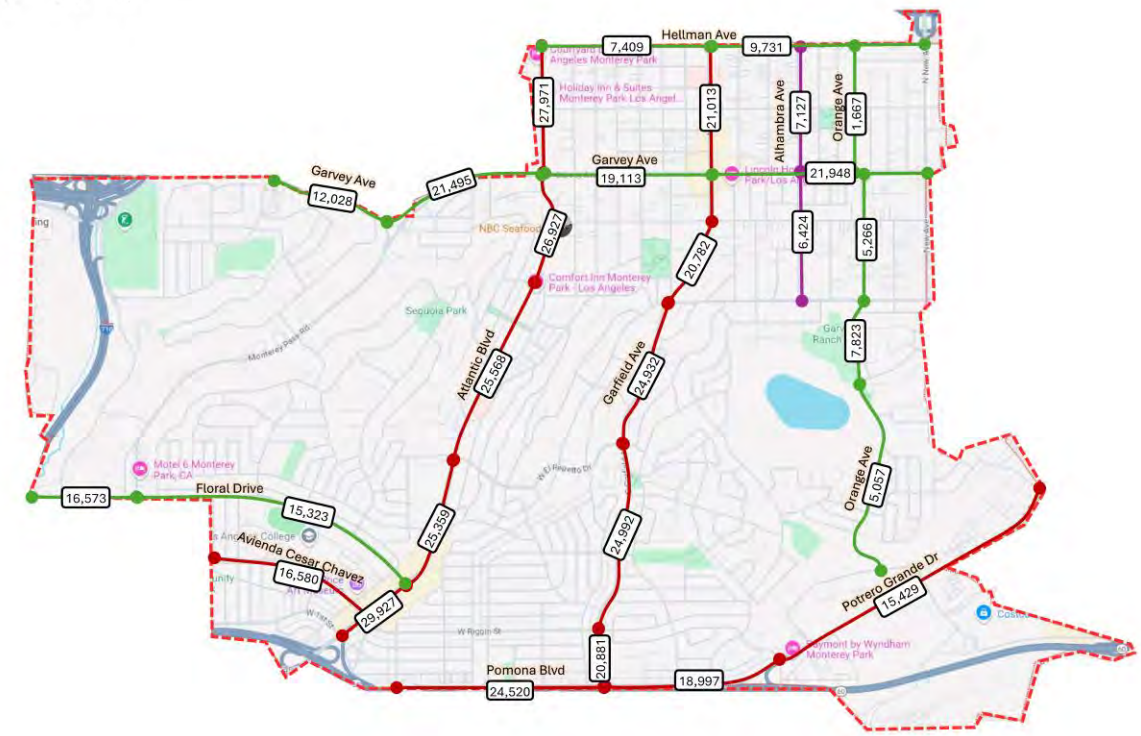
2024 CITYWIDE ENGINEERING AND TRAFFIC SURVEY

SUMMARY OF PROPOSED SPEED LIMITS

PREPARED FOR THE CITY OF MONTEREY PARK

Prepared by Transtech Engineers, Inc. TRANSTECH

CITY OF MONTEREY PARK
2024 CITYWIDE SPEED SURVEY MAP



CITY OF MONTEREY PARK

- Principal Arterial
- Minor Arterial
- Major Collector
- Local
- Monterey Park Jurisdictional Boundary
- ADT # — ADT (Average Daily Traffic) *ADT counts were taken in August 2024

CITY OF MONTEREY PARK CALIFORNIA

2024 CITYWIDE ENGINEERING AND TRAFFIC SURVEY

AVERAGE DAILY TRAFFIC (ADT)

PREPARED FOR THE CITY OF MONTEREY PARK

Prepared by Transtech Engineers, Inc. TRANSTECH

SECTION 5: ENGINEERING AND TRAFFIC SURVEY SUMMARY FORMS

The following pages consist of the Engineering and Traffic Survey Grid and Summary Forms for each segment included in the Survey.

City of Monterey Park

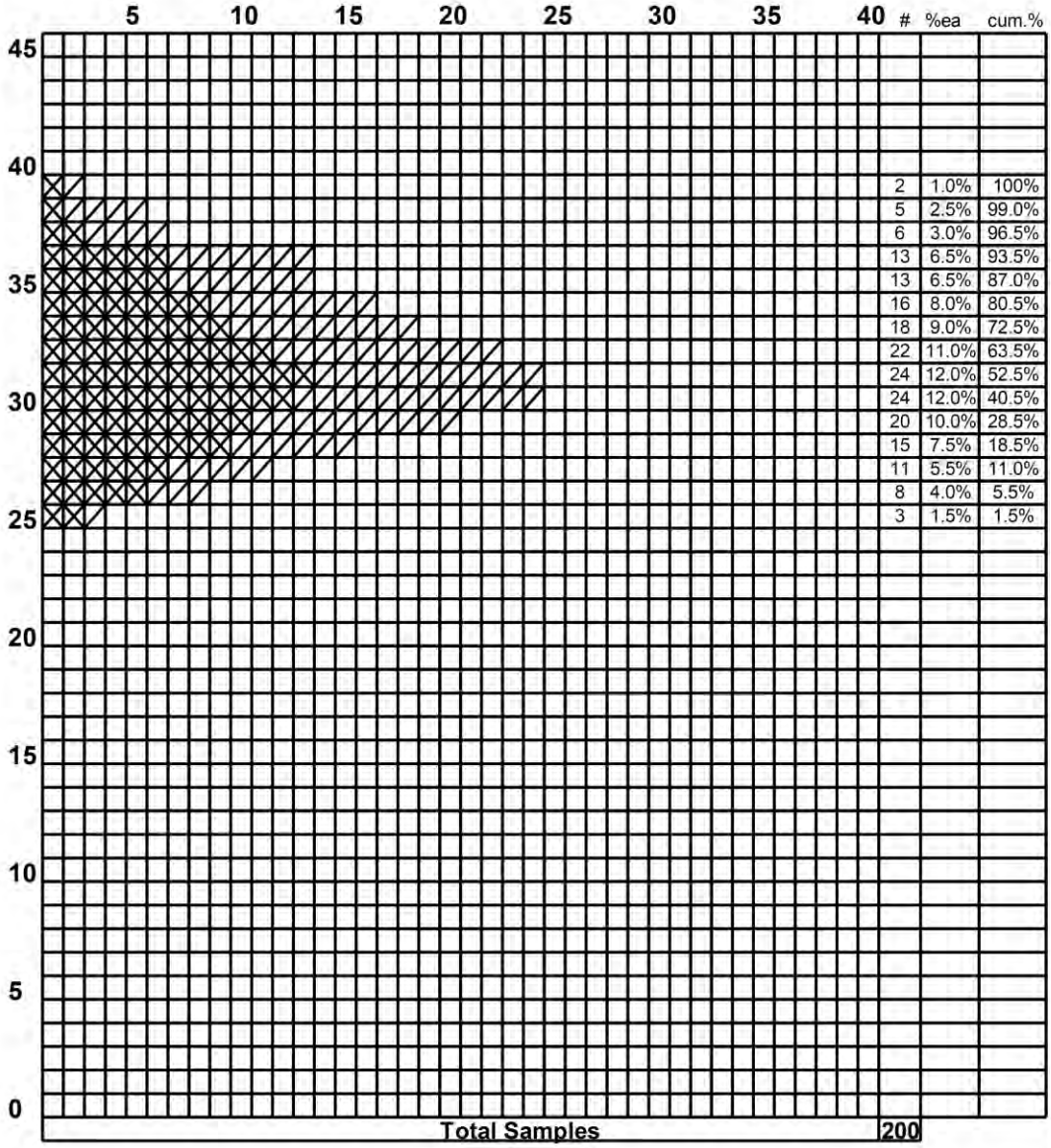
Public Works Department

Street Name: ALHAMBRA AVENUE

Limits: HELLMAN AVENUE to GARVEY AVENUE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
2	1.0%	100%
5	2.5%	99.0%
6	3.0%	96.5%
13	6.5%	93.5%
13	6.5%	87.0%
16	8.0%	80.5%
18	9.0%	72.5%
22	11.0%	63.5%
24	12.0%	52.5%
24	12.0%	40.5%
20	10.0%	28.5%
15	7.5%	18.5%
11	5.5%	11.0%
8	4.0%	5.5%
3	1.5%	1.5%
200		

85th Percentile Speed:	34.7
50th Percentile Speed:	30.8
15th Percentile Speed:	27.5
10 MPH Pace:	27- 36
Number in Pace:	176
Percent in Pace:	88.0%

Date of Survey:	8/6/2024	Start Time:	9:00
Weather:	Clear	End Time:	10:00
Road Condition	Fair	Posted Speed:	30
Street Class.:	Collector		
Observer: BR			

Conditions not Apparent: Heavy On-Street Parking, Sidewalks MFDU Driveways, Long Stretch Uncontrolled, Stop at Emerson, Signal at

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ALHAMBRA AVENUE
Limits: HELLMAN AVENUE
GARVEY AVENUE

Field Observer BR
Checked By: JR
Date: 8/6/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Emerson Avenue
85th Percentile	34.7
10 mph Pace	27 - 36
Percent in Pace	88.0%
Posted Speed Limit	30
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	6
Collision Rate (Acc/MVM)	1.144
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	7127
Length of Segment	2660
Lane Configuration	Single Lane Each Direction
Street Classification	Collector
D. Conditions Not Readily Apparent	
Conditions	Heavy On-Street Parking, Sidewalks MFDU Driveways, Long Stretch Uncontrolled, Stop at Emerson, Signal at GarveyAve
Roadway Geometrics	Bike Lanes Both Sides of the Street
Comments	Recommended Speed Limit Per 85th% is 35 mph. The Speed Limit May be Rounded Down to the Nearest 5mph Based on Roadway Conditions. The Speed Limit Should Remain or be Posted at 30 mph per CVC 21400.
E. Adjacent Land Use	MFDU/Coml at Garvey
Posted Speed Limit	30
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 1

City of Monterey Park

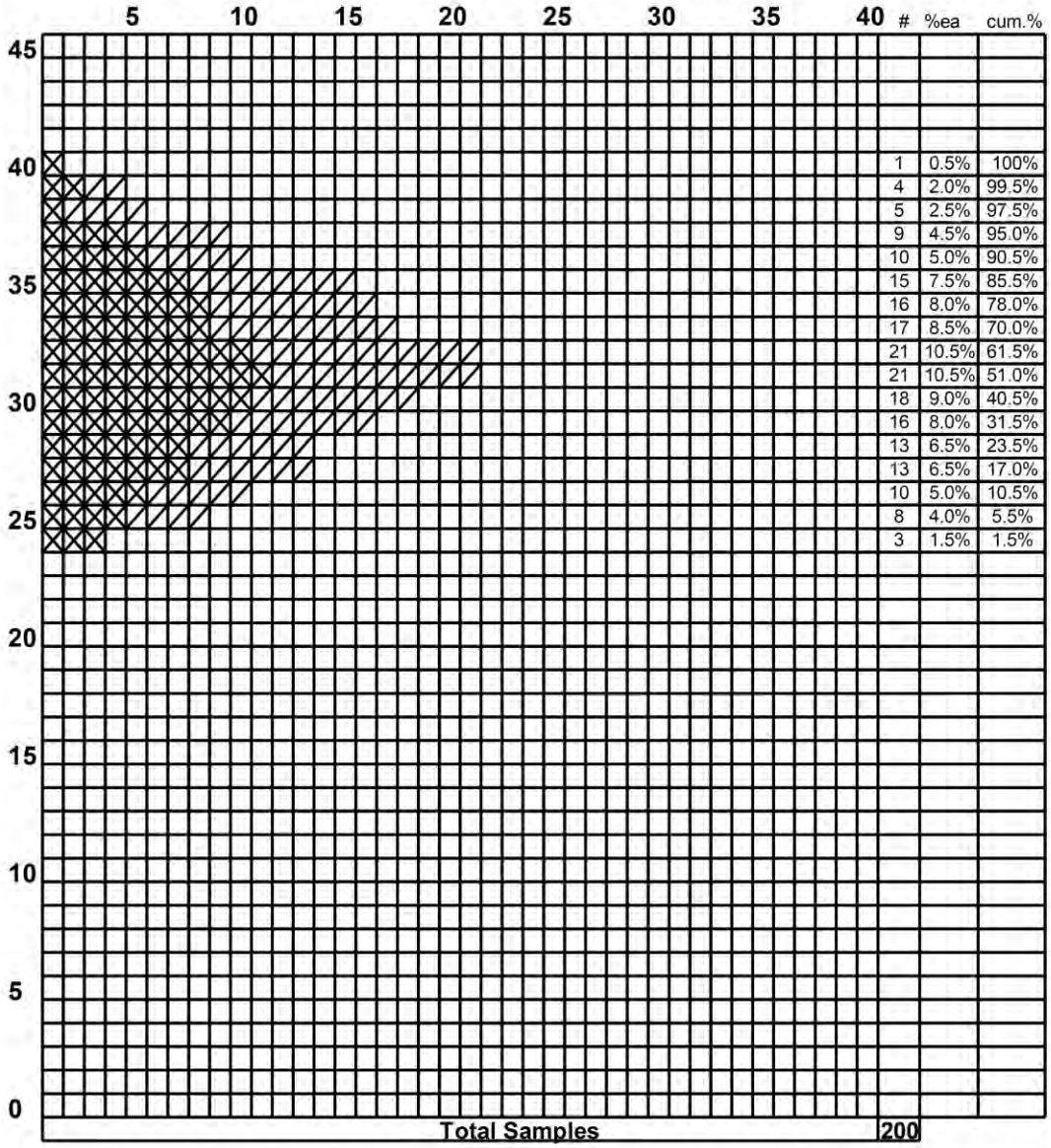
Public Works Department

Street Name: ALHAMBRA AVENUE

Limits: GARVEY AVENUE to GRAVES AVENUE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
1	0.5%	100%
4	2.0%	99.5%
5	2.5%	97.5%
9	4.5%	95.0%
10	5.0%	90.5%
15	7.5%	85.5%
16	8.0%	78.0%
17	8.5%	70.0%
21	10.5%	61.5%
21	10.5%	51.0%
18	9.0%	40.5%
16	8.0%	31.5%
13	6.5%	23.5%
13	6.5%	17.0%
10	5.0%	10.5%
8	4.0%	5.5%
3	1.5%	1.5%
Total Samples		200

85th Percentile Speed:	34.9
50th Percentile Speed:	30.9
15th Percentile Speed:	26.7
10 MPH Pace:	26- 35
Number in Pace:	160
Percent in Pace:	80.0%

Date of Survey:	8/6/2024	Start Time:	10:00
Weather:	Clear	End Time:	11:00
Road Condition	Fair	Posted Speed:	35
Street Class.:	Collector		
Observer: BR			
Conditions not Apparent:	Lots of Residential Driveways, Stop at Newmark Ave, Heavy Parking		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ALHAMBRA AVENUE
Limits: GARVEY AVENUE
GRAVES AVENUE

Field Observer BR
Checked By: JR
Date: 8/6/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	S/O Peach Street
85th Percentile	34.9
10 mph Pace	26 - 35
Percent in Pace	80.0%
Posted Speed Limit	35
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	3
Collision Rate (Acc/MVM)	0.639
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	6424
Length of Segment	2641
Lane Configuration	Single Lane Each Direction
Street Classification	Collector
D. Conditions Not Readily Apparent	
Conditions	Lots of Residential Driveways, Stop at Newmark Ave, Heavy Parking
Roadway Geometrics	Bike Lanes S/O Garvey to Newmark, Sidewalks Both Sides, Hill at South End
Comments	Recommended Speed Limit Per 85th% is 35 mph. The Speed Limit May be Rounded Down to the Nearest 5mph Based on Roadway Conditions. The Speed Limit Should Remain or be Posted at 30mph per CVC 21400.
E. Adjacent Land Use	SFDU/MFDU
Posted Speed Limit	35
Speed Limit Change?	Yes
Revised Speed Limit	30

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 2

City of Monterey Park

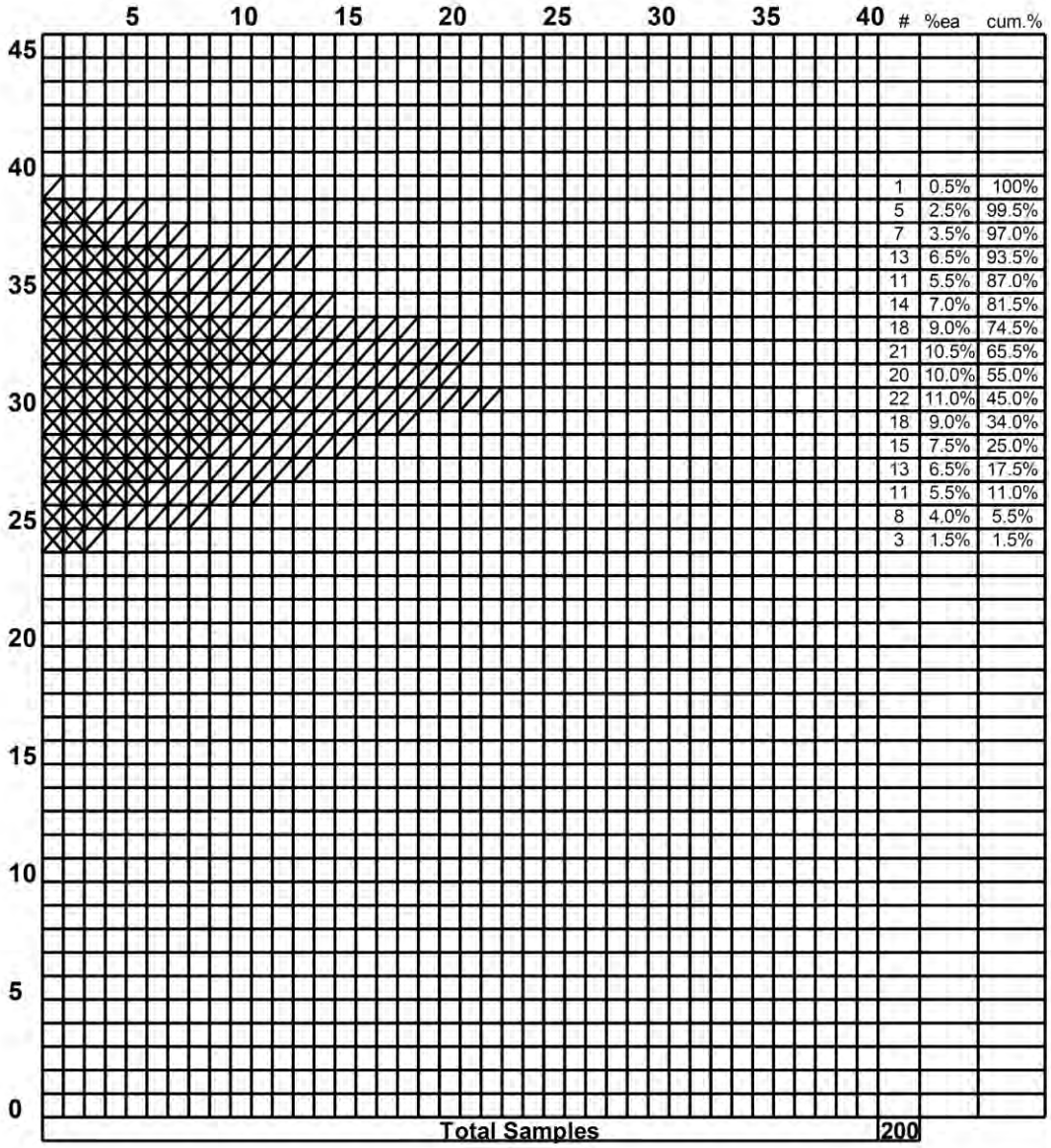
Public Works Department

Street Name: ATLANTIC BOULEVARD

Limits: HELLMAN AVENUE to GARVEY AVENUE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
1	0.5%	100%
5	2.5%	99.5%
7	3.5%	97.0%
13	6.5%	93.5%
11	5.5%	87.0%
14	7.0%	81.5%
18	9.0%	74.5%
21	10.5%	65.5%
20	10.0%	55.0%
22	11.0%	45.0%
18	9.0%	34.0%
15	7.5%	25.0%
13	6.5%	17.5%
11	5.5%	11.0%
8	4.0%	5.5%
3	1.5%	1.5%

85th Percentile Speed:	34.6
50th Percentile Speed:	30.5
15th Percentile Speed:	26.6
10 MPH Pace:	27- 36
Number in Pace:	165
Percent in Pace:	82.5%

Date of Survey:	8/6/2024	Start Time:	11:00
Weather:	Clear	End Time:	12:00
Road Condition	Good	Posted Speed:	30
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Restricted On Street Parking on West Side,Bus Stops, Pedestrians, Theater, Hotels, Shopping		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ATLANTIC BOULEVARD
Limits: HELLMAN AVENUE
GARVEY AVENUE

Field Observer BR
Checked By: JR
Date: 8/6/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Emerson Avenue
85th Percentile	34.6
10 mph Pace	27 - 36
Percent in Pace	82.5%
Posted Speed Limit	30
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	16
Collision Rate (Acc/MVM)	0.776
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	27971
Length of Segment	2663
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Restricted On Street Parking on West Side,Bus Stops, Pedestrians, Theater, Hotels, Shopping
Roadway Geometrics	Partial Raised Median
Comments	Recommended Speed Limit Per 85th% is 35 mph. The Speed Limit May be Rounded Down to the Nearest 5mph Based on Roadway Conditions. The Speed Limit Should Remain or be Posted at 30 mph per CVC 21400.
E. Adjacent Land Use	Business District
Posted Speed Limit	30
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 3

City of Monterey Park

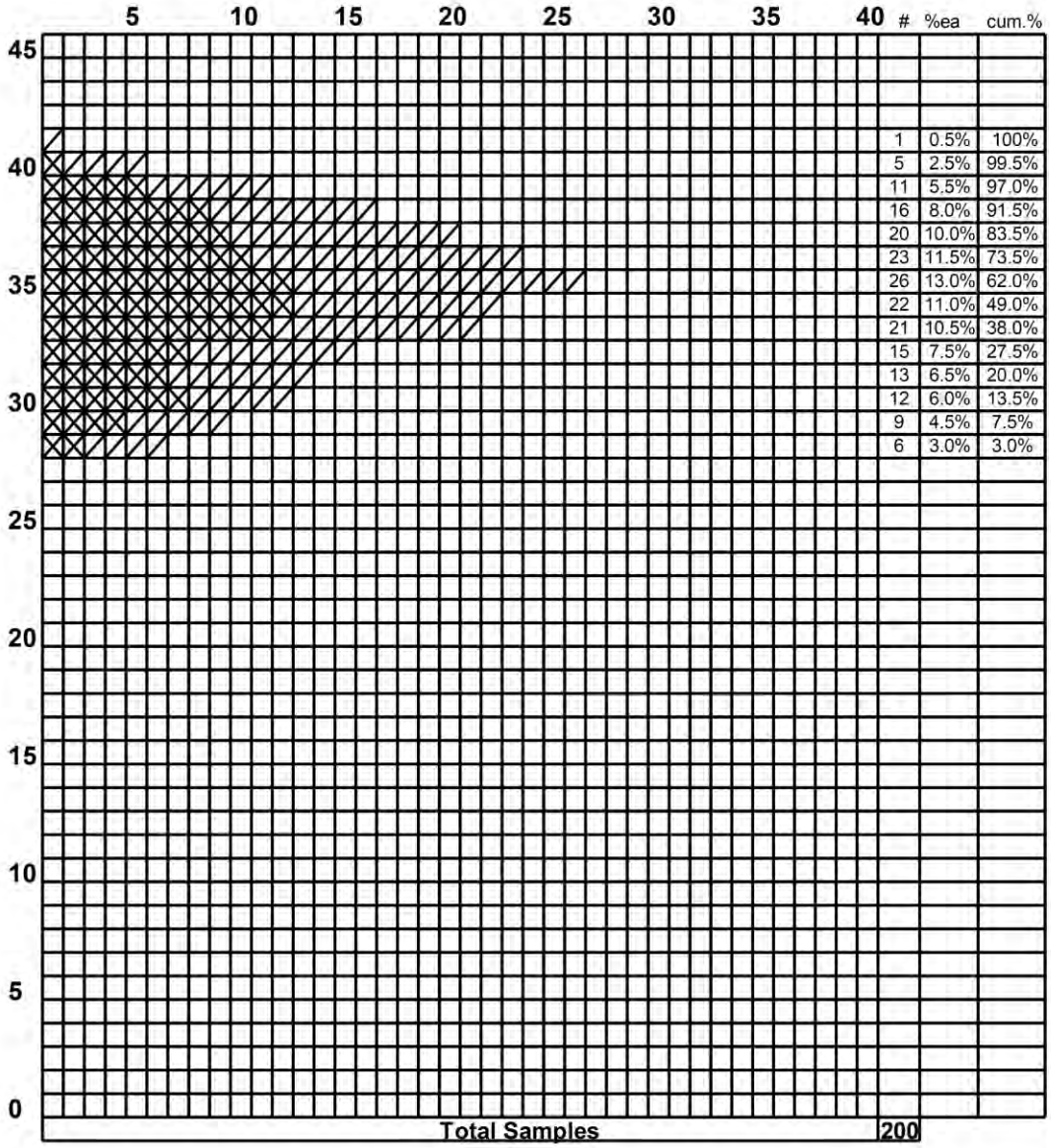
Public Works Department

Street Name: ATLANTIC BOULEVARD

Limits: GARVEY AVENUE to HARDING AVENUE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
1	0.5%	100%
5	2.5%	99.5%
11	5.5%	97.0%
16	8.0%	91.5%
20	10.0%	83.5%
23	11.5%	73.5%
26	13.0%	62.0%
22	11.0%	49.0%
21	10.5%	38.0%
15	7.5%	27.5%
13	6.5%	20.0%
12	6.0%	13.5%
9	4.5%	7.5%
6	3.0%	3.0%

85th Percentile Speed:	37.2
50th Percentile Speed:	34.1
15th Percentile Speed:	30.2
10 MPH Pace:	30- 39
Number in Pace:	179
Percent in Pace:	89.5%

Date of Survey:	8/6/2024	Start Time:	12:00
Weather:	Clear	End Time:	1:00
Road Condition	Good	Posted Speed:	35
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	No Street parking on Curve North of Newmark Ave, Parking Both Sides, Large Shopping Plazas, Sidewalks		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ATLANTIC BOULEVARD
Limits: GARVEY AVENUE
HARDING AVENUE

Field Observer BR
Checked By: JR
Date: 8/6/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	S/O Newmark Ave
85th Percentile	37.2
10 mph Pace	30 - 39
Percent in Pace	89.5%
Posted Speed Limit	35
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	21
Collision Rate (Acc/MVM)	1.229
Expected Collision Rate	0.82
C. Traffic Factors	
Average Daily Traffic	26927
Length of Segment	2294
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	No Street parking on Curve North of Newmark Ave, Parking Both Sides, Large Shopping Plazas, Sidewalks
Roadway Geometrics	Horizontal Curve north of Newmark Ave
Comments	Posted Speed Limit is Set at 85th% Speed. Posted Speed Should Remain at 35 mph Per CVC 627 and 22350.
E. Adjacent Land Use	MFDU / Commercial
Posted Speed Limit	35
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 4

City of Monterey Park

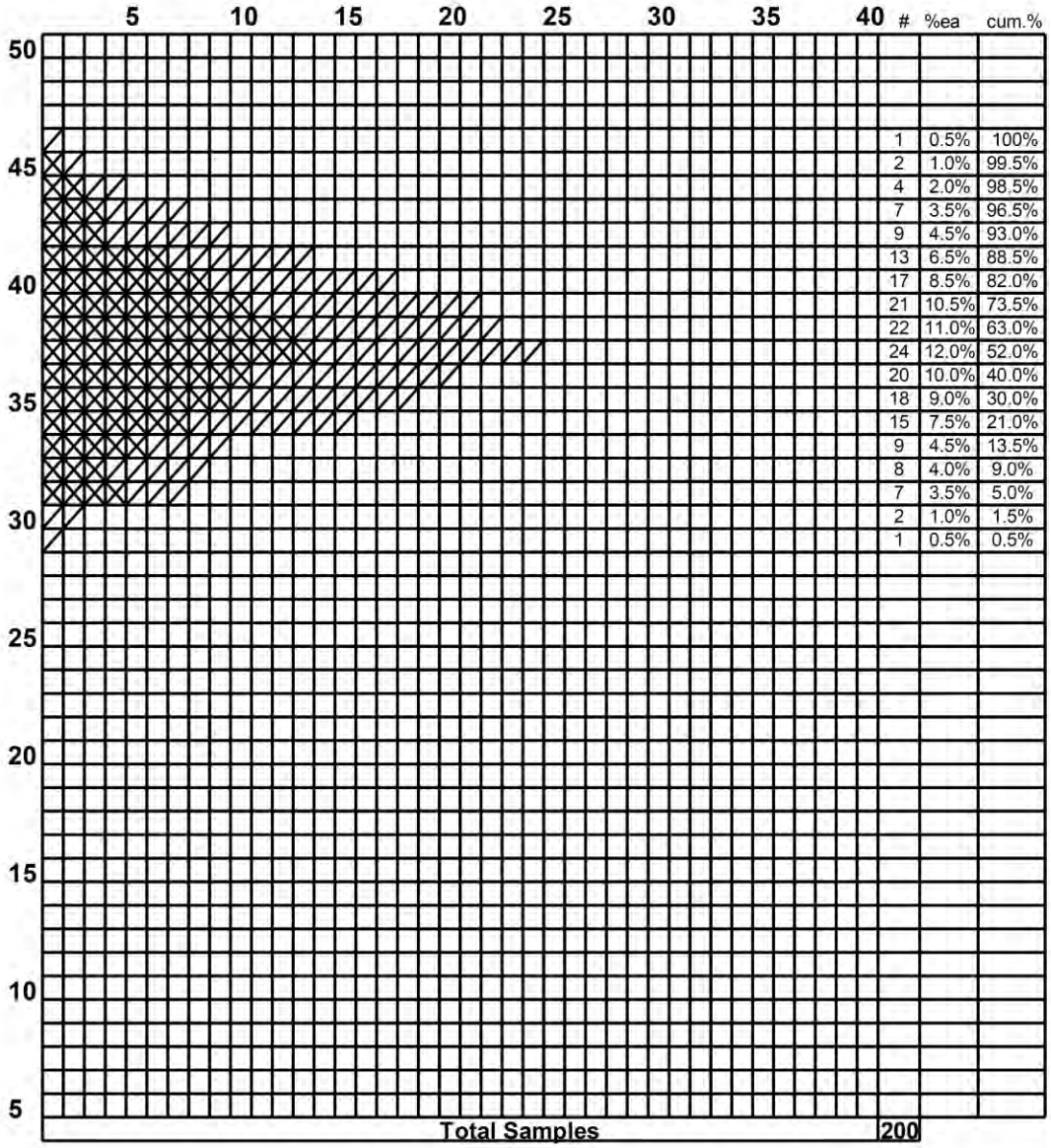
Public Works Department

Street Name: ATLANTIC BOULEVARD

Limits: HARDING AVENUE to EL REPETTO DRIVE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
1	0.5%	100%
2	1.0%	99.5%
4	2.0%	98.5%
7	3.5%	96.5%
9	4.5%	93.0%
13	6.5%	88.5%
17	8.5%	82.0%
21	10.5%	73.5%
22	11.0%	63.0%
24	12.0%	52.0%
20	10.0%	40.0%
18	9.0%	30.0%
15	7.5%	21.0%
9	4.5%	13.5%
8	4.0%	9.0%
7	3.5%	5.0%
2	1.0%	1.5%
1	0.5%	0.5%
Total Samples		200

85th Percentile Speed:	40.5
50th Percentile Speed:	36.8
15th Percentile Speed:	33.2
10 MPH Pace:	33- 42
Number in Pace:	168
Percent in Pace:	84.0%

Date of Survey:	8/6/2024	Start Time:	1:00
Weather:	Clear	End Time:	2:00
Road Condition	Fair to Good	Posted Speed:	40
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Commercial Driveway Characteristics, Sidewalks,Heavy Parking by MFDU, Bus Stops		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ATLANTIC BOULEVARD
Limits: HARDING AVENUE
EL REPETTO DRIVE

Field Observer BR
Checked By: JR
Date: 8/6/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Sevilla St
85th Percentile	40.5
10 mph Pace	33 - 42
Percent in Pace	84.0%
Posted Speed Limit	40
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	20
Collision Rate (Acc/MVM)	0.707
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	25568
Length of Segment	3997
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Commercial Driveway Characteristics, Sidewalks,Heavy Parking by MFDU, Bus Stops
Roadway Geometrics	Slight Horizontal Curve North of El Repetto Dr
Comments	Recommended Speed Limit Per 85th% is 40 mph. Roadside Use, Pedestrian Generators and Slope in Road Justify a Reduction from 85th% Speed to 35 mph. Posted Speed Should be Changed to 35 mph per CVC 627 and 22358.5. Speed will also be Consistent with Adjacent Segments.
E. Adjacent Land Use	MFDU/Commercial/Office some SFDU with Frontage Rd
Posted Speed Limit	40
Speed Limit Change?	Yes
Revised Speed Limit	35

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 5

City of Monterey Park

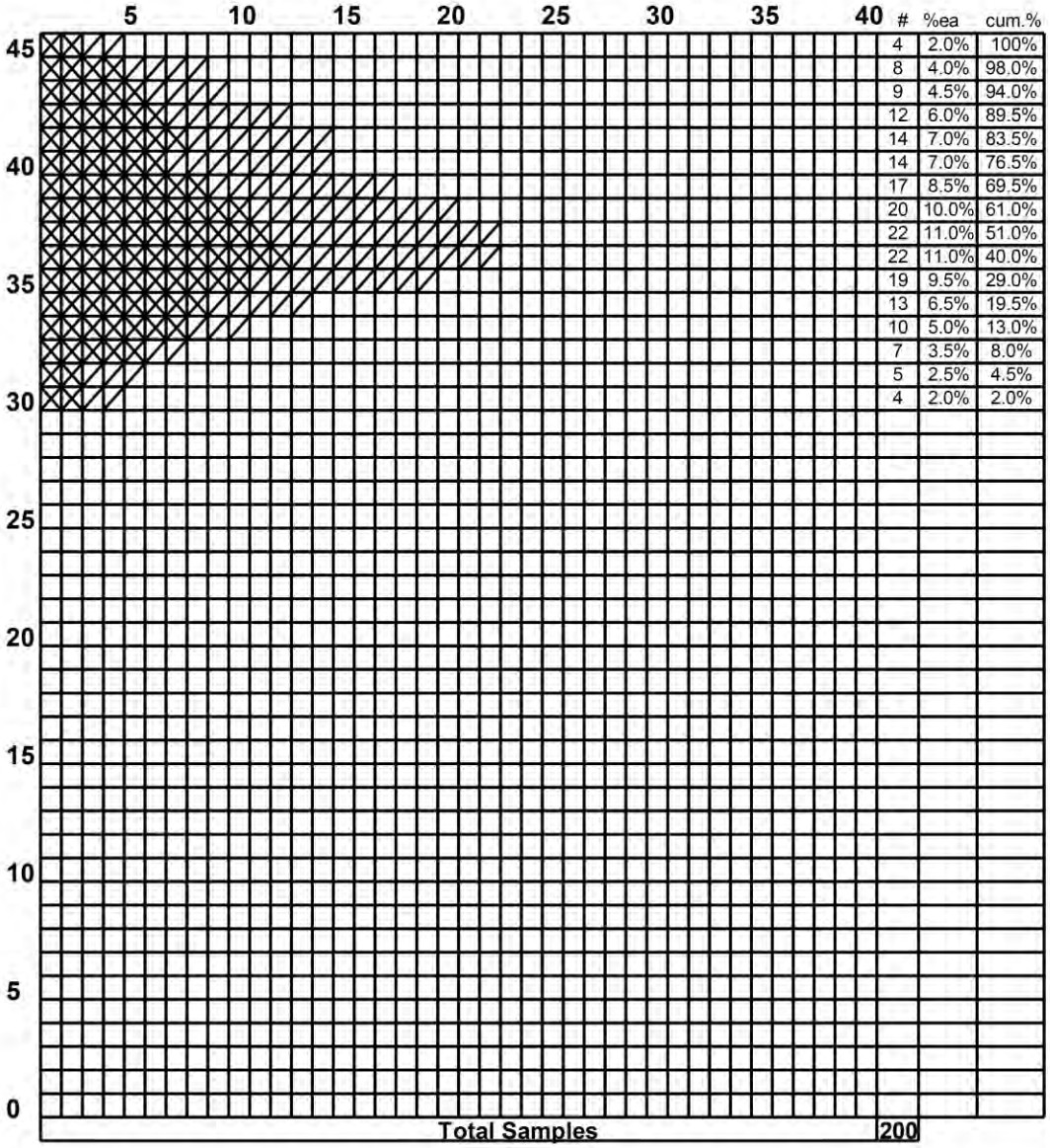
Public Works Department

Street Name: ATLANTIC BOULEVARD

Limits: EL REPETTO DRIVE to FLORAL DRIVE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
4	2.0%	100%
8	4.0%	98.0%
9	4.5%	94.0%
12	6.0%	89.5%
14	7.0%	83.5%
14	7.0%	76.5%
17	8.5%	69.5%
20	10.0%	61.0%
22	11.0%	51.0%
22	11.0%	40.0%
19	9.5%	29.0%
13	6.5%	19.5%
10	5.0%	13.0%
7	3.5%	8.0%
5	2.5%	4.5%
4	2.0%	2.0%

85th Percentile Speed:	41.3
50th Percentile Speed:	36.9
15th Percentile Speed:	33.3
10 MPH Pace:	33- 42
Number in Pace:	163
Percent in Pace:	81.5%

Date of Survey:	8/6/2024	Start Time:	2:00
Weather:	Clear	End Time:	3:00
Road Condition	Good	Posted Speed:	40
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Commercial Driveway Characteristics, Sidewalks, Food Places, Intermittent Parking, Bus Stops, Cross Traffic,		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ATLANTIC BOULEVARD
Limits: EL REPETTO DRIVE
FLORAL DRIVE

Field Observer BR
Checked By: JR
Date: 8/6/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Adobe Place
85th Percentile	41.3
10 mph Pace	33 - 42
Percent in Pace	81.5%
Posted Speed Limit	40
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	4
Collision Rate (Acc/MVM)	0.199
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	25359
Length of Segment	2863
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Commercial Driveway Characteristics, Sidewalks, Food Places, Intermittent Parking, Bus Stops, Cross Traffic, Frontage Road on East Side, Pedestrian Generators
Roadway Geometrics	Slope in Road with Curve North of Floral Drive
Comments	Recommended Speed Limit Per 85th% is 40 mph. Roadside Use with Pedestrian Generators Justify a 5 mph Reduction from 85th% Speed to 35 mph. Posted Speed Should be Changed to 35 mph per CVC 627 and 22358.5. Segment will be Consistent with Adjacent Segments.
E. Adjacent Land Use	Mainly Commercial
Posted Speed Limit	40
Speed Limit Change?	Yes
Revised Speed Limit	35

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 6

City of Monterey Park

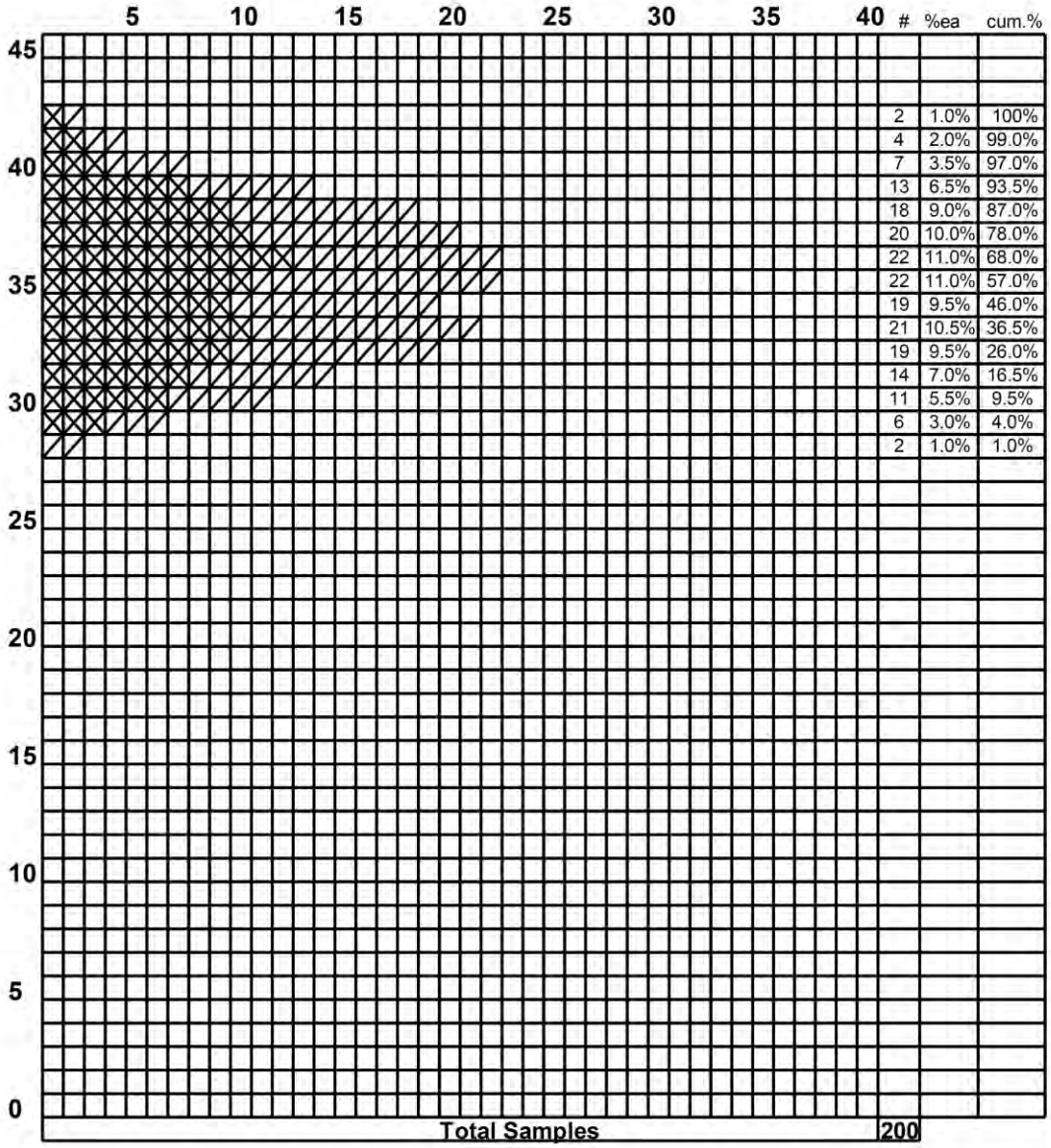
Public Works Department

Street Name: ATLANTIC BOULEVARD

Limits: FLORAL DRIVE to FIRST STREET

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
2	1.0%	100%
4	2.0%	99.0%
7	3.5%	97.0%
13	6.5%	93.5%
18	9.0%	87.0%
20	10.0%	78.0%
22	11.0%	68.0%
22	11.0%	57.0%
19	9.5%	46.0%
21	10.5%	36.5%
19	9.5%	26.0%
14	7.0%	16.5%
11	5.5%	9.5%
6	3.0%	4.0%
2	1.0%	1.0%

85th Percentile Speed:	37.8
50th Percentile Speed:	34.4
15th Percentile Speed:	30.8
10 MPH Pace:	30- 39
Number in Pace:	179
Percent in Pace:	89.5%

Date of Survey:	8/7/2024	Start Time:	9:00
Weather:	Clear	End Time:	10:00
Road Condition	Good	Posted Speed:	35
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Commercial Driveway Characteristics, Limited On Street Parking, Bus Stops, Pedestrian Generators, Sidewalks on		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ATLANTIC BOULEVARD
Limits: FLORAL DRIVE
FIRST STREET

Field Observer BR
Checked By: JR
Date: 8/7/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Riggin St
85th Percentile	37.8
10 mph Pace	30 - 39
Percent in Pace	89.5%
Posted Speed Limit	35
B. Collision History	
Date Range 1/1/2020 To 12/31/2023 (4)	
Total Collisions	21
Collision Rate (Acc/MVM)	1.445
Expected Collision Rate	0.82
C. Traffic Factors	
Average Daily Traffic	29927
Length of Segment	1755
Lane Configuration	3 Lanes Each Direction
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Commercial Driveway Characteristics, Limited On Street Parking, Bus Stops, Pedestrian Generators, Sidewalks on Both Sides, ELAC to the West
Roadway Geometrics	Raised Median between First St and Riggin St
Comments	Recommended Speed Limit Per 85th% is 40 mph. The Speed Limit May be Rounded Down to the Nearest 5mph Based on Roadway Conditions. The Speed Limit Should be Posted at 35 mph per CVC 21400.
E. Adjacent Land Use	Commercial
Posted Speed Limit	35
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 7

City of Monterey Park

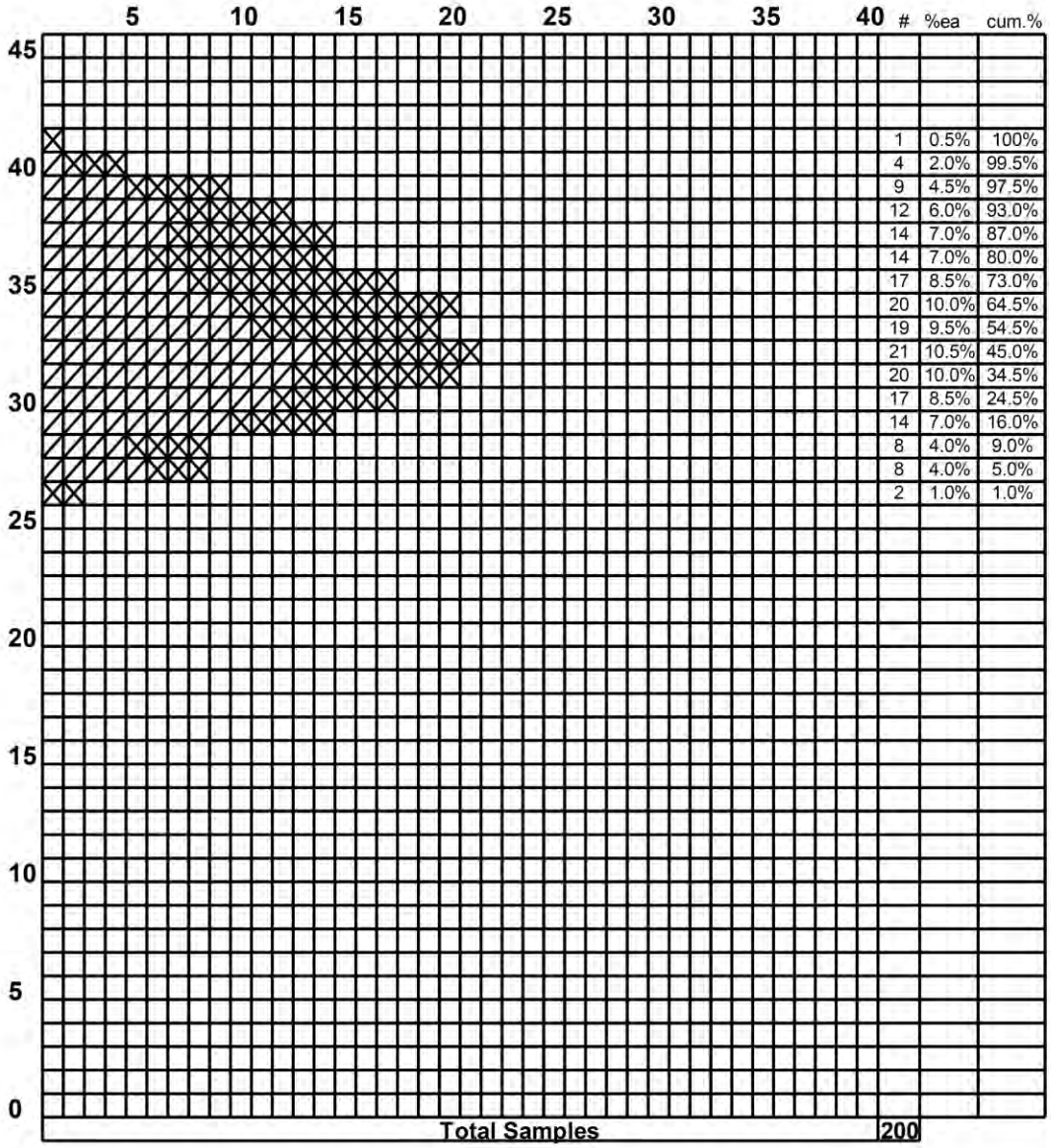
Public Works Department

Street Name: AVENIDA CESAR CHAVEZ

Limits: WEST CITY LIMIT to ATLANTIC BOULEVARD

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
1	0.5%	100%
4	2.0%	99.5%
9	4.5%	97.5%
12	6.0%	93.0%
14	7.0%	87.0%
14	7.0%	80.0%
17	8.5%	73.0%
20	10.0%	64.5%
19	9.5%	54.5%
21	10.5%	45.0%
20	10.0%	34.5%
17	8.5%	24.5%
14	7.0%	16.0%
8	4.0%	9.0%
8	4.0%	5.0%
2	1.0%	1.0%
200		

85th Percentile Speed:	36.7
50th Percentile Speed:	32.5
15th Percentile Speed:	28.9
10 MPH Pace:	29- 38
Number in Pace:	168
Percent in Pace:	84.0%

Date of Survey:	8/7/2024	Start Time:	10:00
Weather:	Clear	End Time:	11:00
Road Condition	Good	Posted Speed:	35
Street Class.:	Secondary Arterial		
Observer: BR			
Conditions not Apparent:	Restricted On Street Parking, Pedestrian Signal at Westcott Ave, Frontage of East LA College, Heavy Pedestrian		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: AVENIDA CESAR CHAVEZ
Limits: WEST CITY LIMIT
ATLANTIC BOULEVARD

Field Observer BR
Checked By: JR
Date: 8/7/2024

Factors	Direction: East/West
A. Prevailing Speed Data	
Location of Survey	E/O Schoolside Ave
85th Percentile	36.7
10 mph Pace	29 - 38
Percent in Pace	84.0%
Posted Speed Limit	35
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	8
Collision Rate (Acc/MVM)	0.586
Expected Collision Rate	0.82
C. Traffic Factors	
Average Daily Traffic	16580
Length of Segment	2978
Lane Configuration	2 Lanes Each Direction
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Restricted On Street Parking, Pedestrian Signal at Westcott Ave, Frontage of East LA College, Heavy Pedestrian Generator, Robert Hill Elem School - SS
Roadway Geometrics	Horizontal Curve Along Entire Segment. No Sidewalks, Shared Bike Rte
Comments	Recommended Speed Limit Per 85th% is 35 mph. Roadside Use and Pedestrian Generators Present Justify a 5 mph Reduction from 85th% Speed to 30 mph. Posted Speed Should be Changed to 30 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	SFDU - East Los Angeles College
Posted Speed Limit	35
Speed Limit Change?	Yes
Revised Speed Limit	30

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

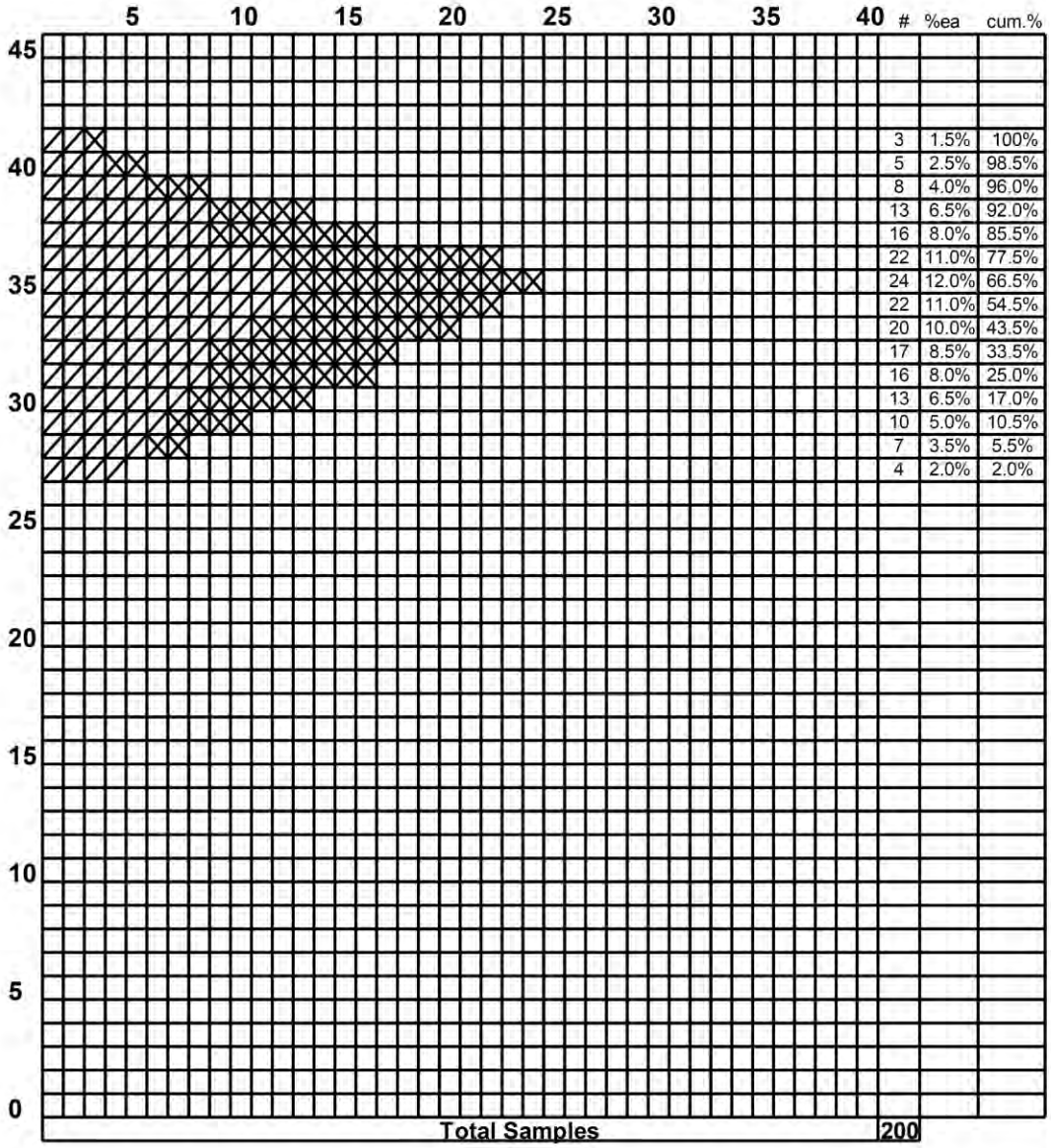
Loc. # 8

City of Monterey Park
Public Works Department

Street Name: FLORAL DRIVE
Limits: WEST CITY LIMIT to MONTEREY PASS ROAD

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
3	1.5%	100%
5	2.5%	98.5%
8	4.0%	96.0%
13	6.5%	92.0%
16	8.0%	85.5%
22	11.0%	77.5%
24	12.0%	66.5%
22	11.0%	54.5%
20	10.0%	43.5%
17	8.5%	33.5%
16	8.0%	25.0%
13	6.5%	17.0%
10	5.0%	10.5%
7	3.5%	5.5%
4	2.0%	2.0%
Total Samples	200	

85th Percentile Speed:	36.9
50th Percentile Speed:	33.6
15th Percentile Speed:	29.7
10 MPH Pace:	29- 38
Number in Pace:	173
Percent in Pace:	86.5%

Date of Survey:	8/7/2024	Start Time:	11:00
Weather:	Clear	End Time:	12:00
Road Condition	Fair to Poor	Posted Speed:	35
Street Class.:	Secondary Arterial		
Observer:	BR		
Conditions not Apparent:	Left Turn Lanes at Intersections, 3 lanes WB McDonnal to Dangler Ave		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: FLORAL DRIVE
Limits: WEST CITY LIMIT
MONTEREY PASS ROAD

Field Observer BR
Checked By: JR
Date: 8/7/2024

Factors	Direction: East/West
A. Prevailing Speed Data	
Location of Survey	E/O McDonnell Ave
85th Percentile	36.9
10 mph Pace	29 - 38
Percent in Pace	86.5%
Posted Speed Limit	35
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	5
Collision Rate (Acc/MVM)	0.474
Expected Collision Rate	0.82
C. Traffic Factors	
Average Daily Traffic	16573
Length of Segment	2299
Lane Configuration	2/3 Lanes Each Direction
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Left Turn Lanes at Intersections, 3 lanes WB McDonnal to Dangler Ave
Roadway Geometrics	Heavy Street Parking on South Side
Comments	Posted Speed Limit is Set at 85th% Speed. Posted Speed Should Remain at 35 mph Per CVC 627 and 22350.
E. Adjacent Land Use	Commercial/Manuf
Posted Speed Limit	35
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

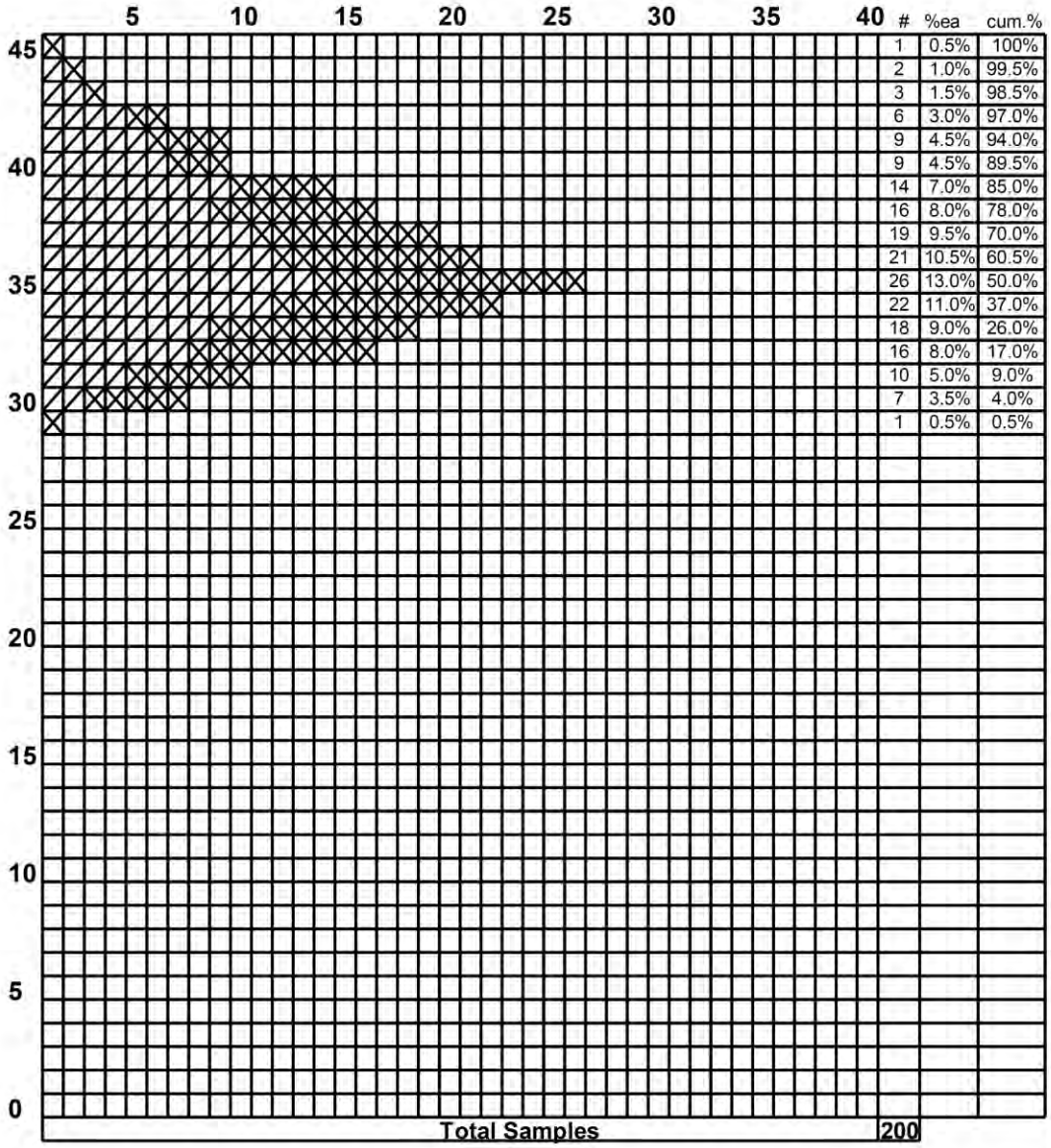
Loc. # 9

City of Monterey Park
Public Works Department

Street Name: FLORAL DRIVE
Limits: MONTEREY PASS ROAD to ATLANTIC BOULEVARD

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
1	0.5%	100%
2	1.0%	99.5%
3	1.5%	98.5%
6	3.0%	97.0%
9	4.5%	94.0%
9	4.5%	89.5%
14	7.0%	85.0%
16	8.0%	78.0%
19	9.5%	70.0%
21	10.5%	60.5%
26	13.0%	50.0%
22	11.0%	37.0%
18	9.0%	26.0%
16	8.0%	17.0%
10	5.0%	9.0%
7	3.5%	4.0%
1	0.5%	0.5%

85th Percentile Speed:	39.0
50th Percentile Speed:	35.0
15th Percentile Speed:	31.8
10 MPH Pace:	31- 40
Number in Pace:	171
Percent in Pace:	85.5%

Date of Survey:	8/7/2024	Start Time:	12:00
Weather:	Clear	End Time:	1:00
Road Condition	Good	Posted Speed:	40
Street Class.:	Secondary Arterial		
Observer: BR			
Conditions not Apparent:	Intermittent Street Parking on SS, Posted 35mph EB, 40 mph WB, Back Side of ELAC, No Sidewalk on NS, EB Var		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: FLORAL DRIVE
Limits: MONTEREY PASS ROAD
ATLANTIC BOULEVARD

Field Observer BR
Checked By: JR
Date: 8/7/2024

Factors	Direction: East/West
A. Prevailing Speed Data	
Location of Survey	Valley Vista Dr
85th Percentile	39.0
10 mph Pace	31 - 40
Percent in Pace	85.5%
Posted Speed Limit	40
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	16
Collision Rate (Acc/MVM)	0.616
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	15323
Length of Segment	6124
Lane Configuration	Single Lane Each Direction
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Intermittent Street Parking on SS, Posted 35mph EB, 40 mph WB, Back Side of ELAC, No Sidewalk on NS, EB Var Speed Sign
Roadway Geometrics	Slope and Curve East of Hillside St. No Shoulder
Comments	Recommended Speed Limit Per 85th% is 40 mph. The Speed Limit May be Rounded Down to the Nearest 5mph Based on Roadway Conditions and Line of Sight. The Speed Limit For Both Directions Should be Posted or Remain at 35 mph per CVC 21400.
E. Adjacent Land Use	SFDU/ East LA College
Posted Speed Limit	40
Speed Limit Change?	Yes
Revised Speed Limit	35

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 10

City of Monterey Park

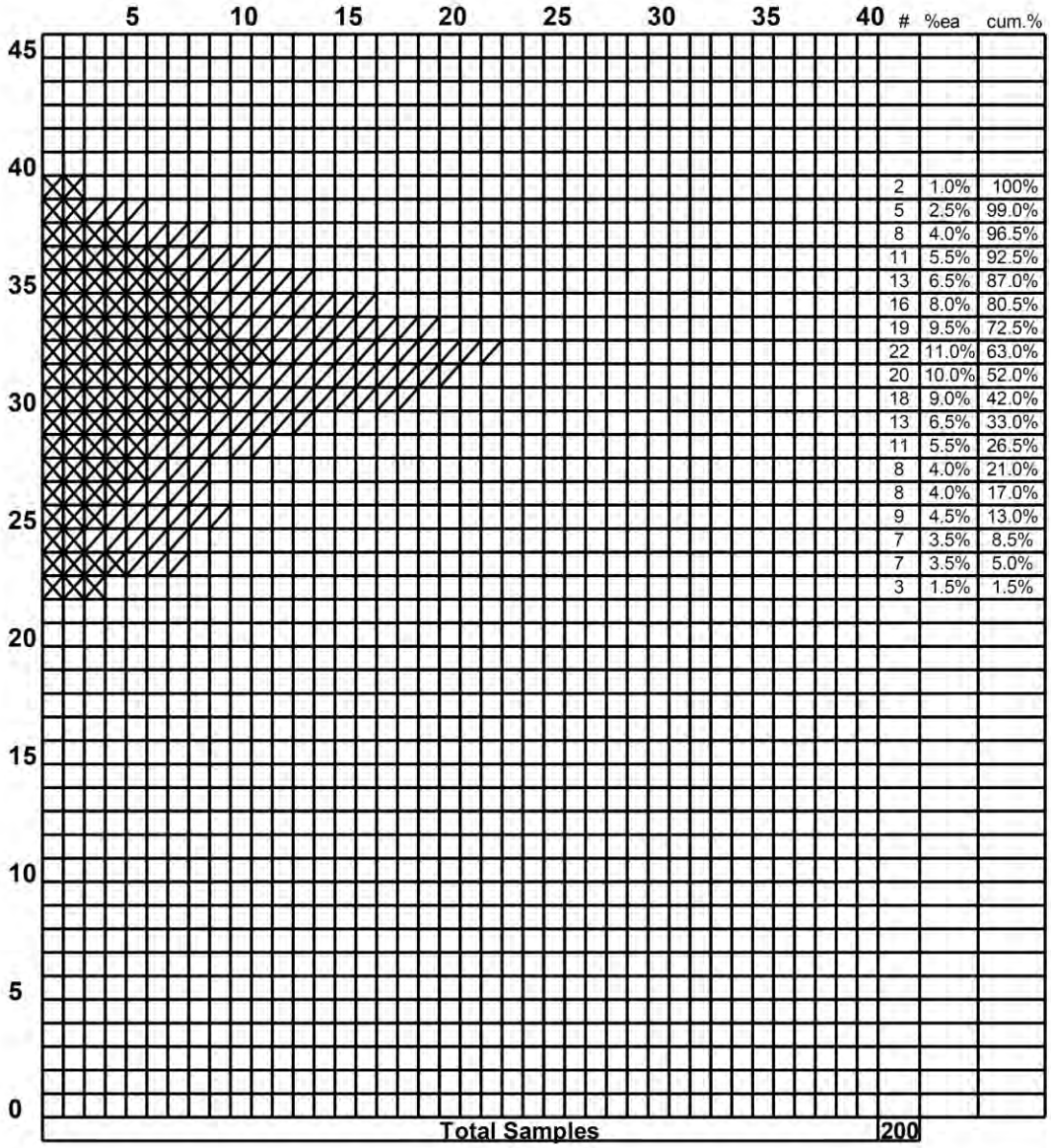
Public Works Department

Street Name: GARFIELD AVENUE

Limits: HELLMAN AVENUE to NEWMARK AVENUE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
2	1.0%	100%
5	2.5%	99.0%
8	4.0%	96.5%
11	5.5%	92.5%
13	6.5%	87.0%
16	8.0%	80.5%
19	9.5%	72.5%
22	11.0%	63.0%
20	10.0%	52.0%
18	9.0%	42.0%
13	6.5%	33.0%
11	5.5%	26.5%
8	4.0%	21.0%
8	4.0%	17.0%
9	4.5%	13.0%
7	3.5%	8.5%
7	3.5%	5.0%
3	1.5%	1.5%
Total Samples	200	

85th Percentile Speed:	34.7
50th Percentile Speed:	30.8
15th Percentile Speed:	25.5
10 MPH Pace:	27- 36
Number in Pace:	151
Percent in Pace:	75.5%

Date of Survey:	8/7/2024	Start Time:	1:00
Weather:	Clear	End Time:	2:00
Road Condition	Good	Posted Speed:	30
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Commercial Driveway, Sidewalks Both Sides, Pedestrian Generators both Sides, Bus Stops, Heavy Traffic in Peak,		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: GARFIELD AVENUE
Limits: HELLMAN AVENUE
NEWMARK AVENUE

Field Observer BR
Checked By: JR
Date: 8/7/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	S/O Emerson Ave
85th Percentile	34.7
10 mph Pace	27 - 36
Percent in Pace	75.5%
Posted Speed Limit	30
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	17
Collision Rate (Acc/MVM)	0.803
Expected Collision Rate	0.82
C. Traffic Factors	
Average Daily Traffic	21013
Length of Segment	3640
Lane Configuration	2 Lanes Each Direction
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Commercial Driveway, Sidewalks Both Sides, Pedestrian Generators both Sides, Bus Stops, Heavy Traffic in Peak, Parking in Front of Business
Roadway Geometrics	5 Signals
Comments	Recommended Speed Limit Per 85th% is 35 mph. The Speed Limit May be Rounded Down to the Nearest 5mph Based on Roadway Conditions. The Speed Limit Should Remain or be Posted at 30 mph per CVC 21400.
E. Adjacent Land Use	Commercial/MFDU
Posted Speed Limit	30
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 11

City of Monterey Park

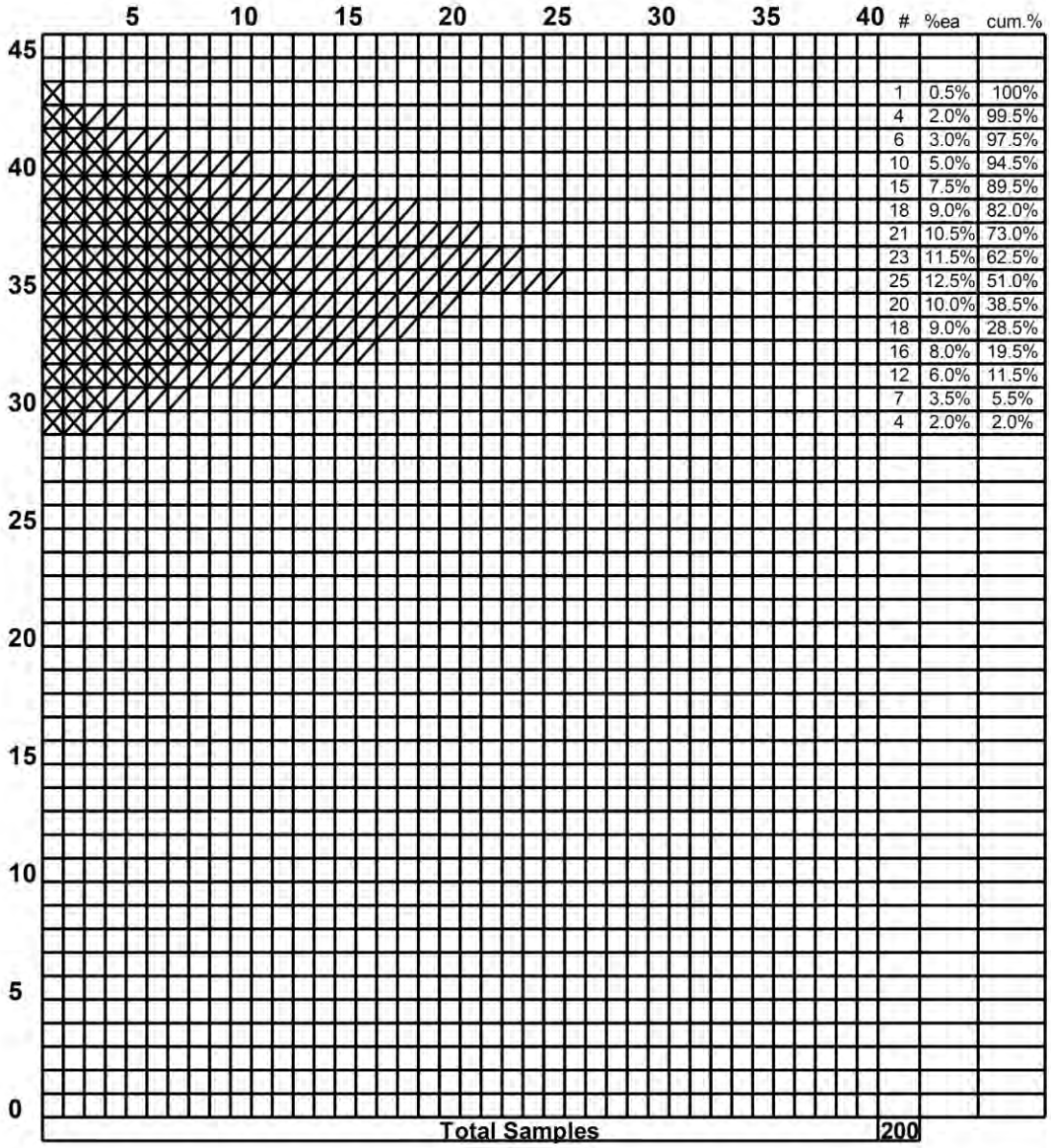
Public Works Department

Street Name: GARFIELD AVENUE

Limits: NEWMARK AVENUE to GRAVES AVENUE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
1	0.5%	100%
4	2.0%	99.5%
6	3.0%	97.5%
10	5.0%	94.5%
15	7.5%	89.5%
18	9.0%	82.0%
21	10.5%	73.0%
23	11.5%	62.5%
25	12.5%	51.0%
20	10.0%	38.5%
18	9.0%	28.5%
16	8.0%	19.5%
12	6.0%	11.5%
7	3.5%	5.5%
4	2.0%	2.0%

85th Percentile Speed:	38.4
50th Percentile Speed:	34.9
15th Percentile Speed:	31.4
10 MPH Pace:	31- 40
Number in Pace:	178
Percent in Pace:	89.0%

Date of Survey:	8/7/2024	Start Time:	2:00
Weather:	Clear	End Time:	3:00
Road Condition	Good	Posted Speed:	35
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Heavy Parking in Front of MFDU, Bus Stops, Sidewalks Both Sides, Driveways Backing Onto Garfield		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: GARFIELD AVENUE
Limits: NEWMARK AVENUE
GRAVES AVENUE

Field Observer BR
Checked By: JR
Date: 8/7/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Ramona Ave
85th Percentile	38.4
10 mph Pace	31 - 40
Percent in Pace	89.0%
Posted Speed Limit	35
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	5
Collision Rate (Acc/MVM)	0.506
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	20782
Length of Segment	1719
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Heavy Parking in Front of MFDU, Bus Stops, Sidewalks Both Sides, Driveways Backing Onto Garfield
Roadway Geometrics	Horizontal Curve South of Newmark Ave, Road Slopes and Curves
Comments	Recommended Speed Limit Per 85th% is 40 mph. The Speed Limit May be Rounded Down to the Nearest 5mph Based on Roadway Conditions and Line of Sight. The Speed Limit Should Remain or be Posted at 35 mph per CVC 21400.
E. Adjacent Land Use	MFDU/SFDU/Commercial
Posted Speed Limit	35
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 12

City of Monterey Park

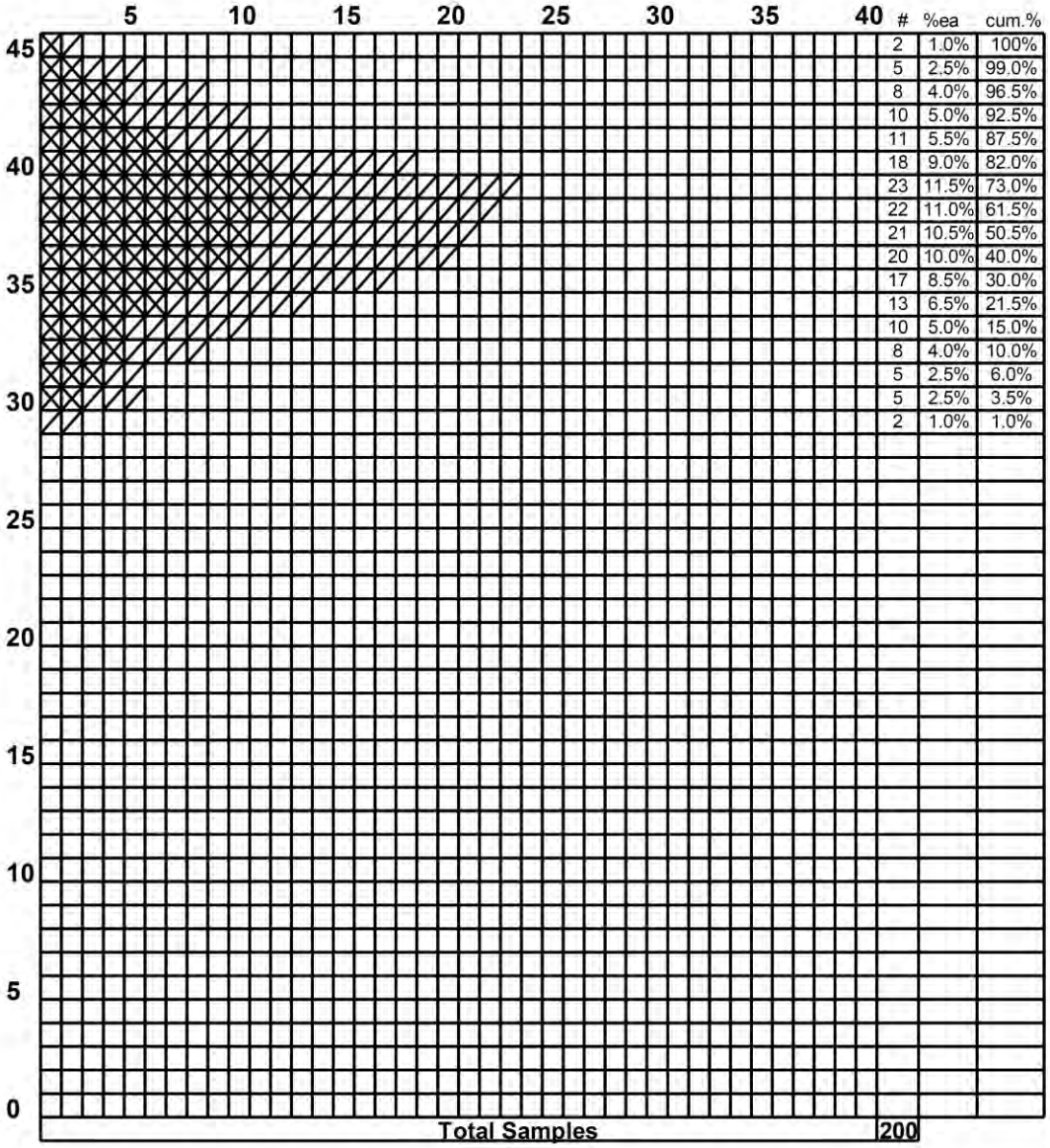
Public Works Department

Street Name: GARFIELD AVENUE

Limits: GRAVES AVENUE to EL REPETTO DRIVE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
2	1.0%	100%
5	2.5%	99.0%
8	4.0%	96.5%
10	5.0%	92.5%
11	5.5%	87.5%
18	9.0%	82.0%
23	11.5%	73.0%
22	11.0%	61.5%
21	10.5%	50.5%
20	10.0%	40.0%
17	8.5%	30.0%
13	6.5%	21.5%
10	5.0%	15.0%
8	4.0%	10.0%
5	2.5%	6.0%
5	2.5%	3.5%
2	1.0%	1.0%

85th Percentile Speed:	40.5
50th Percentile Speed:	37.0
15th Percentile Speed:	33.0
10 MPH Pace:	33- 42
Number in Pace:	165
Percent in Pace:	82.5%

Date of Survey:	8/8/2024	Start Time:	9:00
Weather:	Clear	End Time:	10:00
Road Condition	Good	Posted Speed:	40
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Heavy Parking On-Street, Sidewalks, Bus Stops,Traffic Calming Side Stripes, Slow Cars Parking, Pedestrian		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: GARFIELD AVENUE
Limits: GRAVES AVENUE
EL REPETTO DRIVE

Field Observer BR
Checked By: JR
Date: 8/8/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	S/O Cecil St
85th Percentile	40.5
10 mph Pace	33 - 42
Percent in Pace	82.5%
Posted Speed Limit	40
B. Collision History	
Date Range 1/1/2020 To 12/31/2023 (4)	
Total Collisions	11
Collision Rate (Acc/MVM)	0.519
Expected Collision Rate	0.82
C. Traffic Factors	
Average Daily Traffic	24932
Length of Segment	3071
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Heavy Parking On-Street, Sidewalks, Bus Stops,Traffic Calming Side Stripes, Slow Cars Parking, Pedestrian Generators
Roadway Geometrics	Slopping Curve South of Maronde Way, S Curve N/O El Repetto
Comments	Recommended Speed Limit Per 85th% is 40 mph. Roadside Use and Roadway Geometrics Justify a 5 mph Reduction from 85th% Speed to 35 mph. Posted Speed Should be Changed to 35 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	SFDU/ MFDU
Posted Speed Limit	40
Speed Limit Change?	Yes
Revised Speed Limit	35

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 13

City of Monterey Park

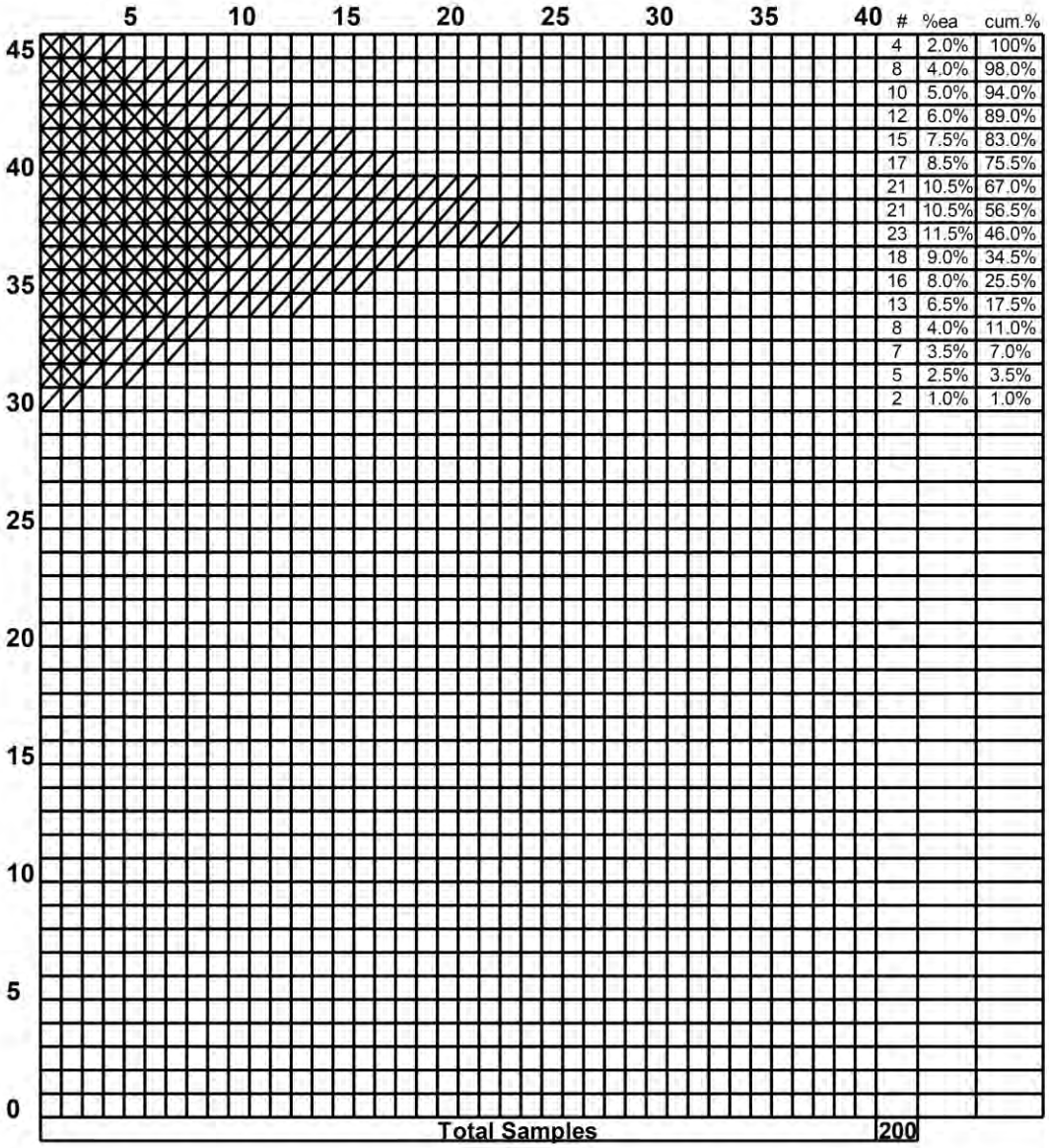
Public Works Department

Street Name: GARFIELD AVENUE

Limits: EL REPETTO DRIVE to RIGGIN STREET

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
4	2.0%	100%
8	4.0%	98.0%
10	5.0%	94.0%
12	6.0%	89.0%
15	7.5%	83.0%
17	8.5%	75.5%
21	10.5%	67.0%
21	10.5%	56.5%
23	11.5%	46.0%
18	9.0%	34.5%
16	8.0%	25.5%
13	6.5%	17.5%
8	4.0%	11.0%
7	3.5%	7.0%
5	2.5%	3.5%
2	1.0%	1.0%

85th Percentile Speed:	41.3
50th Percentile Speed:	37.4
15th Percentile Speed:	33.6
10 MPH Pace:	34- 43
Number in Pace:	166
Percent in Pace:	83.0%

Date of Survey:	8/8/2024	Start Time:	10:00
Weather:	Clear	End Time:	11:00
Road Condition	Good	Posted Speed:	40
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Parking On-Street, Sidewalks Both Sides, Park, Edison Plant, Private School, Churches, Pedestrian Generators,		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: GARFIELD AVENUE
Limits: EL REPETTO DRIVE
RIGGIN STREET

Field Observer BR
Checked By: JR
Date: 8/8/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	S/O Andrix St
85th Percentile	41.3
10 mph Pace	34 - 43
Percent in Pace	83.0%
Posted Speed Limit	40
B. Collision History	
Date Range 1/1/2020 To 12/31/2023 (4)	
Total Collisions	14
Collision Rate (Acc/MVM)	0.513
Expected Collision Rate	0.82
C. Traffic Factors	
Average Daily Traffic	24992
Length of Segment	3944
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Parking On-Street, Sidewalks Both Sides, Park, Edison Plant, Private School, Churches, Pedestrian Generators, Large Prk, Middle School to the East at Elmgate
Roadway Geometrics	Horizontal Curves at Coral View, Arlight
Comments	Recommended Speed Limit Per 85th% is 40 mph. Roadside Use, Road Conditions, Pedestrian Generators Justify a 5 mph Reduction from 85th% Speed to 35 mph. Posted Speed Should be Changed to 35 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	SFDU/Edison Trails Park/Coml
Posted Speed Limit	40
Speed Limit Change?	Yes
Revised Speed Limit	35

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 14

City of Monterey Park

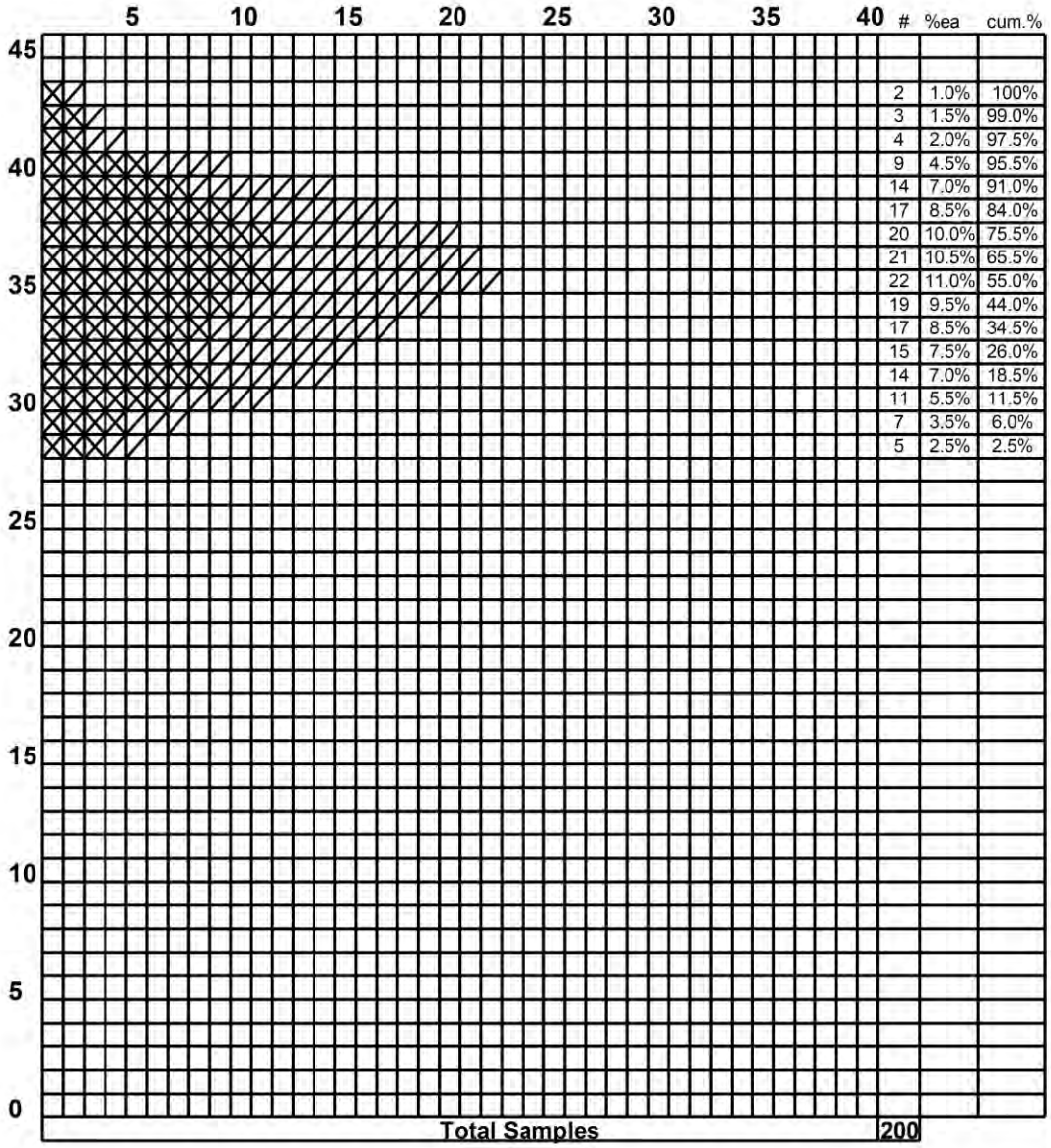
Public Works Department

Street Name: GARFIELD AVENUE

Limits: RIGGIN STREET to POMONA BOULEVARD

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
2	1.0%	100%
3	1.5%	99.0%
4	2.0%	97.5%
9	4.5%	95.5%
14	7.0%	91.0%
17	8.5%	84.0%
20	10.0%	75.5%
21	10.5%	65.5%
22	11.0%	55.0%
19	9.5%	44.0%
17	8.5%	34.5%
15	7.5%	26.0%
14	7.0%	18.5%
11	5.5%	11.5%
7	3.5%	6.0%
5	2.5%	2.5%
Total Samples	200	

85th Percentile Speed:	38.1
50th Percentile Speed:	34.5
15th Percentile Speed:	30.5
10 MPH Pace:	30- 39
Number in Pace:	170
Percent in Pace:	85.0%

Date of Survey:	8/8/2024	Start Time:	11:00
Weather:	Clear	End Time:	12:00
Road Condition	Good	Posted Speed:	35
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Heavy On Street Parking, Pedestrian Signal, Lots of Small Business, Food, Parking Ticks		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: GARFIELD AVENUE
Limits: RIGGIN STREET
POMONA BOULEVARD

Field Observer BR
Checked By: JR
Date: 8/8/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Fernfield Dr
85th Percentile	38.1
10 mph Pace	30 - 39
Percent in Pace	85.0%
Posted Speed Limit	35
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	14
Collision Rate (Acc/MVM)	2.114
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	20881
Length of Segment	1146
Lane Configuration	2 Lane with Raised Median
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Heavy On Street Parking, Pedestrian Signal, Lots of Small Business, Food, Parking Ticks
Roadway Geometrics	
Comments	Recommended Speed Limit Per 85th% is 40 mph. The Speed Limit May be Rounded Down to the Nearest 5 mph Based on Roadway Conditions and Collision Rate. The Speed Limit Should Remain at 35 mph per CVC 21400.
E. Adjacent Land Use	Commercial/Office
Posted Speed Limit	35
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

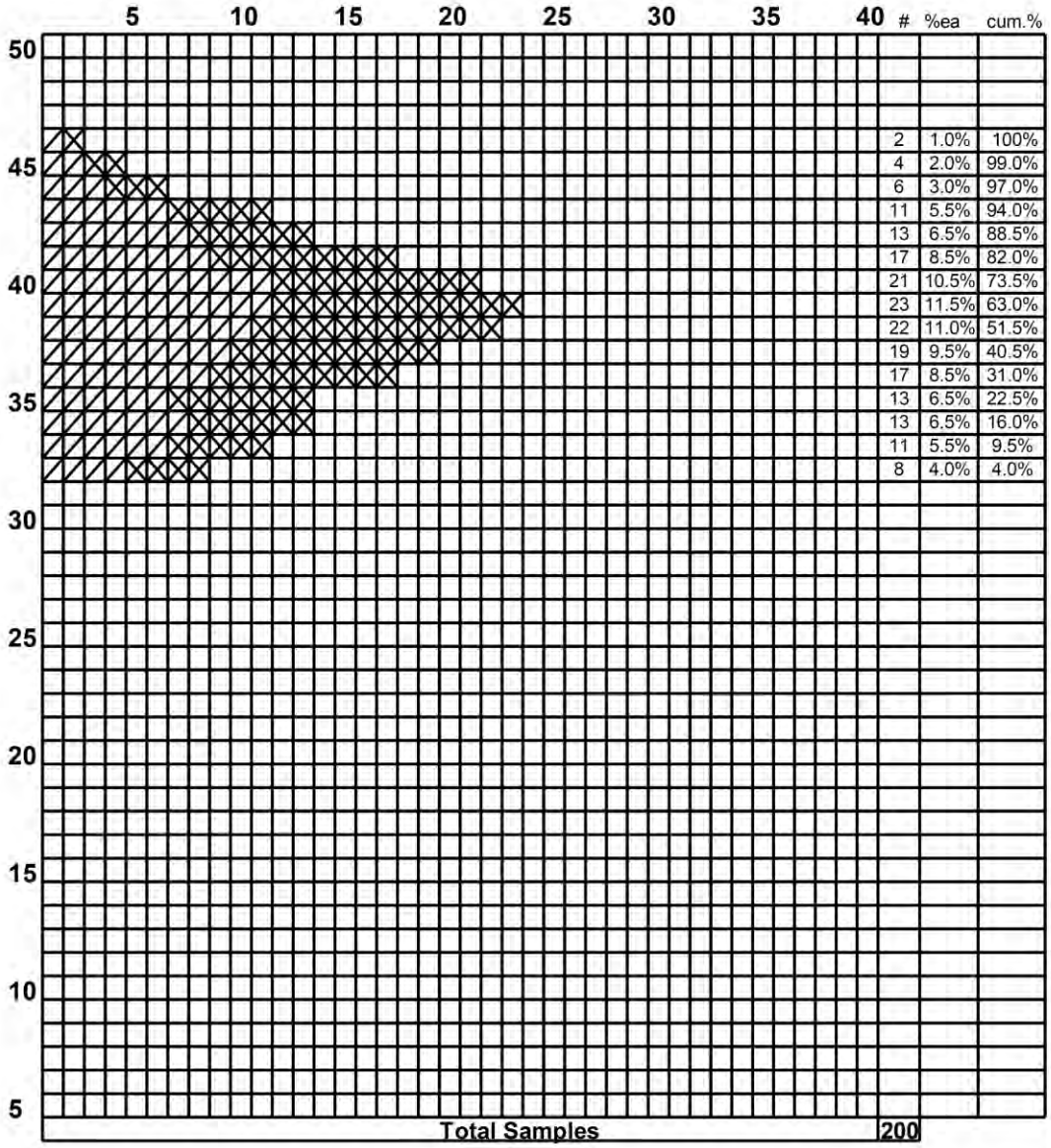
Loc. # 15

City of Monterey Park
Public Works Department

Street Name: GARVEY AVENUE
Limits: CASUDA CANYON DRIVE to FREMONT AVENUE

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
2	1.0%	100%
4	2.0%	99.0%
6	3.0%	97.0%
11	5.5%	94.0%
13	6.5%	88.5%
17	8.5%	82.0%
21	10.5%	73.5%
23	11.5%	63.0%
22	11.0%	51.5%
19	9.5%	40.5%
17	8.5%	31.0%
13	6.5%	22.5%
13	6.5%	16.0%
11	5.5%	9.5%
8	4.0%	4.0%

85th Percentile Speed:	41.5
50th Percentile Speed:	37.9
15th Percentile Speed:	33.8
10 MPH Pace:	33- 42
Number in Pace:	169
Percent in Pace:	84.5%

Date of Survey:	8/8/2024	Start Time:	2:00
Weather:	Clear	End Time:	3:00
Road Condition	Good	Posted Speed:	40
Street Class.:	Secondary Arterial		
Observer: BR			
Conditions not Apparent:	Heavy On Street Parking, Bus Stops, Sidewalks Both Sides,Areas of No Parking. Large Church, Low Access		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: GARVEY AVENUE
Limits: CASUDA CANYON DRIVE
FREMONT AVENUE

Field Observer BR
Checked By: JR
Date: 8/8/2024

Factors	Direction: East/West
A. Prevailing Speed Data	
Location of Survey	East of Casuda Canyon Dr
85th Percentile	41.5
10 mph Pace	33 - 42
Percent in Pace	84.5%
Posted Speed Limit	40
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	1
Collision Rate (Acc/MVM)	0.118
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	12028
Length of Segment	2537
Lane Configuration	2 Lane with Raised Median
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Heavy On Street Parking, Bus Stops, Sidewalks Both Sides,Areas of No Parking. Large Church, Low Access
Roadway Geometrics	Horizontal Curve. Slight Vertical Curve East ot Casuda Canyon Dr
Comments	Posted Speed Limit is Set at 85th% Speed. Posted Speed Should Remain at 40 mph Per CVC 627 and 22350.
E. Adjacent Land Use	Single and Multi Family Residential
Posted Speed Limit	40
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 16

City of Monterey Park

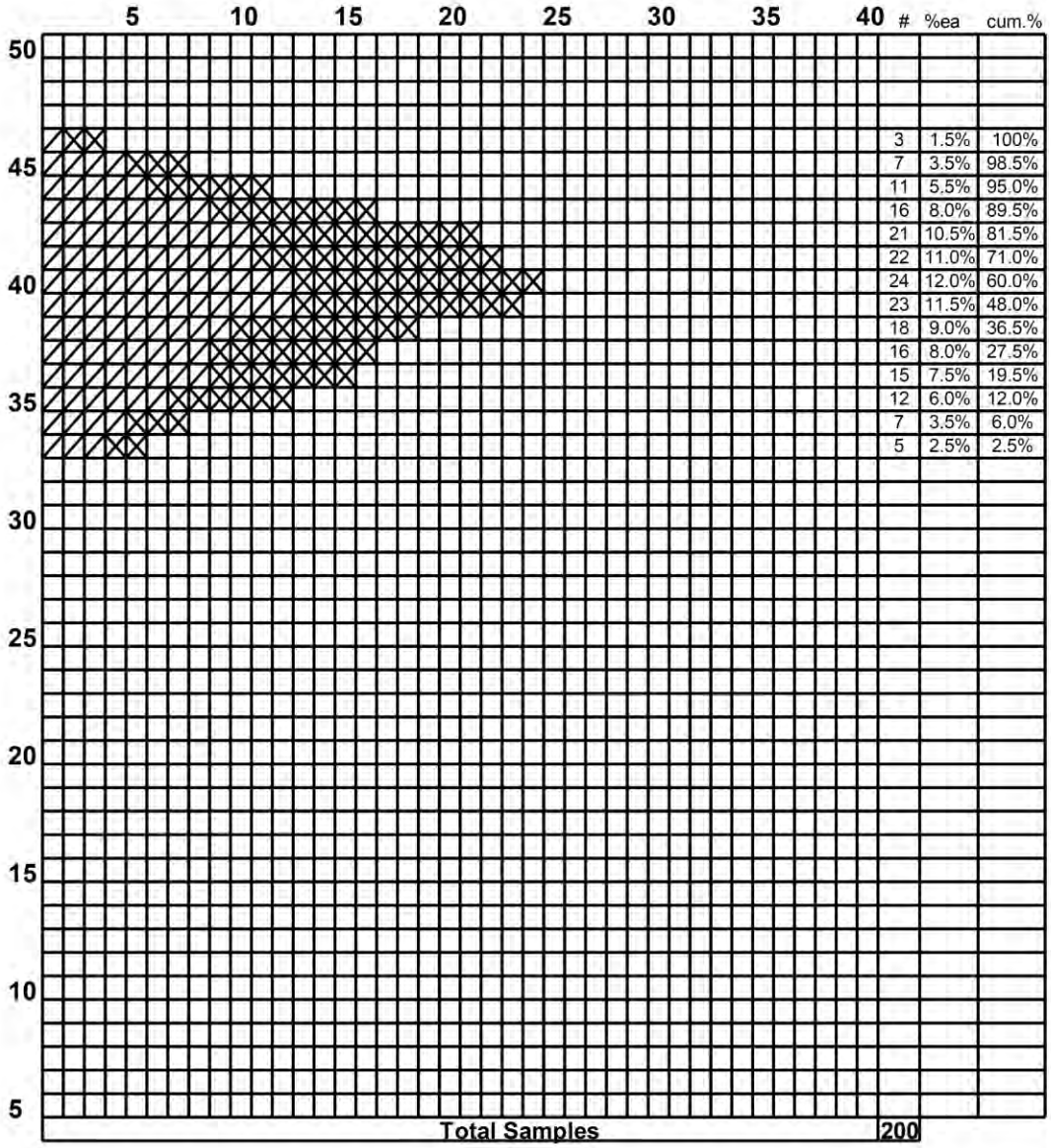
Public Works Department

Street Name: GARVEY AVENUE

Limits: FREMONT AVENUE to ATLANTIC BOULEVARD

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
3	1.5%	100%
7	3.5%	98.5%
11	5.5%	95.0%
16	8.0%	89.5%
21	10.5%	81.5%
22	11.0%	71.0%
24	12.0%	60.0%
23	11.5%	48.0%
18	9.0%	36.5%
16	8.0%	27.5%
15	7.5%	19.5%
12	6.0%	12.0%
7	3.5%	6.0%
5	2.5%	2.5%
Total Samples	200	

85th Percentile Speed:	42.4
50th Percentile Speed:	39.2
15th Percentile Speed:	35.4
10 MPH Pace:	35- 44
Number in Pace:	178
Percent in Pace:	89.0%

Date of Survey:	8/14/2024	Start Time:	9:00
Weather:	Clear	End Time:	10:00
Road Condition	Good	Posted Speed:	40
Street Class.:	Secondary Arterial		
Observer: BR			
Conditions not Apparent:	Parking on SS in Front of MFDU, Few Driveways on NS, Strip Commercial, Bus Stops		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: GARVEY AVENUE
Limits: FREMONT AVENUE
ATLANTIC BOULEVARD

Field Observer BR
Checked By: JR
Date: 8/14/2024

Factors	Direction: East/West
A. Prevailing Speed Data	
Location of Survey	East of Hitchcock Dr
85th Percentile	42.4
10 mph Pace	35 - 44
Percent in Pace	89.0%
Posted Speed Limit	40
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	8
Collision Rate (Acc/MVM)	0.382
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	21495
Length of Segment	3522
Lane Configuration	2 Lane with Raised Median
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Parking on SS in Front of MFDU, Few Driveways on NS, Strip Commercial, Bus Stops
Roadway Geometrics	Horizontal Curve
Comments	Posted Speed Limit is Set at 85th% Speed. Posted Speed Should Remain at 40 mph Per CVC 627 and 22350.
E. Adjacent Land Use	MFDU/Commercial
Posted Speed Limit	40
Speed Limit Change?	No
Revised Speed Limit	

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

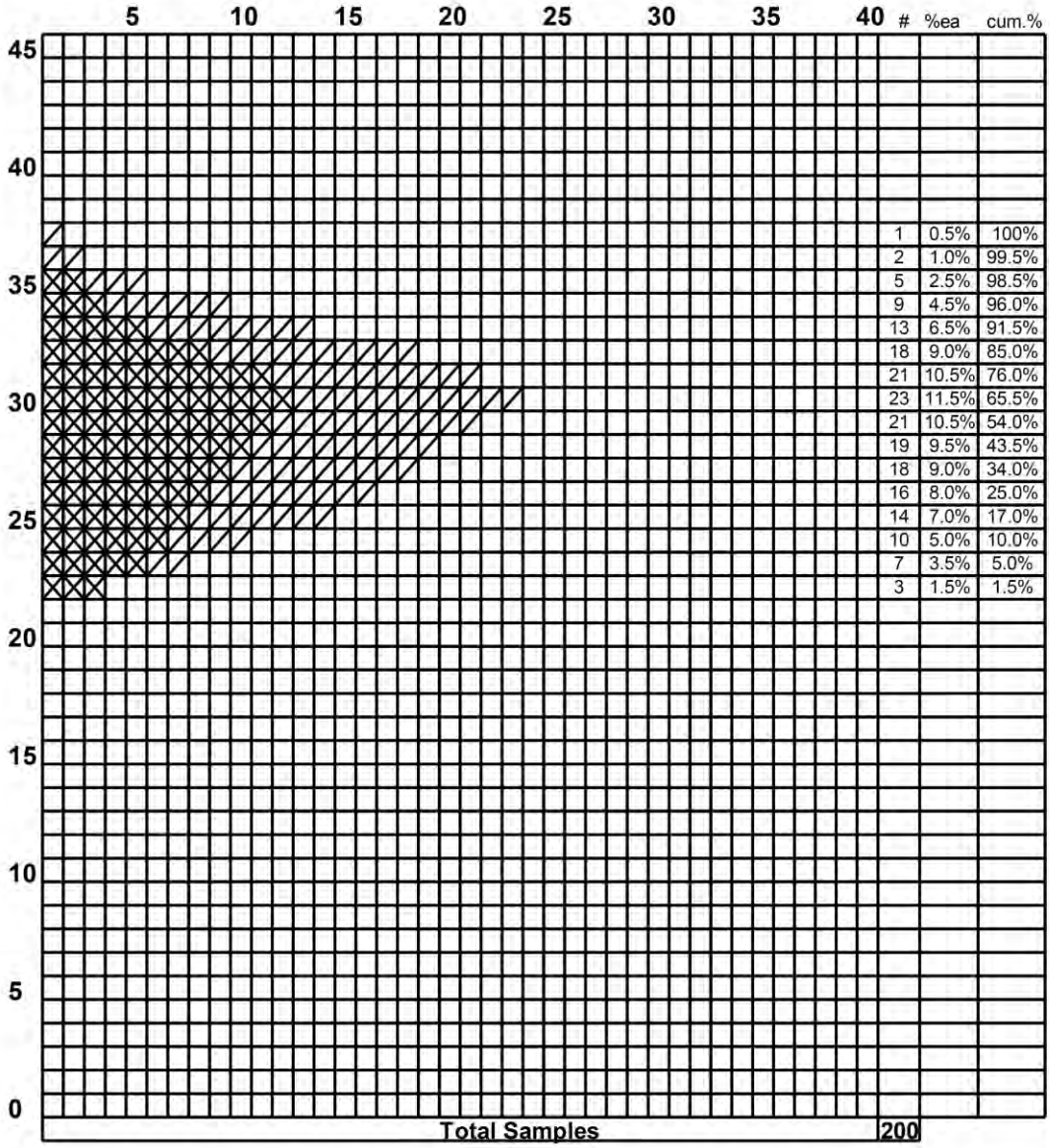
Loc. # 17

City of Monterey Park
Public Works Department

Street Name: ORANGE AVENUE
Limits: GARVEY AVENUE to GRAVES AVENUE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
1	0.5%	100%
2	1.0%	99.5%
5	2.5%	98.5%
9	4.5%	96.0%
13	6.5%	91.5%
18	9.0%	85.0%
21	10.5%	76.0%
23	11.5%	65.5%
21	10.5%	54.0%
19	9.5%	43.5%
18	9.0%	34.0%
16	8.0%	25.0%
14	7.0%	17.0%
10	5.0%	10.0%
7	3.5%	5.0%
3	1.5%	1.5%

85th Percentile Speed:	32.0
50th Percentile Speed:	28.6
15th Percentile Speed:	24.7
10 MPH Pace:	24- 33
Number in Pace:	173
Percent in Pace:	86.5%

Date of Survey:	8/15/2024	Start Time:	11:00
Weather:	Cloudy	End Time:	12:00
Road Condition	Good	Posted Speed:	30
Street Class.:	Secondary Arterial		
Observer:	BR		
Conditions not Apparent:	Stops at Newmark Ave, Graves Ave, Heavy On-Street Parking, Residential Density, Pedestrians, Sidewalks Both		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ORANGE AVENUE
Limits: GARVEY AVENUE
GRAVES AVENUE

Field Observer BR
Checked By: JR
Date: 8/15/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Newmark Ave
85th Percentile	32.0
10 mph Pace	24 - 33
Percent in Pace	86.5%
Posted Speed Limit	30
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	3
Collision Rate (Acc/MVM)	0.788
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	5266
Length of Segment	2613
Lane Configuration	Single Lane Each Direction
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Stops at Newmark Ave, Graves Ave, Heavy On-Street Parking, Residential Density, Pedestrians, Sidewalks Both Sides
Roadway Geometrics	Lots of Residential Driveways, Slope
Comments	Recommended Speed Limit Per 85th% is 30 mph. Roadside Use and High Residential Density Justify a 5 mph Reduction from 85th% Speed to 25 mph. Posted Speed Should be Changed to 25 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	SFDU/MFDU/Coml at Ends
Posted Speed Limit	30
Speed Limit Change?	Yes
Revised Speed Limit	25

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

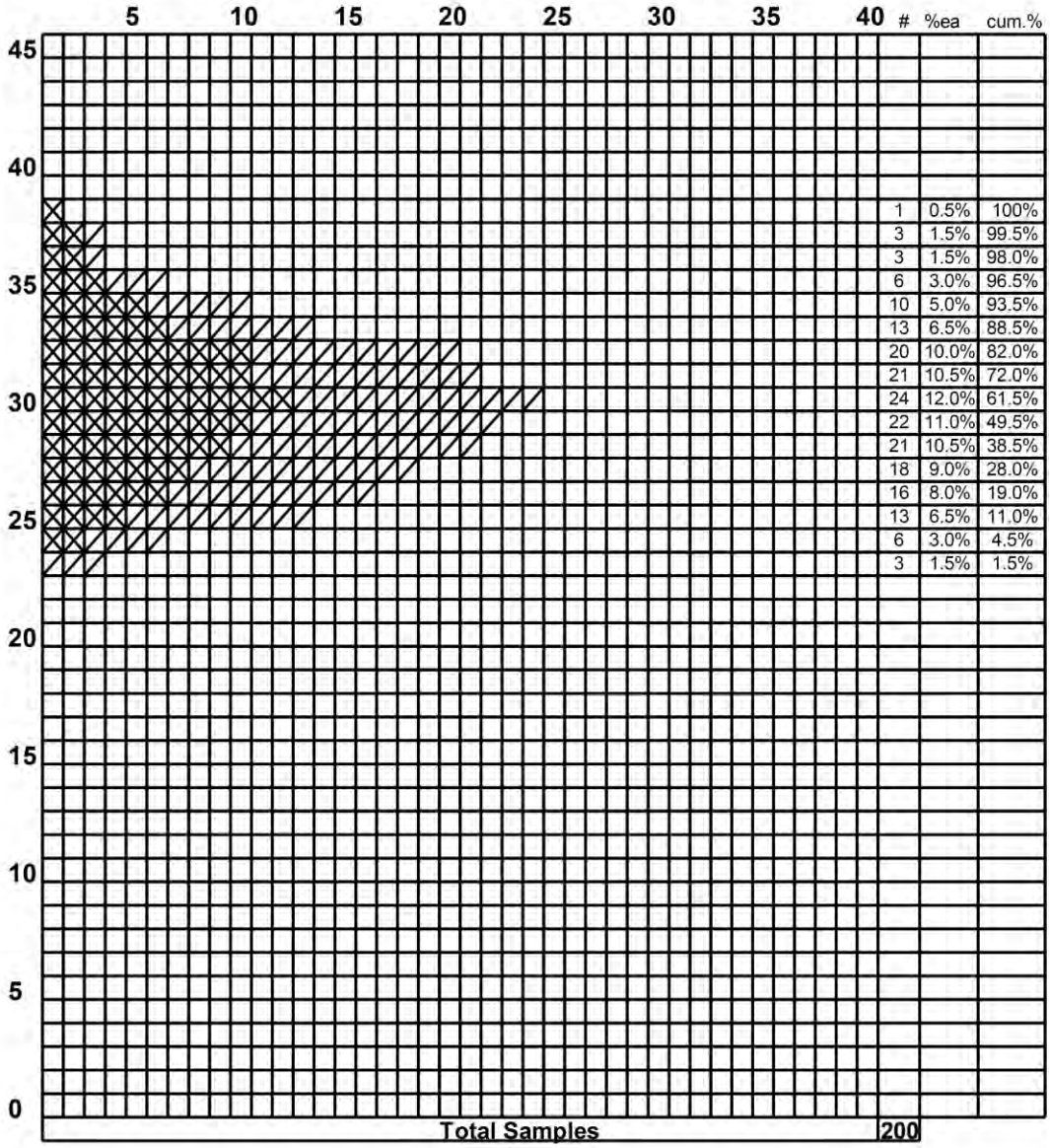
Loc. # 21

City of Monterey Park
Public Works Department

Street Name: ORANGE AVENUE
Limits: GRAVES AVENUE to METRO DRIVE

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
1	0.5%	100%
3	1.5%	99.5%
3	1.5%	98.0%
6	3.0%	96.5%
10	5.0%	93.5%
13	6.5%	88.5%
20	10.0%	82.0%
21	10.5%	72.0%
24	12.0%	61.5%
22	11.0%	49.5%
21	10.5%	38.5%
18	9.0%	28.0%
16	8.0%	19.0%
13	6.5%	11.0%
6	3.0%	4.5%
3	1.5%	1.5%
Total Samples	200	

85th Percentile Speed:	32.5
50th Percentile Speed:	29.0
15th Percentile Speed:	25.5
10 MPH Pace:	25- 34
Number in Pace:	178
Percent in Pace:	89.0%

Date of Survey:	8/15/2024	Start Time:	12:00
Weather:	Clear	End Time:	1:00
Road Condition	Good	Posted Speed:	30
Street Class.:	Secondary Arterial		
Observer: BR			
Conditions not Apparent:	Traffic Calming Side Stripes, Parking Both Side, Park with Peds Crossing, Pedestrian Collision		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ORANGE AVENUE
Limits: GRAVES AVENUE
METRO DRIVE

Field Observer BR
Checked By: JR
Date: 8/15/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Metro Dr
85th Percentile	32.5
10 mph Pace	25 - 34
Percent in Pace	89.0%
Posted Speed Limit	30
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	4
Collision Rate (Acc/MVM)	1.081
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	7823
Length of Segment	1709
Lane Configuration	Single Lane Each Direction
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Traffic Calming Side Stripes, Parking Both Side, Park with Peds Crossing, Pedestrian Collision
Roadway Geometrics	Horizontal Curve and Vertical Incline South of Graves
Comments	Recommended Speed Limit Per 85th% is 30 mph. Roadside Use, Geometric Conditions and Pedestrian Generator Justify a 5 mph Reduction from 85th% Speed to 25 mph. Posted Speed Should be Changed to 25 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	SFDU/MFDU/Garvey Ranch Park
Posted Speed Limit	30
Speed Limit Change?	Yes
Revised Speed Limit	25

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 22

City of Monterey Park

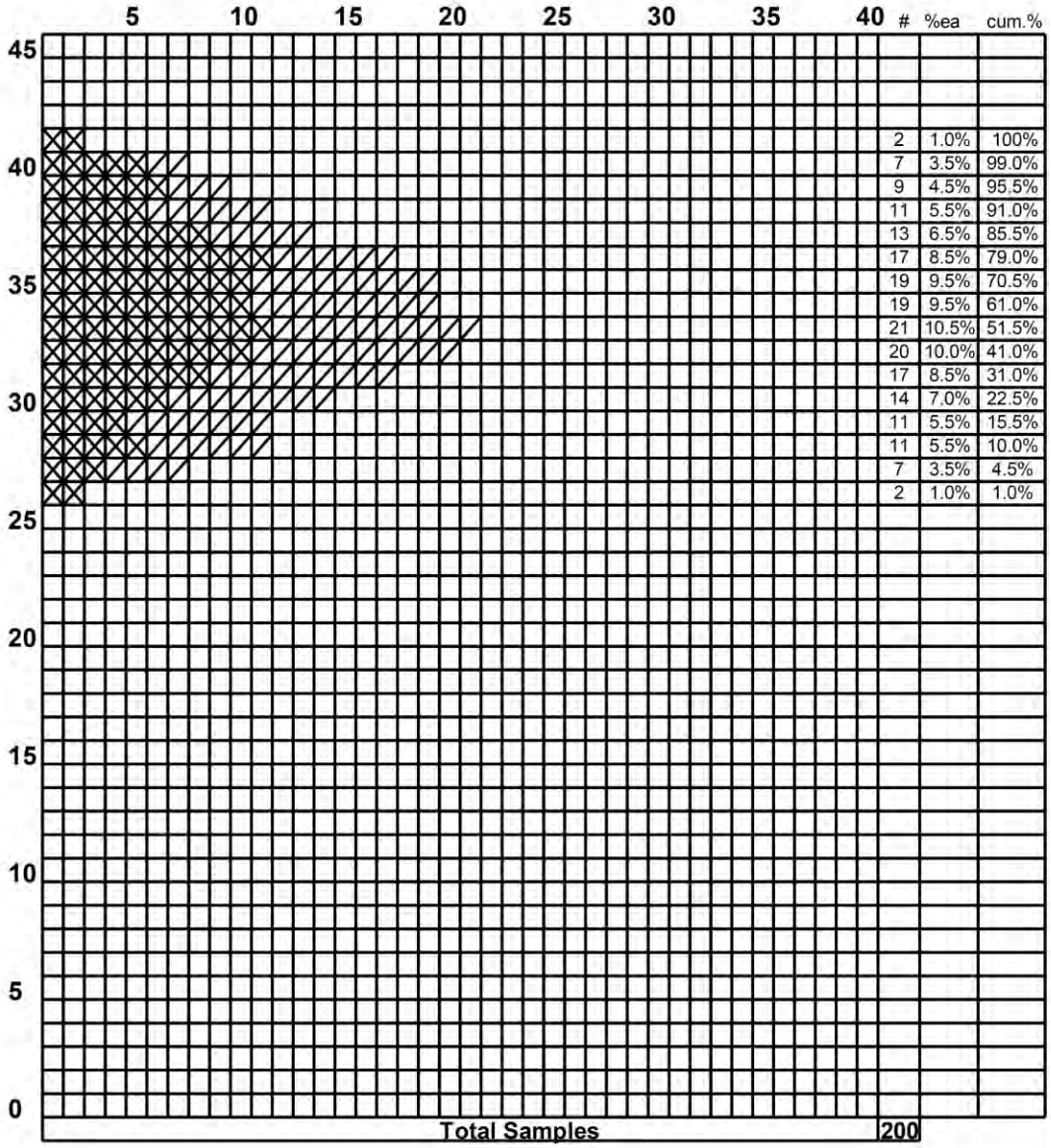
Public Works Department

Street Name: ORANGE AVENUE

Limits: METRO DRIVE to SATURN STREET

Radar Survey Sheet

X=North /=South



#	%ea	cum.%
2	1.0%	100%
7	3.5%	99.0%
9	4.5%	95.5%
11	5.5%	91.0%
13	6.5%	85.5%
17	8.5%	79.0%
19	9.5%	70.5%
19	9.5%	61.0%
21	10.5%	51.5%
20	10.0%	41.0%
17	8.5%	31.0%
14	7.0%	22.5%
11	5.5%	15.5%
11	5.5%	10.0%
7	3.5%	4.5%
2	1.0%	1.0%
200		

85th Percentile Speed:	36.9
50th Percentile Speed:	32.9
15th Percentile Speed:	28.9
10 MPH Pace:	28- 37
Number in Pace:	162
Percent in Pace:	81.0%

Date of Survey:	8/15/2024	Start Time:	2:00
Weather:	Clear	End Time:	3:00
Road Condition	Good	Posted Speed:	35
Street Class.:	Secondary Arterial		
Observer: BR			
Conditions not Apparent:	Stop with School Crossing at Pepper St, Traffic Calming Side Stripes Metro to Pepper, Residential Driveways, Stop		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: ORANGE AVENUE
Limits: METRO DRIVE
SATURN STREET

Field Observer BR
Checked By: JR
Date: 8/15/2024

Factors	Direction: North/South
A. Prevailing Speed Data	
Location of Survey	N/O Ackley St
85th Percentile	36.9
10 mph Pace	28 - 37
Percent in Pace	81.0%
Posted Speed Limit	35
B. Collision History	
Date Range 1/1/2020 To 12/31/2023 (4)	
Total Collisions	2
Collision Rate (Acc/MVM)	0.32
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	5057
Length of Segment	4465
Lane Configuration	Single Lane Each Direction
Street Classification	Secondary Arterial
D. Conditions Not Readily Apparent	
Conditions	Stop with School Crossing at Pepper St, Traffic Calming Side Stripes Metro to Pepper, Residential Driveways, Stop at Ackley, Parking both Sides
Roadway Geometrics	Horizontal Curve and Slope with Limited Line of Sight
Comments	Recommended Speed Limit Per 85th% is 35 mph. Roadside Use and Roadway Geometrics Justify a 5 mph Reduction from 85th% Speed to 30 mph. Posted Speed Should be Changed to 30 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	SFDU/Hillcrest Ele School
Posted Speed Limit	35
Speed Limit Change?	Yes
Revised Speed Limit	30

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 23

City of Monterey Park

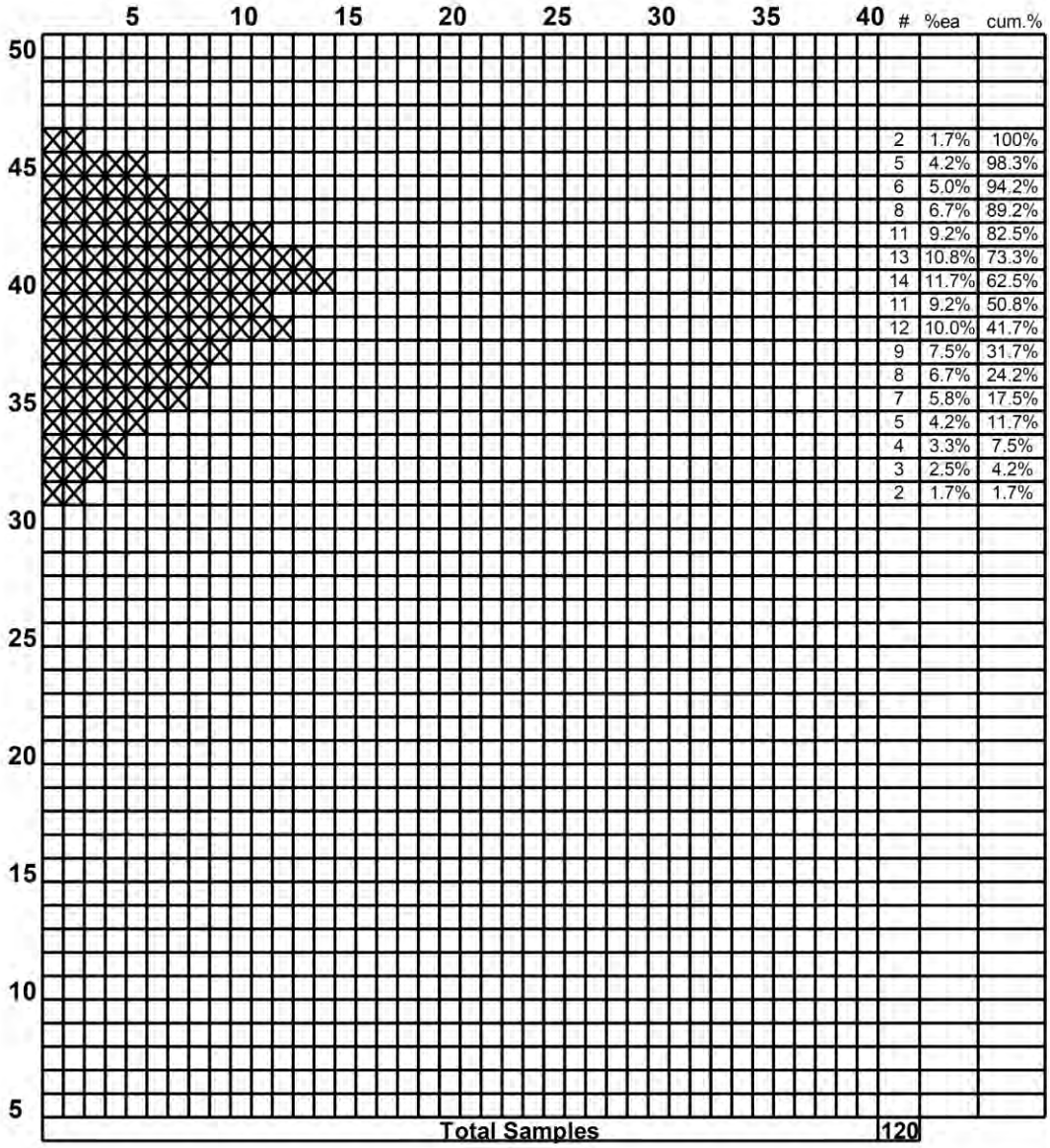
Public Works Department

Street Name: POMONA BOULEVARD

Limits: GERHART AVENUE to GARFIELD AVENUE

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
2	1.7%	100%
5	4.2%	98.3%
6	5.0%	94.2%
8	6.7%	89.2%
11	9.2%	82.5%
13	10.8%	73.3%
14	11.7%	62.5%
11	9.2%	50.8%
12	10.0%	41.7%
9	7.5%	31.7%
8	6.7%	24.2%
7	5.8%	17.5%
5	4.2%	11.7%
4	3.3%	7.5%
3	2.5%	4.2%
2	1.7%	1.7%
Total Samples	120	

85th Percentile Speed:	42.4
50th Percentile Speed:	38.9
15th Percentile Speed:	34.6
10 MPH Pace:	35- 44
Number in Pace:	99
Percent in Pace:	82.5%

Date of Survey:	9/16/2024	Start Time:	9:00
Weather:	Cloudy	End Time:	10:00
Road Condition	Poor	Posted Speed:	40
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	No Parking Southside, Heavy Parking NS, Sidewalk NS Only, Freeway ROW SS, 25 School Zone, Bella Vista Ele		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: POMONA BOULEVARD
Limits: GERHART AVENUE
GARFIELD AVENUE

Field Observer BR
Checked By: JR
Date: 9/16/2024

Factors	Direction: West
A. Prevailing Speed Data	
Location of Survey	W/O Ferdinand Ave
85th Percentile	42.4
10 mph Pace	35 - 44
Percent in Pace	82.5%
Posted Speed Limit	40
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	9
Collision Rate (Acc/MVM)	0.312
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	24520
Length of Segment	4248
Lane Configuration	3 Lanes One Direction Westbound
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	No Parking Southside, Heavy Parking NS, Sidewalk NS Only, Freeway ROW SS, 25 School Zone, Bella Vista Ele School and Park
Roadway Geometrics	One Way Road - WB,(2) WB On Ramps to 60, 2 lanes E/O Gerhart
Comments	Recommended Speed Limit Per 85th% is 40 mph. Roadside Use, Pedestrian Generators Justify a 5 mph Reduction from 85th% Speed to 35 mph. Posted Speed Should be Changed to 35 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	MFDU/SFDU/ComI/Office/Bella Vista Park
Posted Speed Limit	40
Speed Limit Change?	Yes
Revised Speed Limit	35

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 24

City of Monterey Park

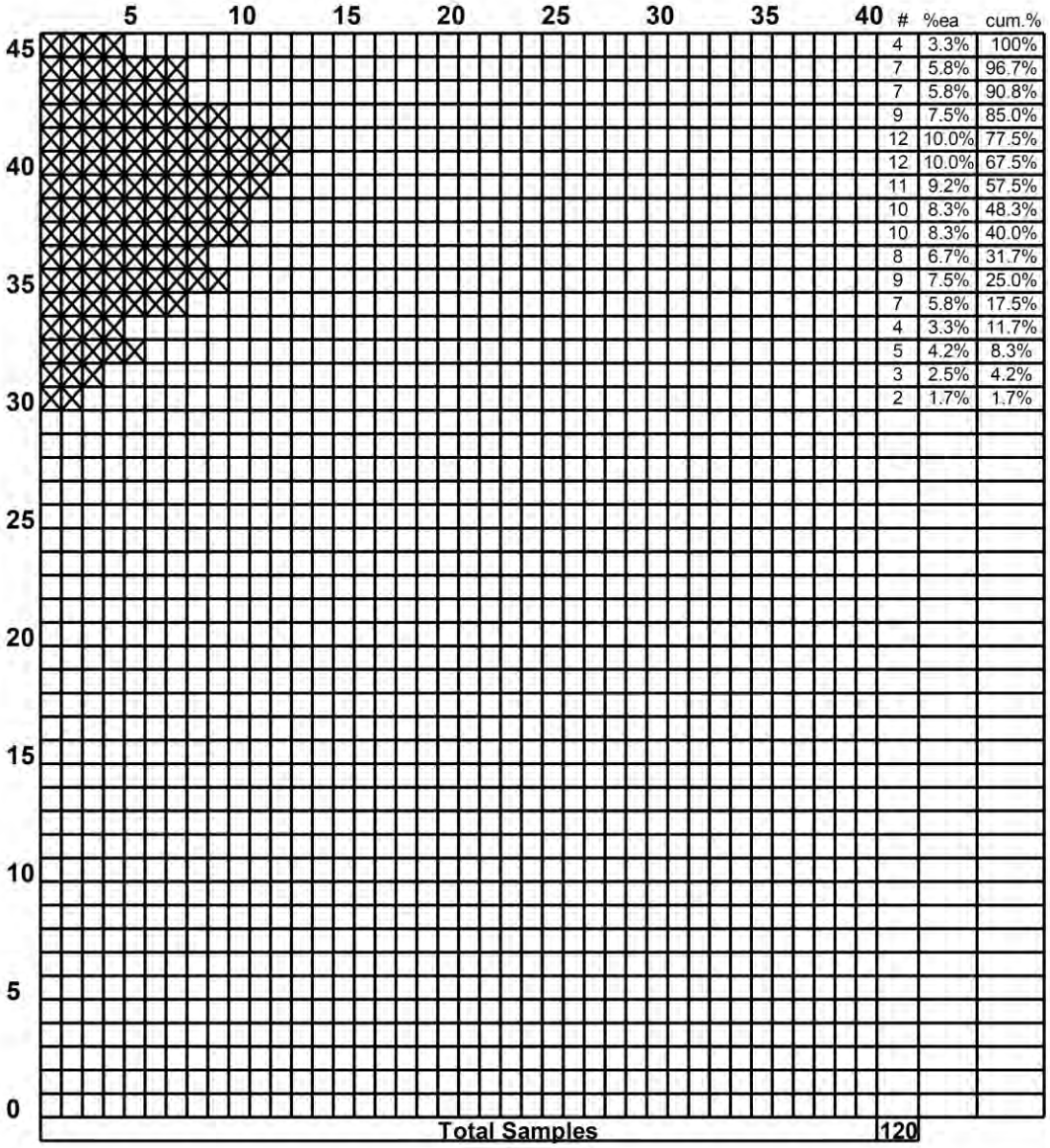
Public Works Department

Street Name: POMONA BOULEVARD

Limits: GARFIELD AVENUE to MARKLAND DRIVE

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
4	3.3%	100%
7	5.8%	96.7%
7	5.8%	90.8%
9	7.5%	85.0%
12	10.0%	77.5%
12	10.0%	67.5%
11	9.2%	57.5%
10	8.3%	48.3%
10	8.3%	40.0%
8	6.7%	31.7%
9	7.5%	25.0%
7	5.8%	17.5%
4	3.3%	11.7%
5	4.2%	8.3%
3	2.5%	4.2%
2	1.7%	1.7%

85th Percentile Speed:	42.0
50th Percentile Speed:	38.2
15th Percentile Speed:	33.6
10 MPH Pace:	34- 43
Number in Pace:	95
Percent in Pace:	79.2%

Date of Survey:	9/16/2024	Start Time:	10:00
Weather:	Clear	End Time:	11:00
Road Condition	Fair to Good	Posted Speed:	40
Street Class.:	Principal Arterial		
Observer: BR			
Conditions not Apparent:	Truck Traffic, Congestion, Traffic Calming Side Stripes on NS Markland to Wilcox, Heavy Parking on NS, Sidewalk on		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: POMONA BOULEVARD
Limits: GARFIELD AVENUE
MARKLAND DRIVE

Field Observer BR
Checked By: JR
Date: 9/16/2024

Factors	Direction: West
A. Prevailing Speed Data	
Location of Survey	W/O Fulton Ave
85th Percentile	42.0
10 mph Pace	34 - 43
Percent in Pace	79.2%
Posted Speed Limit	40
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	12
Collision Rate (Acc/MVM)	0.603
Expected Collision Rate	1.69
C. Traffic Factors	
Average Daily Traffic	18997
Length of Segment	3783
Lane Configuration	3 Lanes One Direction Westbound
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Truck Traffic, Congestion, Traffic Calming Side Stripes on NS Markland to Wilcox, Heavy Parking on NS, Sidewalk on NS, Frwy ROW on SS, Coml Driveways
Roadway Geometrics	Horizontal Curve West of Markland Dr, One Way WB
Comments	Recommended Speed Limit Per 85th% is 40 mph. Roadside Use, Congestion with Truck Traffic Mixed with Residential Justify a 5 mph Reduction from 85th% Speed to 35 mph. Posted Speed Should be Changed to 35 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	SFDU/MFDU/Commercial
Posted Speed Limit	40
Speed Limit Change?	Yes
Revised Speed Limit	35

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 25

City of Monterey Park

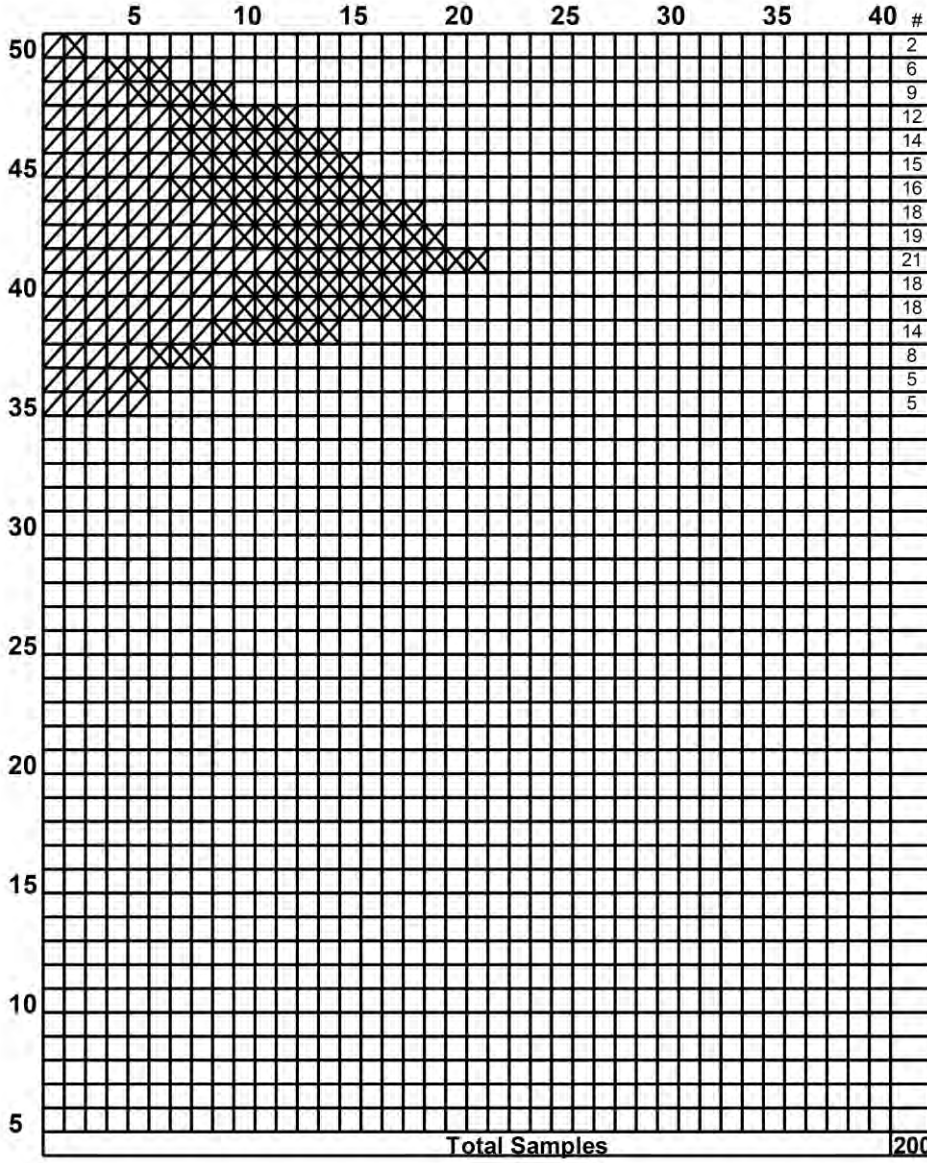
Public Works Department

Street Name: POTRERO GRANDE DRIVE

Limits: MARKLAND DRIVE to ARROYO DRIVE

Radar Survey Sheet

X=West /=East



#	%ea	cum.%
2	1.0%	100%
6	3.0%	99.0%
9	4.5%	96.0%
12	6.0%	91.5%
14	7.0%	85.5%
15	7.5%	78.5%
16	8.0%	71.0%
18	9.0%	63.0%
19	9.5%	54.0%
21	10.5%	44.5%
18	9.0%	34.0%
18	9.0%	25.0%
14	7.0%	16.0%
8	4.0%	9.0%
5	2.5%	5.0%
5	2.5%	2.5%

85th Percentile Speed:	45.9
50th Percentile Speed:	41.6
15th Percentile Speed:	37.9
10 MPH Pace:	38- 47
Number in Pace:	165
Percent in Pace:	82.5%

Date of Survey:	9/16/2024	Start Time:	12:00
Weather:	Clear	End Time:	1:00
Road Condition	Fair	Posted Speed:	45
Street Class.:	Principal Arterial		
Observer:	BR		
Conditions not Apparent:	Wide Street, Bus Route, Cemetery SS, Sidewalk on NS and Intermittent on SS, Monterey Senior Village,Corporate		

City of Monterey Park
Engineering and Traffic Survey
Summary

Street: POTRERO GRANDE DRIVE
Limits: MARKLAND DRIVE
ARROYO DRIVE

Field Observer BR
Checked By: JR
Date: 9/16/2024

Factors	Direction: East/West
A. Prevailing Speed Data	
Location of Survey	E/O Saturn St
85th Percentile	45.9
10 mph Pace	38 - 47
Percent in Pace	82.5%
Posted Speed Limit	45
B. Collision History	
Date Range	1/1/2020 To 12/31/2023 (4)
Total Collisions	18
Collision Rate (Acc/MVM)	0.644
Expected Collision Rate	0.89
C. Traffic Factors	
Average Daily Traffic	15429
Length of Segment	6547
Lane Configuration	2 Lanes with Left Turn Channelization
Street Classification	Principal Arterial
D. Conditions Not Readily Apparent	
Conditions	Wide Street, Bus Route, Cemetery SS, Sidewalk on NS and Intermittent on SS, Monterey Senior Village,Corporate Offices for Edison, Volk
Roadway Geometrics	Slight Vertical Curve East of Markland Dr
Comments	Recommended Speed Limit Per 85th% is 45 mph. Roadside Use, Speed of Adjacent Segments,Cross Traffic Justify a 5 mph Reduction from 85th% Speed to 40 mph. Posted Speed Should be Changed to 40 mph per CVC 627 and 22358.5.
E. Adjacent Land Use	MFDU/SFDU/Commercial/Office
Posted Speed Limit	45
Speed Limit Change?	Yes
Revised Speed Limit	40

Approved and Authorized for release by City of Monterey Park:

_____ _____
Date

Loc. # 26

SECTION 6: AVERAGE DAILY TRAFFIC (ADT) COUNTS

The following pages consist of the ADT count sheets for all segments.

The Average Daily Traffic (ADT) data was obtained from counts taken by a private traffic counting firm in August 2024. These counts were taken while school was in session.

ADT counts were taken by NDS Services.

National Data & Surveying Services
8370 Wilshire Blvd. Ste, 205
Beverly Hills, CA 90211
Tel (323) 782-0090
Fax (323)375-1666
www.ndsdata.com

Prepared by National Data & Surveying Services

VOLUME

N Alhambra Ave Bet E Hellman Ave & E Garvey Ave

Day: Tuesday
Date: 8/27/2024

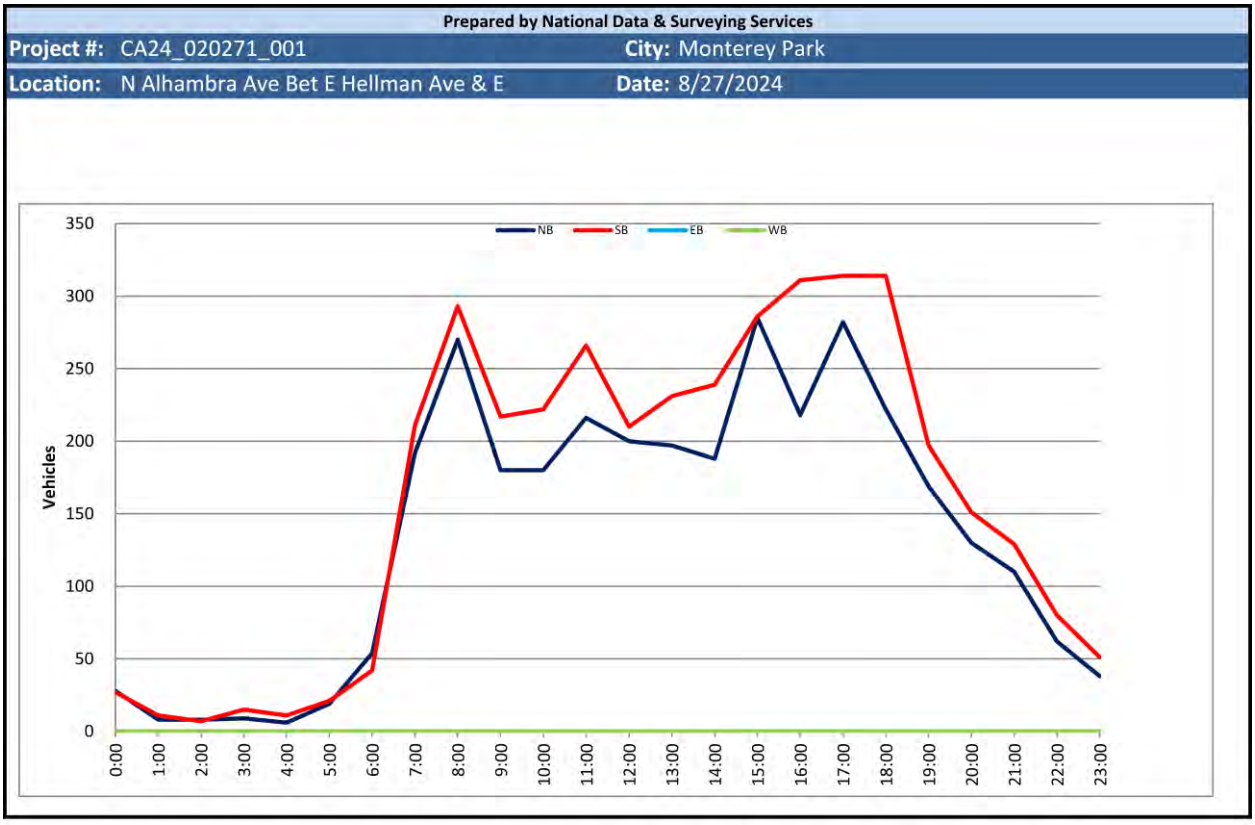
City: Monterey Park
Project #: CA24_020271_001

DAILY TOTALS	NB	SB	EB	WB	Total
	3,271	3,856	0	0	7,127

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	12		9				21		12:00	57		58				115	
0:15	6		5				11		12:15	43		55				98	
0:30	3		9				12		12:30	47		49				96	
0:45	7	28	4	27			11	55	12:45	53	200	48	210			101	410
1:00	1		3				4		13:00	46		56				102	
1:15	4		2				6		13:15	54		54				108	
1:30	0		3				3		13:30	54		65				119	
1:45	3	8	3	11			6	19	13:45	43	197	56	231			99	428
2:00	2		4				6		14:00	53		50				103	
2:15	4		2				6		14:15	37		55				92	
2:30	0		1				1		14:30	39		66				105	
2:45	2	8	0	7			2	15	14:45	59	188	68	239			127	427
3:00	2		4				6		15:00	59		66				125	
3:15	4		2				6		15:15	81		53				134	
3:30	0		3				3		15:30	74		67				141	
3:45	3	9	6	15			9	24	15:45	71	285	100	286			171	571
4:00	0		3				3		16:00	52		63				115	
4:15	2		2				4		16:15	59		75				134	
4:30	1		1				2		16:30	46		85				131	
4:45	3	6	5	11			8	17	16:45	61	218	88	311			149	529
5:00	2		2				4		17:00	54		71				125	
5:15	5		4				9		17:15	76		79				155	
5:30	7		6				13		17:30	79		94				173	
5:45	5	19	9	21			14	40	17:45	73	282	70	314			143	596
6:00	9		8				17		18:00	56		80				136	
6:15	9		14				23		18:15	57		92				149	
6:30	13		9				22		18:30	58		75				133	
6:45	23	54	11	42			34	96	18:45	51	222	67	314			118	536
7:00	18		26				44		19:00	45		65				110	
7:15	31		43				74		19:15	34		47				81	
7:30	61		72				133		19:30	34		45				79	
7:45	82	192	70	211			152	403	19:45	56	169	40	197			96	366
8:00	93		84				177		20:00	46		44				90	
8:15	80		91				171		20:15	27		34				61	
8:30	54		73				127		20:30	31		32				63	
8:45	43	270	45	293			88	563	20:45	26	130	41	151			67	281
9:00	46		54				100		21:00	34		42				76	
9:15	35		43				78		21:15	30		35				65	
9:30	42		54				96		21:30	21		30				51	
9:45	57	180	66	217			123	397	21:45	25	110	22	129			47	239
10:00	50		61				111		22:00	18		23				41	
10:15	44		56				100		22:15	18		21				39	
10:30	37		48				85		22:30	17		23				40	
10:45	49	180	57	222			106	402	22:45	9	62	13	80			22	142
11:00	44		76				120		23:00	19		15				34	
11:15	54		61				115		23:15	6		16				22	
11:30	55		74				129		23:30	4		11				15	
11:45	63	216	55	266			118	482	23:45	9	38	9	51			18	89
TOTALS		1170		1343				2513	TOTALS		2101		2513				4614
SPLIT %		46.6%		53.4%				35.3%	SPLIT %		45.5%		54.5%				64.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	3,271	3,856	0	0	7,127

AM Peak Hour	7:30	7:45	7:30	PM Peak Hour	15:00	17:30	17:15
AM Pk Volume	316	318	633	PM Pk Volume	285	336	607
Pk Hr Factor	0.849	0.874	0.894	Pk Hr Factor	0.880	0.894	0.877
7 - 9 Volume	462	504	966	4 - 6 Volume	500	625	1125
7 - 9 Peak Hour	7:30	7:45	7:30	4 - 6 Peak Hour	17:00	16:45	16:45
7 - 9 Pk Volume	316	318	633	4 - 6 Pk Volume	282	332	602
Pk Hr Factor	0.849	0.874	0.894	Pk Hr Factor	0.892	0.883	0.870


Prepared by National Data & Surveying Services
Project #: CA24_020271_001
City: Monterey Park
Location: N Alhambra Ave Bet E Hellman Ave & E
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
350
300
250
200
150
100
50
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Alhambra Ave Bet E Garvey Ave & Graves Ave

Day: Tuesday
Date: 8/27/2024

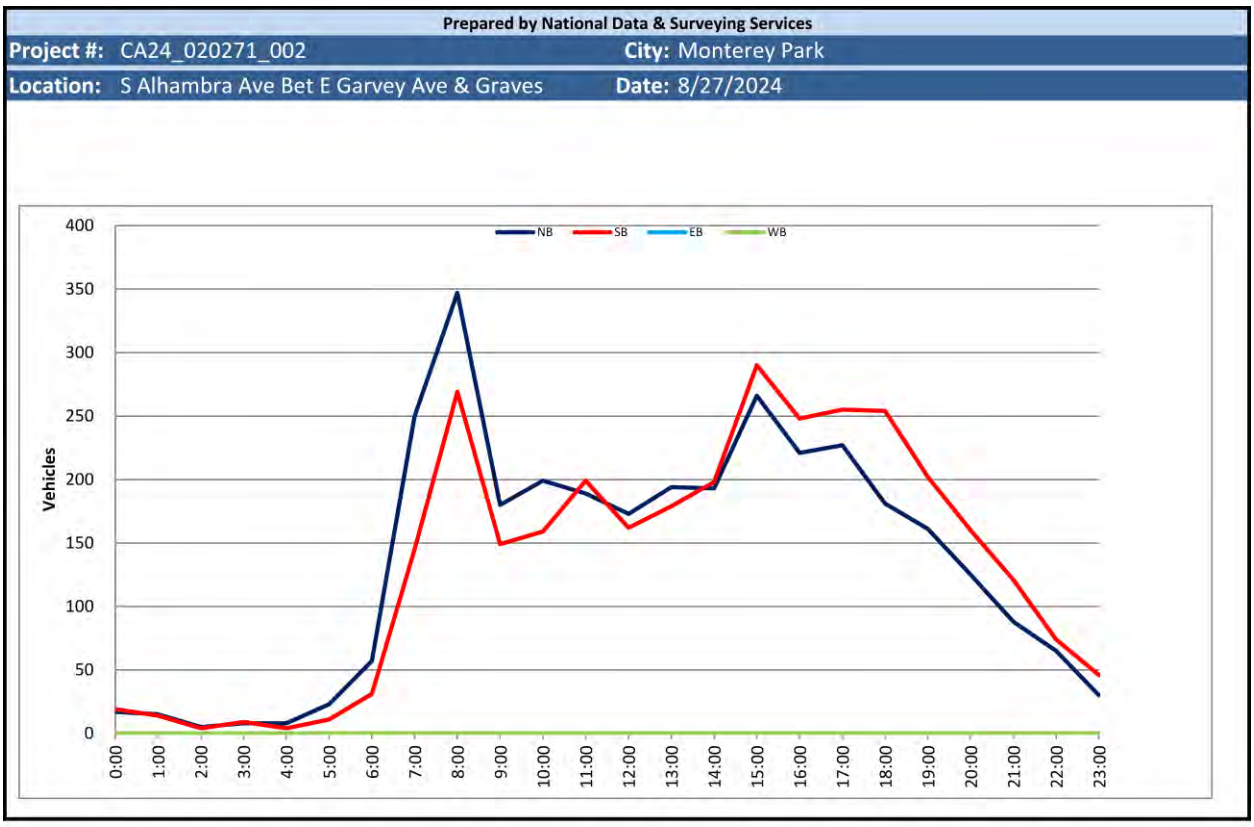
City: Monterey Park
Project #: CA24_020271_002

DAILY TOTALS	NB	SB	EB	WB	Total
	3,222	3,202	0	0	6,424

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	7		5				12		12:00	50		46				96	
0:15	3		6				9		12:15	36		38				74	
0:30	3		7				10		12:30	39		39				78	
0:45	4	17	1	19			5	36	12:45	48	173	39	162			87	335
1:00	2		6				8		13:00	53		46				99	
1:15	6		2				8		13:15	42		33				75	
1:30	1		3				4		13:30	48		49				97	
1:45	6	15	3	14			9	29	13:45	51	194	51	179			102	373
2:00	4		1				5		14:00	45		46				91	
2:15	0		1				1		14:15	46		45				91	
2:30	1		2				3		14:30	48		53				101	
2:45	0	5	0	4			0	9	14:45	54	193	54	198			108	391
3:00	3		2				5		15:00	54		56				110	
3:15	2		0				2		15:15	60		48				108	
3:30	0		2				2		15:30	97		73				170	
3:45	3	8	5	9			8	17	15:45	55	266	113	290			168	556
4:00	1		0				1		16:00	57		66				123	
4:15	2		1				3		16:15	55		56				111	
4:30	1		0				1		16:30	52		60				112	
4:45	4	8	3	4			7	12	16:45	57	221	66	248			123	469
5:00	3		0				3		17:00	48		67				115	
5:15	8		5				13		17:15	51		77				128	
5:30	8		1				9		17:30	66		64				130	
5:45	4	23	5	11			9	34	17:45	62	227	47	255			109	482
6:00	12		6				18		18:00	41		64				105	
6:15	4		5				9		18:15	52		78				130	
6:30	14		11				25		18:30	42		53				95	
6:45	27	57	9	31			36	88	18:45	46	181	59	254			105	435
7:00	25		18				43		19:00	43		59				102	
7:15	45		26				71		19:15	43		51				94	
7:30	85		52				137		19:30	31		43				74	
7:45	95	250	49	145			144	395	19:45	44	161	49	202			93	363
8:00	127		83				210		20:00	43		38				81	
8:15	102		80				182		20:15	31		39				70	
8:30	67		71				138		20:30	30		38				68	
8:45	51	347	35	269			86	616	20:45	21	125	45	160			66	285
9:00	44		31				75		21:00	22		32				54	
9:15	37		36				73		21:15	23		23				46	
9:30	50		38				88		21:30	20		39				59	
9:45	49	180	44	149			93	329	21:45	23	88	27	121			50	209
10:00	58		47				105		22:00	15		22				37	
10:15	51		37				88		22:15	16		10				26	
10:30	51		35				86		22:30	20		27				47	
10:45	39	199	40	159			79	358	22:45	14	65	15	74			29	139
11:00	42		52				94		23:00	8		12				20	
11:15	44		56				100		23:15	7		15				22	
11:30	57		48				105		23:30	8		12				20	
11:45	46	189	43	199			89	388	23:45	7	30	7	46			14	76
TOTALS		1298		1013				2311	TOTALS		1924		2189				4113
SPLIT %		56.2%		43.8%				36.0%	SPLIT %		46.8%		53.2%				64.0%

DAILY TOTALS	NB	SB	EB	WB	Total
	3,222	3,202	0	0	6,424

AM Peak Hour	7:30	7:45	7:45	PM Peak Hour	15:15	15:30	15:30
AM Pk Volume	409	283	674	PM Pk Volume	269	308	572
Pk Hr Factor	0.805	0.852	0.802	Pk Hr Factor	0.693	0.681	0.841
7 - 9 Volume	597	414	1011	4 - 6 Volume	448	503	951
7 - 9 Peak Hour	7:30	7:45	7:45	4 - 6 Peak Hour	17:00	16:45	16:45
7 - 9 Pk Volume	409	283	674	4 - 6 Pk Volume	227	274	496
Pk Hr Factor	0.805	0.852	0.802	Pk Hr Factor	0.860	0.890	0.954


Prepared by National Data & Surveying Services
Project #: CA24_020271_002
City: Monterey Park
Location: S Alhambra Ave Bet E Garvey Ave & Graves
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
400
350
300
250
200
150
100
50
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

N Atlantic Blvd Bet W Hellman Ave & Garvey Ave

Day: Tuesday
Date: 8/27/2024

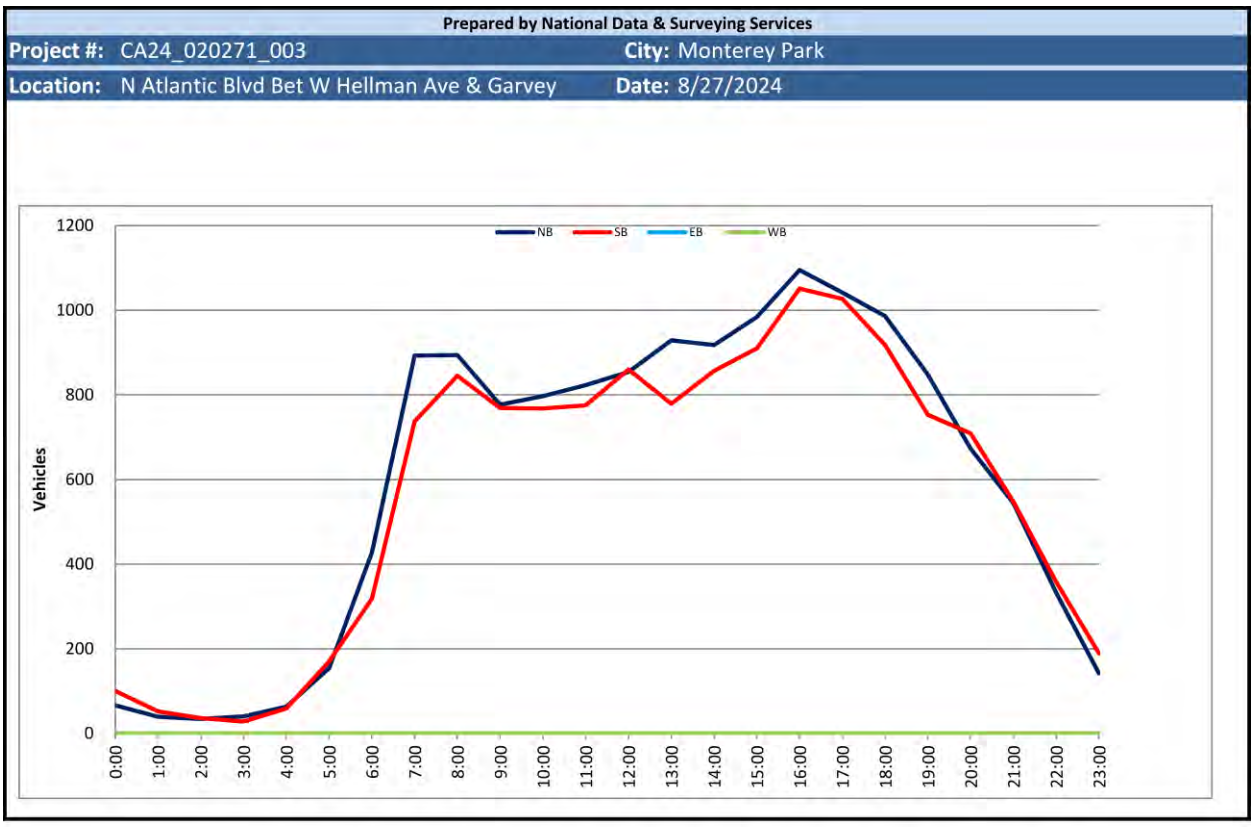
City: Monterey Park
Project #: CA24_020271_003

DAILY TOTALS	NB	SB	EB	WB	Total
	14,355	13,616	0	0	27,971

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	21		35				56		12:00	238		214				452	
0:15	18		24				42		12:15	203		201				404	
0:30	18		24				42		12:30	215		217				432	
0:45	9	66	17	100			26	166	12:45	198	854	228	860			426	1714
1:00	10		15				25		13:00	234		184				418	
1:15	9		13				22		13:15	221		208				429	
1:30	13		12				25		13:30	257		216				473	
1:45	7	39	12	52			19	91	13:45	217	929	171	779			388	1708
2:00	6		9				15		14:00	204		219				423	
2:15	8		9				17		14:15	220		203				423	
2:30	10		5				15		14:30	257		203				460	
2:45	10	34	13	36			23	70	14:45	237	918	232	857			469	1775
3:00	5		7				12		15:00	231		213				444	
3:15	14		8				22		15:15	243		237				480	
3:30	10		5				15		15:30	243		216				459	
3:45	11	40	8	28			19	68	15:45	267	984	244	910			511	1894
4:00	14		4				18		16:00	278		216				494	
4:15	16		8				24		16:15	280		274				554	
4:30	13		22				35		16:30	245		265				510	
4:45	20	63	25	59			45	122	16:45	292	1095	296	1051			588	2146
5:00	18		22				40		17:00	265		239				504	
5:15	47		35				82		17:15	260		285				545	
5:30	45		38				83		17:30	250		238				488	
5:45	44	154	75	170			119	324	17:45	267	1042	265	1027			532	2069
6:00	68		55				123		18:00	260		224				484	
6:15	90		70				160		18:15	269		261				530	
6:30	119		90				209		18:30	224		198				422	
6:45	150	427	103	318			253	745	18:45	233	986	235	918			468	1904
7:00	165		147				312		19:00	217		179				396	
7:15	211		137				348		19:15	237		216				453	
7:30	275		219				494		19:30	207		215				422	
7:45	242	893	234	737			476	1630	19:45	187	848	143	753			330	1601
8:00	286		202				488		20:00	194		179				373	
8:15	203		215				418		20:15	182		173				355	
8:30	209		235				444		20:30	159		208				367	
8:45	196	894	193	845			389	1739	20:45	138	673	149	709			287	1382
9:00	204		179				383		21:00	142		147				289	
9:15	194		170				364		21:15	167		136				303	
9:30	220		213				433		21:30	119		130				249	
9:45	159	777	207	769			366	1546	21:45	116	544	135	548			251	1092
10:00	206		178				384		22:00	117		115				232	
10:15	172		197				369		22:15	80		79				159	
10:30	211		189				400		22:30	62		98				160	
10:45	208	797	204	768			412	1565	22:45	74	333	66	358			140	691
11:00	230		175				405		23:00	54		56				110	
11:15	206		205				411		23:15	36		50				86	
11:30	185		219				404		23:30	26		48				74	
11:45	202	823	176	775			378	1598	23:45	26	142	35	189			61	331
TOTALS		5007		4657				9664	TOTALS		9348		8959				18307
SPLIT %		51.8%		48.2%				34.6%	SPLIT %		51.1%		48.9%				65.4%

DAILY TOTALS	NB	SB	EB	WB	Total
	14,355	13,616	0	0	27,971

AM Peak Hour	7:15	7:45	7:30	PM Peak Hour	16:00	16:30	16:15
AM Pk Volume	1014	886	1876	PM Pk Volume	1095	1085	2156
Pk Hr Factor	0.886	0.943	0.949	Pk Hr Factor	0.938	0.916	0.917
7 - 9 Volume	1787	1582	3369	4 - 6 Volume	2137	2078	4215
7 - 9 Peak Hour	7:15	7:45	7:30	4 - 6 Peak Hour	16:00	16:30	16:15
7 - 9 Pk Volume	1014	886	1876	4 - 6 Pk Volume	1095	1085	2156
Pk Hr Factor	0.886	0.943	0.949	Pk Hr Factor	0.938	0.916	0.917


Prepared by National Data & Surveying Services
Project #: CA24_020271_003
City: Monterey Park
Location: N Atlantic Blvd Bet W Hellman Ave & Garvey
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Atlantic Blvd Bet Garvey Ave & Harding Ave

Day: Tuesday
Date: 8/27/2024

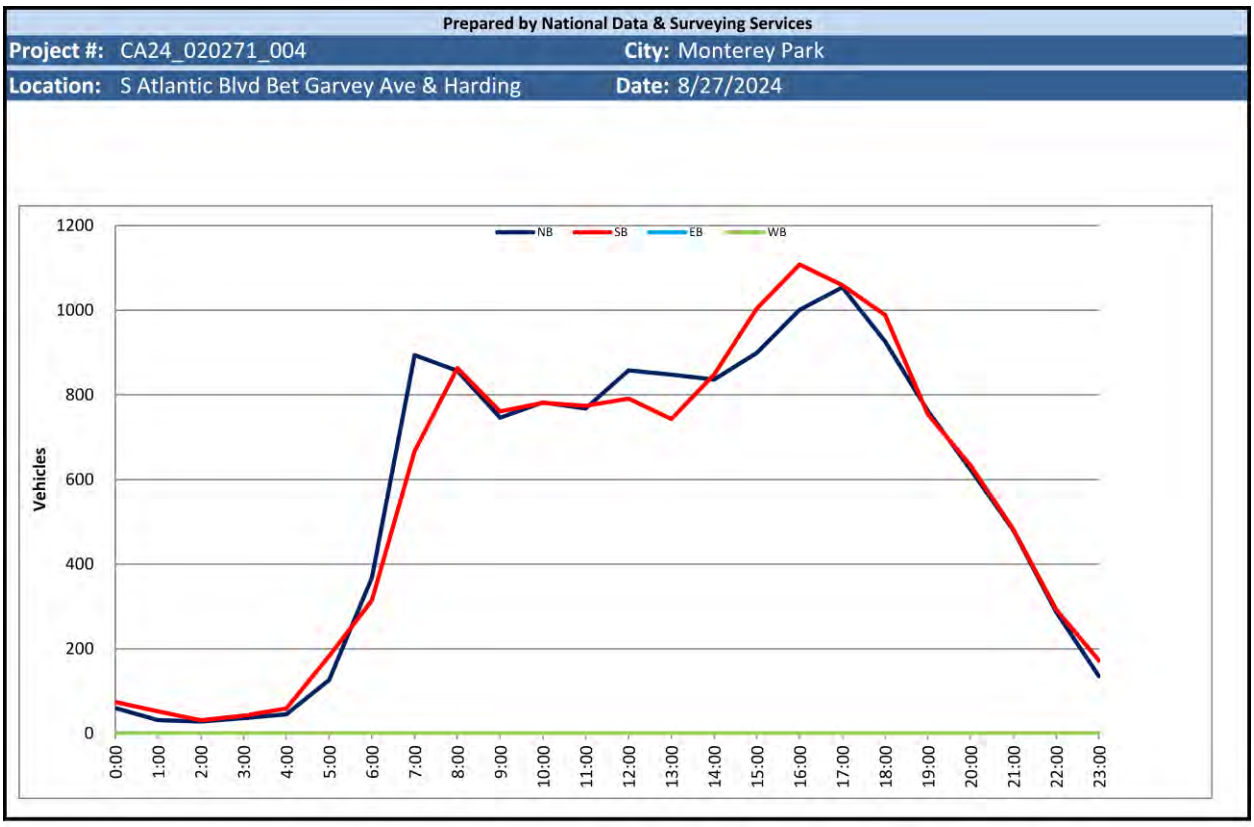
City: Monterey Park
Project #: CA24_020271_004

DAILY TOTALS	NB	SB	EB	WB	Total
	13,450	13,477	0	0	26,927

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	21		22				43		12:00	233		210				443	
0:15	16		20				36		12:15	217		188				405	
0:30	13		19				32		12:30	215		195				410	
0:45	10	60	13	74			23	134	12:45	193	858	198	791			391	1649
1:00	8		14				22		13:00	226		185				411	
1:15	5		16				21		13:15	207		184				391	
1:30	9		12				21		13:30	228		193				421	
1:45	9	31	10	52			19	83	13:45	187	848	181	743			368	1591
2:00	5		7				12		14:00	194		193				387	
2:15	5		7				12		14:15	179		196				375	
2:30	8		6				14		14:30	255		209				464	
2:45	10	28	11	31			21	59	14:45	208	836	250	848			458	1684
3:00	8		9				17		15:00	200		228				428	
3:15	10		13				23		15:15	230		255				485	
3:30	7		8				15		15:30	231		252				483	
3:45	11	36	12	42			23	78	15:45	238	899	269	1004			507	1903
4:00	12		7				19		16:00	218		264				482	
4:15	12		7				19		16:15	271		284				555	
4:30	11		19				30		16:30	238		265				503	
4:45	10	45	26	59			36	104	16:45	274	1001	295	1108			569	2109
5:00	14		23				37		17:00	259		257				516	
5:15	36		42				78		17:15	265		284				549	
5:30	38		44				82		17:30	251		252				503	
5:45	38	126	74	183			112	309	17:45	279	1054	266	1059			545	2113
6:00	64		51				115		18:00	233		255				488	
6:15	79		68				147		18:15	262		282				544	
6:30	104		93				197		18:30	194		225				419	
6:45	121	368	102	314			223	682	18:45	237	926	227	989			464	1915
7:00	169		117				286		19:00	206		193				399	
7:15	207		134				341		19:15	204		190				394	
7:30	280		193				473		19:30	165		221				386	
7:45	238	894	223	667			461	1561	19:45	187	762	150	754			337	1516
8:00	255		213				468		20:00	180		185				365	
8:15	187		239				426		20:15	156		162				318	
8:30	205		238				443		20:30	148		158				306	
8:45	210	857	173	863			383	1720	20:45	139	623	128	633			267	1256
9:00	210		171				381		21:00	127		129				256	
9:15	179		174				353		21:15	145		127				272	
9:30	194		215				409		21:30	104		106				210	
9:45	163	746	201	761			364	1507	21:45	104	480	120	482			224	962
10:00	209		195				404		22:00	92		91				183	
10:15	171		194				365		22:15	72		74				146	
10:30	205		184				389		22:30	53		66				119	
10:45	197	782	208	781			405	1563	22:45	70	287	62	293			132	580
11:00	216		187				403		23:00	58		53				111	
11:15	179		199				378		23:15	32		31				63	
11:30	190		207				397		23:30	20		50				70	
11:45	183	768	181	774			364	1542	23:45	25	135	38	172			63	307
TOTALS		4741		4601				9342	TOTALS		8709		8876				17585
SPLIT %		50.7%		49.3%				34.7%	SPLIT %		49.5%		50.5%				65.3%

DAILY TOTALS	NB	SB	EB	WB	Total
	13,450	13,477	0	0	26,927

AM Peak Hour	7:15	7:45	7:30	PM Peak Hour	17:00	16:00	16:15
AM Pk Volume	980	913	1828	PM Pk Volume	1054	1108	2143
Pk Hr Factor	0.875	0.955	0.966	Pk Hr Factor	0.944	0.939	0.942
7 - 9 Volume	1751	1530	3281	4 - 6 Volume	2055	2167	4222
7 - 9 Peak Hour	7:15	7:45	7:30	4 - 6 Peak Hour	17:00	16:00	16:15
7 - 9 Pk Volume	980	913	1828	4 - 6 Pk Volume	1054	1108	2143
Pk Hr Factor	0.875	0.955	0.966	Pk Hr Factor	0.944	0.939	0.942


Prepared by National Data & Surveying Services
Project #: CA24_020271_004
City: Monterey Park
Location: S Atlantic Blvd Bet Garvey Ave & Harding
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Atlantic Blvd Bet Harding Ave & W El Repetto Dr

Day: Tuesday
Date: 8/27/2024

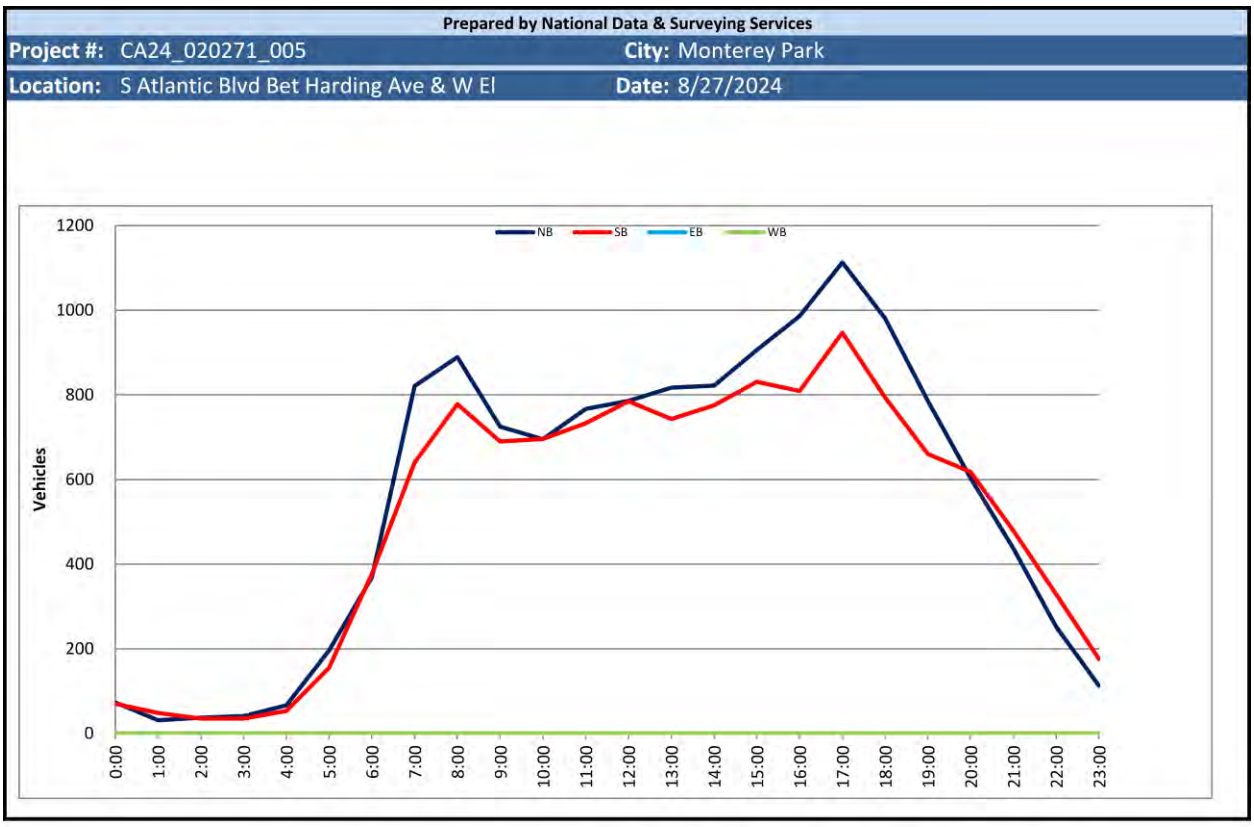
City: Monterey Park
Project #: CA24_020271_005

DAILY TOTALS	NB	SB	EB	WB	Total
	13,312	12,256	0	0	25,568

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	28		24				52		12:00	196		224				420	
0:15	14		12				26		12:15	212		202				414	
0:30	19		23				42		12:30	178		166				344	
0:45	12	73	11	70			23	143	12:45	200	786	193	785			393	1571
1:00	8		16				24		13:00	195		189				384	
1:15	6		16				22		13:15	207		204				411	
1:30	12		10				22		13:30	208		192				400	
1:45	5	31	6	48			11	79	13:45	207	817	158	743			365	1560
2:00	6		9				15		14:00	173		203				376	
2:15	7		7				14		14:15	209		187				396	
2:30	15		11				26		14:30	231		188				419	
2:45	9	37	8	35			17	72	14:45	209	822	197	775			406	1597
3:00	12		9				21		15:00	223		209				432	
3:15	7		12				19		15:15	199		220				419	
3:30	14		4				18		15:30	259		171				430	
3:45	8	41	10	35			18	76	15:45	225	906	231	831			456	1737
4:00	13		6				19		16:00	233		194				427	
4:15	11		12				23		16:15	243		181				424	
4:30	12		15				27		16:30	237		212				449	
4:45	30	66	20	53			50	119	16:45	273	986	222	809			495	1795
5:00	37		16				53		17:00	281		257				538	
5:15	55		34				89		17:15	262		246				508	
5:30	50		38				88		17:30	285		242				527	
5:45	54	196	67	155			121	351	17:45	285	1113	202	947			487	2060
6:00	62		67				129		18:00	277		215				492	
6:15	86		79				165		18:15	257		232				489	
6:30	90		105				195		18:30	217		184				401	
6:45	131	369	126	377			257	746	18:45	230	981	163	794			393	1775
7:00	154		122				276		19:00	223		160				383	
7:15	217		130				347		19:15	179		179				358	
7:30	213		178				391		19:30	203		164				367	
7:45	237	821	210	640			447	1461	19:45	181	786	157	660			338	1446
8:00	252		183				435		20:00	181		168				349	
8:15	231		206				437		20:15	149		164				313	
8:30	200		221				421		20:30	150		169				319	
8:45	206	889	168	778			374	1667	20:45	123	603	117	618			240	1221
9:00	159		146				305		21:00	122		132				254	
9:15	201		166				367		21:15	118		120				238	
9:30	202		167				369		21:30	95		117				212	
9:45	163	725	211	690			374	1415	21:45	102	437	110	479			212	916
10:00	173		174				347		22:00	96		103				199	
10:15	177		177				354		22:15	70		72				142	
10:30	173		175				348		22:30	36		75				111	
10:45	172	695	170	696			342	1391	22:45	50	252	79	329			129	581
11:00	221		195				416		23:00	30		65				95	
11:15	174		166				340		23:15	33		34				67	
11:30	175		197				372		23:30	20		44				64	
11:45	197	767	175	733			372	1500	23:45	30	113	33	176			63	289
TOTALS		4710		4310				9020	TOTALS		8602		7946				16548
SPLIT %		52.2%		47.8%				35.3%	SPLIT %		52.0%		48.0%				64.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	13,312	12,256	0	0	25,568

AM Peak Hour	7:30	7:45	7:45	PM Peak Hour	17:00	16:45	16:45
AM Pk Volume	933	820	1740	PM Pk Volume	1113	967	2068
Pk Hr Factor	0.926	0.928	0.973	Pk Hr Factor	0.976	0.941	0.961
7 - 9 Volume	1710	1418	3128	4 - 6 Volume	2099	1756	3855
7 - 9 Peak Hour	7:30	7:45	7:45	4 - 6 Peak Hour	17:00	16:45	16:45
7 - 9 Pk Volume	933	820	1740	4 - 6 Pk Volume	1113	967	2068
Pk Hr Factor	0.926	0.928	0.973	Pk Hr Factor	0.976	0.941	0.961


Prepared by National Data & Surveying Services
Project #: CA24_020271_005
City: Monterey Park
Location: S Atlantic Blvd Bet Harding Ave & W El
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Atlantic Blvd Bet W El Repetto Dr & W Floral Dr

Day: Tuesday
Date: 8/27/2024

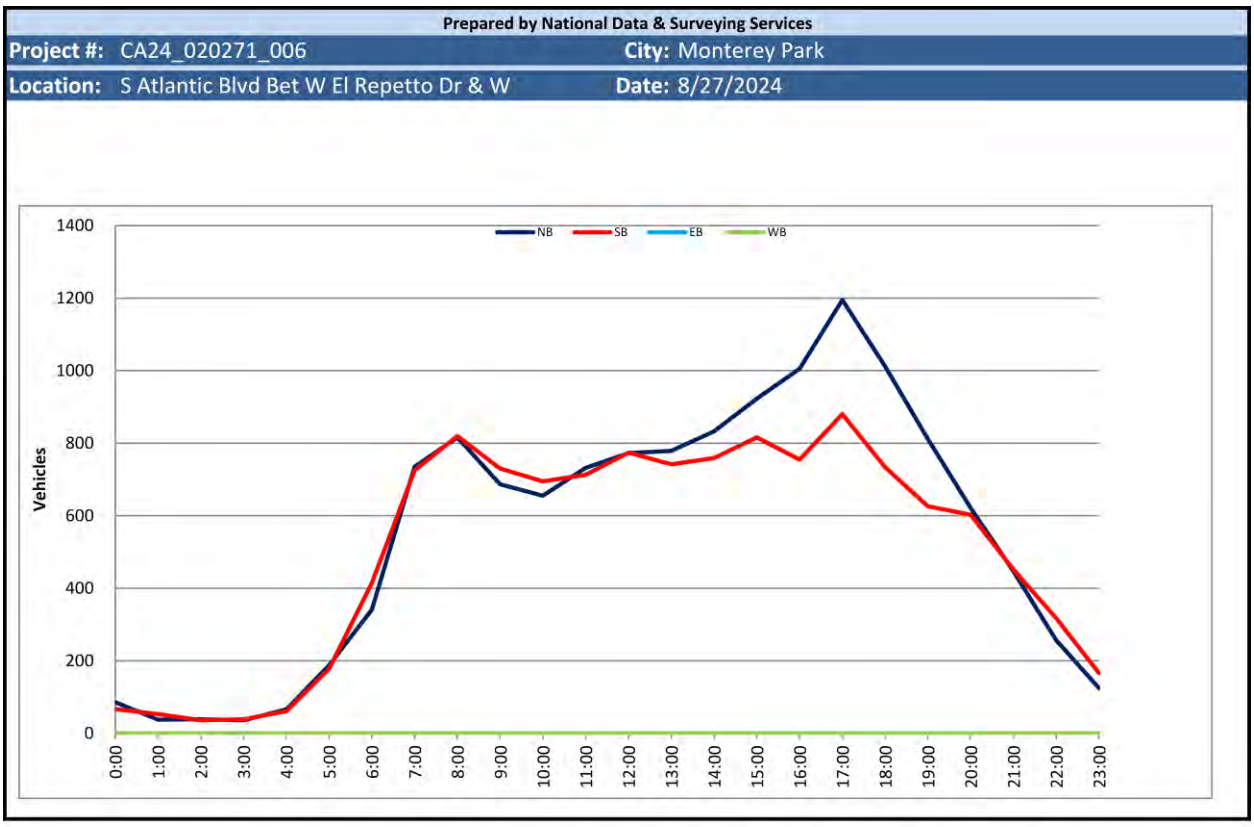
City: Monterey Park
Project #: CA24_020271_006

DAILY TOTALS	NB	SB	EB	WB	Total
	13,202	12,157	0	0	25,359

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	31		20				51		12:00	192		222				414	
0:15	20		14				34		12:15	202		198				400	
0:30	21		19				40		12:30	180		162				342	
0:45	14	86	14	67			28	153	12:45	199	773	192	774			391	1547
1:00	12		16				28		13:00	186		199				385	
1:15	8		17				25		13:15	198		199				397	
1:30	13		14				27		13:30	197		186				383	
1:45	5	38	6	53			11	91	13:45	198	779	158	742			356	1521
2:00	7		10				17		14:00	179		200				379	
2:15	9		6				15		14:15	202		181				383	
2:30	14		11				25		14:30	232		187				419	
2:45	9	39	9	36			18	75	14:45	220	833	191	759			411	1592
3:00	10		10				20		15:00	226		208				434	
3:15	7		14				21		15:15	200		217				417	
3:30	12		5				17		15:30	266		171				437	
3:45	7	36	10	39			17	75	15:45	231	923	220	816			451	1739
4:00	12		7				19		16:00	240		177				417	
4:15	9		16				25		16:15	243		162				405	
4:30	13		15				28		16:30	244		207				451	
4:45	32	66	23	61			55	127	16:45	278	1005	209	755			487	1760
5:00	33		18				51		17:00	294		238				532	
5:15	54		38				92		17:15	284		221				505	
5:30	48		47				95		17:30	310		228				538	
5:45	53	188	75	178			128	366	17:45	307	1195	193	880			500	2075
6:00	59		75				134		18:00	280		201				481	
6:15	80		88				168		18:15	265		215				480	
6:30	82		121				203		18:30	231		171				402	
6:45	120	341	131	415			251	756	18:45	236	1012	147	734			383	1746
7:00	145		135				280		19:00	234		159				393	
7:15	194		147				341		19:15	187		167				354	
7:30	176		203				379		19:30	208		152				360	
7:45	220	735	240	725			460	1460	19:45	183	812	148	626			331	1438
8:00	237		195				432		20:00	185		160				345	
8:15	198		217				415		20:15	150		163				313	
8:30	191		233				424		20:30	158		167				325	
8:45	190	816	175	820			365	1636	20:45	129	622	113	603			242	1225
9:00	152		161				313		21:00	123		131				254	
9:15	185		181				366		21:15	121		108				229	
9:30	191		169				360		21:30	99		112				211	
9:45	159	687	219	730			378	1417	21:45	104	447	101	452			205	899
10:00	161		174				335		22:00	94		98				192	
10:15	163		178				341		22:15	70		70				140	
10:30	167		175				342		22:30	41		75				116	
10:45	164	655	168	695			332	1350	22:45	52	257	75	318			127	575
11:00	210		186				396		23:00	31		61				92	
11:15	160		162				322		23:15	41		36				77	
11:30	171		191				362		23:30	21		38				59	
11:45	191	732	174	713			365	1445	23:45	32	125	31	166			63	291
TOTALS		4419		4532				8951	TOTALS		8783		7625				16408
SPLIT %		49.4%		50.6%				35.3%	SPLIT %		53.5%		46.5%				64.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	13,202	12,157	0	0	25,359

AM Peak Hour	7:45	7:45	7:45	PM Peak Hour	17:00	16:45	17:00
AM Pk Volume	846	885	1731	PM Pk Volume	1195	896	2075
Pk Hr Factor	0.892	0.922	0.941	Pk Hr Factor	0.964	0.941	0.964
7 - 9 Volume	1551	1545	3096	4 - 6 Volume	2200	1635	3835
7 - 9 Peak Hour	7:45	7:45	7:45	4 - 6 Peak Hour	17:00	16:45	17:00
7 - 9 Pk Volume	846	885	1731	4 - 6 Pk Volume	1195	896	2075
Pk Hr Factor	0.892	0.922	0.941	Pk Hr Factor	0.964	0.941	0.964


Prepared by National Data & Surveying Services
Project #: CA24_020271_006
City: Monterey Park
Location: S Atlantic Blvd Bet W El Repetto Dr & W
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1400
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Atlantic Blvd Bet W Floral Dr & W 1st St

Day: Tuesday
Date: 8/27/2024

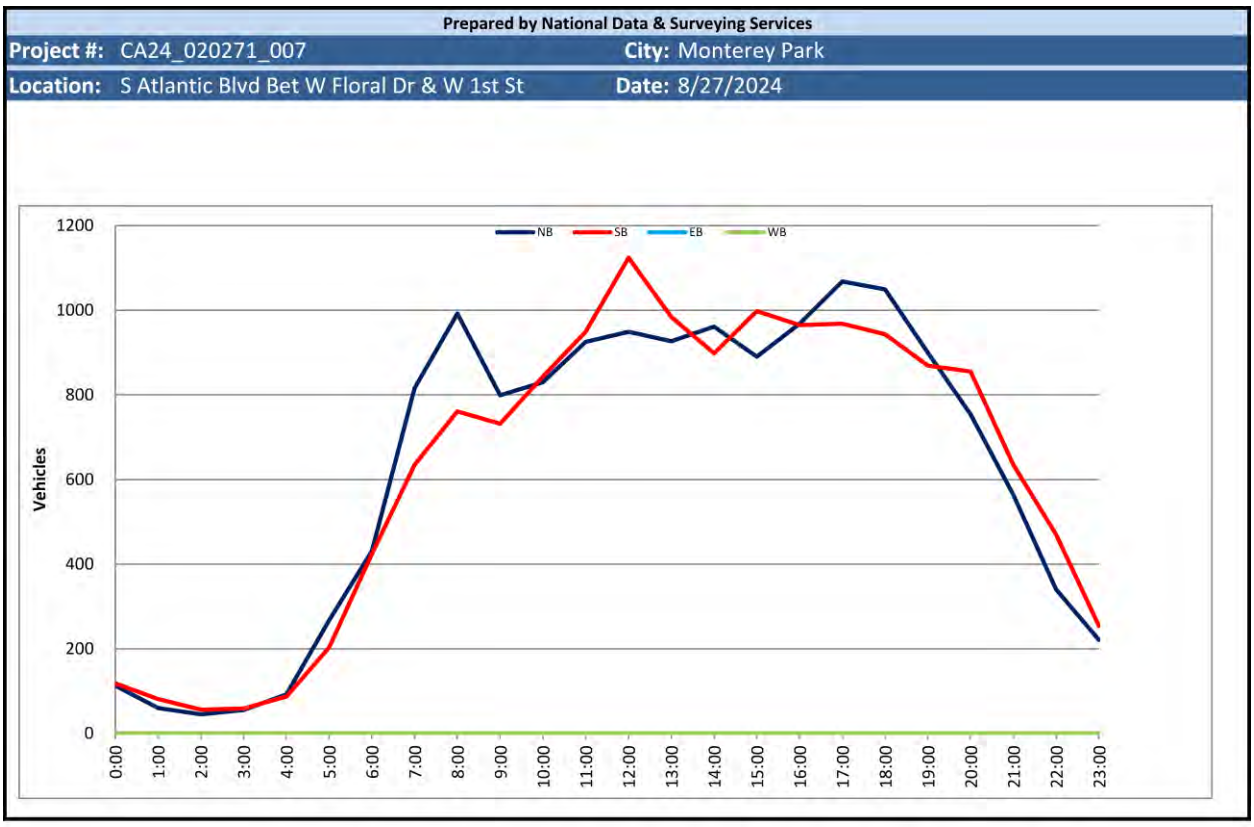
City: Monterey Park
Project #: CA24_020271_007

DAILY TOTALS	NB	SB	EB	WB	Total
	15,016	14,911	0	0	29,927

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	37		37				74		12:00	242		315				557	
0:15	31		24				55		12:15	212		290				502	
0:30	29		34				63		12:30	246		291				537	
0:45	16	113	23	118			39	231	12:45	249	949	228	1124			477	2073
1:00	14		22				36		13:00	229		266				495	
1:15	17		25				42		13:15	235		239				474	
1:30	19		22				41		13:30	242		263				505	
1:45	10	60	12	81			22	141	13:45	221	927	216	984			437	1911
2:00	5		13				18		14:00	239		251				490	
2:15	9		7				16		14:15	220		202				422	
2:30	20		15				35		14:30	253		239				492	
2:45	11	45	21	56			32	101	14:45	249	961	206	898			455	1859
3:00	11		14				25		15:00	228		263				491	
3:15	12		17				29		15:15	198		216				414	
3:30	14		12				26		15:30	234		275				509	
3:45	18	55	16	59			34	114	15:45	230	890	244	998			474	1888
4:00	14		19				33		16:00	251		241				492	
4:15	18		18				36		16:15	222		240				462	
4:30	22		19				41		16:30	241		249				490	
4:45	38	92	31	87			69	179	16:45	254	968	235	965			489	1933
5:00	44		27				71		17:00	247		267				514	
5:15	64		44				108		17:15	253		237				490	
5:30	71		55				126		17:30	268		270				538	
5:45	88	267	77	203			165	470	17:45	300	1068	194	968			494	2036
6:00	88		96				184		18:00	314		249				563	
6:15	96		85				181		18:15	248		251				499	
6:30	119		123				242		18:30	239		251				490	
6:45	128	431	120	424			248	855	18:45	248	1049	192	943			440	1992
7:00	173		135				308		19:00	236		235				471	
7:15	184		150				334		19:15	230		201				431	
7:30	232		178				410		19:30	238		213				451	
7:45	227	816	172	635			399	1451	19:45	196	900	220	869			416	1769
8:00	241		217				458		20:00	207		234				441	
8:15	246		150				396		20:15	178		217				395	
8:30	239		203				442		20:30	183		225				408	
8:45	266	992	191	761			457	1753	20:45	186	754	179	855			365	1609
9:00	213		170				383		21:00	171		192				363	
9:15	193		161				354		21:15	149		151				300	
9:30	203		203				406		21:30	126		160				286	
9:45	190	799	198	732			388	1531	21:45	118	564	132	635			250	1199
10:00	210		220				430		22:00	122		160				282	
10:15	214		208				422		22:15	83		94				177	
10:30	198		223				421		22:30	68		101				169	
10:45	208	830	192	843			400	1673	22:45	67	340	115	470			182	810
11:00	250		224				474		23:00	66		76				142	
11:15	198		204				402		23:15	47		71				118	
11:30	250		276				526		23:30	43		61				104	
11:45	227	925	245	949			472	1874	23:45	65	221	46	254			111	475
TOTALS		5425		4948				10373	TOTALS		9591		9963				19554
SPLIT %		52.3%		47.7%				34.7%	SPLIT %		49.0%		51.0%				65.3%

DAILY TOTALS	NB	SB	EB	WB	Total
	15,016	14,911	0	0	29,927

AM Peak Hour	8:00	11:45	11:45	PM Peak Hour	17:15	12:00	17:30
AM Pk Volume	992	1141	2068	PM Pk Volume	1135	1124	2094
Pk Hr Factor	0.932	0.906	0.928	Pk Hr Factor	0.904	0.892	0.930
7 - 9 Volume	1808	1396	3204	4 - 6 Volume	2036	1933	3969
7 - 9 Peak Hour	8:00	8:00	8:00	4 - 6 Peak Hour	17:00	16:45	17:00
7 - 9 Pk Volume	992	761	1753	4 - 6 Pk Volume	1068	1009	2036
Pk Hr Factor	0.932	0.877	0.957	Pk Hr Factor	0.890	0.934	0.946


Prepared by National Data & Surveying Services
Project #: CA24_020271_007
City: Monterey Park
Location: S Atlantic Blvd Bet W Floral Dr & W 1st St
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Avenida Cesar Chavez Bet West City Limit & S Atlantic Blvd

Day: Tuesday
Date: 8/27/2024

City: Monterey Park
Project #: CA24_020271_008

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	8,507	8,073	16,580

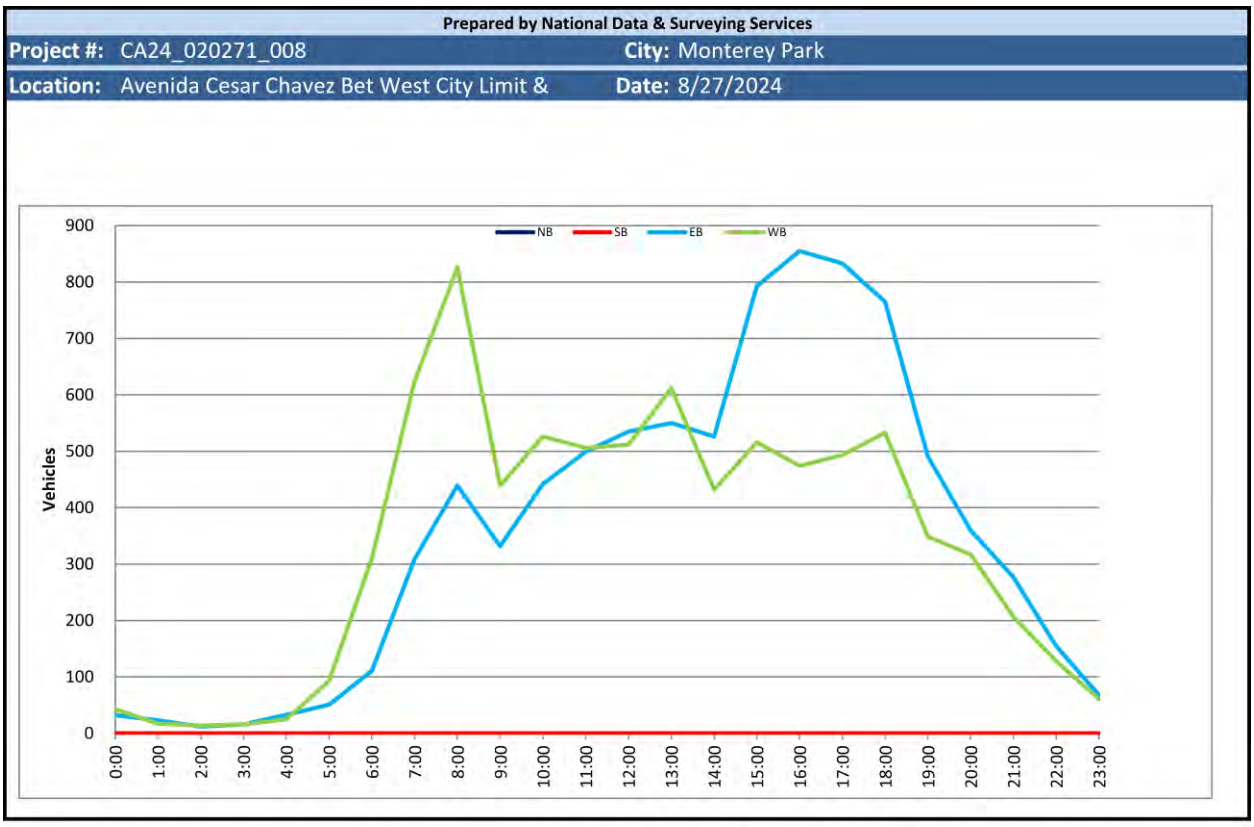
AM Period	NB	SB	EB	WB	TOTAL
0:00			14	15	29
0:15			5	12	17
0:30			6	6	12
0:45			7	10	17
1:00			5	6	11
1:15			10	4	14
1:30			6	4	10
1:45			2	3	5
2:00			2	2	4
2:15			2	4	6
2:30			4	5	9
2:45			4	3	7
3:00			2	5	7
3:15			2	3	5
3:30			7	3	10
3:45			5	5	10
4:00			3	5	8
4:15			7	6	13
4:30			7	5	12
4:45			16	9	25
5:00			8	11	19
5:15			7	14	21
5:30			23	24	47
5:45			13	44	57
6:00			15	41	56
6:15			24	65	89
6:30			30	80	110
6:45			42	124	166
7:00			47	138	185
7:15			60	135	195
7:30			76	167	243
7:45			126	184	310
8:00			111	178	289
8:15			99	183	282
8:30			106	265	371
8:45			123	200	323
9:00			81	119	200
9:15			80	93	173
9:30			62	111	173
9:45			109	116	225
10:00			94	133	227
10:15			135	156	291
10:30			119	132	251
10:45			94	105	199
11:00			114	110	224
11:15			129	116	245
11:30			123	127	250
11:45			133	153	286
TOTALS			2299	3439	5738
SPLIT %			40.1%	59.9%	34.6%

PM Period	NB	SB	EB	WB	TOTAL
12:00			129	140	269
12:15			170	144	314
12:30			117	110	227
12:45			119	118	237
13:00			99	147	246
13:15			139	183	322
13:30			148	146	294
13:45			164	136	300
14:00			95	117	212
14:15			142	93	235
14:30			120	110	230
14:45			169	112	281
15:00			164	146	310
15:15			213	139	352
15:30			199	127	326
15:45			217	104	321
16:00			186	114	300
16:15			220	106	326
16:30			205	114	319
16:45			244	140	384
17:00			201	126	327
17:15			225	115	340
17:30			181	127	308
17:45			226	125	351
18:00			192	129	321
18:15			216	147	363
18:30			174	147	321
18:45			183	110	293
19:00			142	84	226
19:15			124	98	222
19:30			132	97	229
19:45			93	70	163
20:00			89	90	179
20:15			89	82	171
20:30			90	68	158
20:45			92	77	169
21:00			52	57	109
21:15			61	58	119
21:30			71	40	111
21:45			93	52	145
22:00			66	45	111
22:15			53	27	80
22:30			19	34	53
22:45			17	22	39
23:00			15	17	32
23:15			14	20	34
23:30			23	9	32
23:45			16	15	31
TOTALS			6208	4634	10842
SPLIT %			57.3%	42.7%	65.4%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	8,507	8,073	16,580

AM Peak Hour	11:30	8:00	8:00
AM Pk Volume	555	826	1265
Pk Hr Factor	0.816	0.779	0.852
7 - 9 Volume	748	1450	2198
7 - 9 Peak Hour	7:45	8:00	8:00
7 - 9 Pk Volume	442	826	1265
Pk Hr Factor	0.877	0.779	0.852

PM Peak Hour	16:30	13:00	16:30
PM Pk Volume	875	612	1370
Pk Hr Factor	0.897	0.836	0.892
4 - 6 Volume	1688	967	2655
4 - 6 Peak Hour	16:30	16:45	16:30
4 - 6 Pk Volume	875	508	1370
Pk Hr Factor	0.897	0.907	0.892


Prepared by National Data & Surveying Services
Project #: CA24_020271_008
City: Monterey Park
Location: Avenida Cesar Chavez Bet West City Limit &
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
900
800
700
600
500
400
300
200
100
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Floral Dr Bet West City Limit & Monterey Pass Rd

Day: Tuesday
Date: 8/27/2024

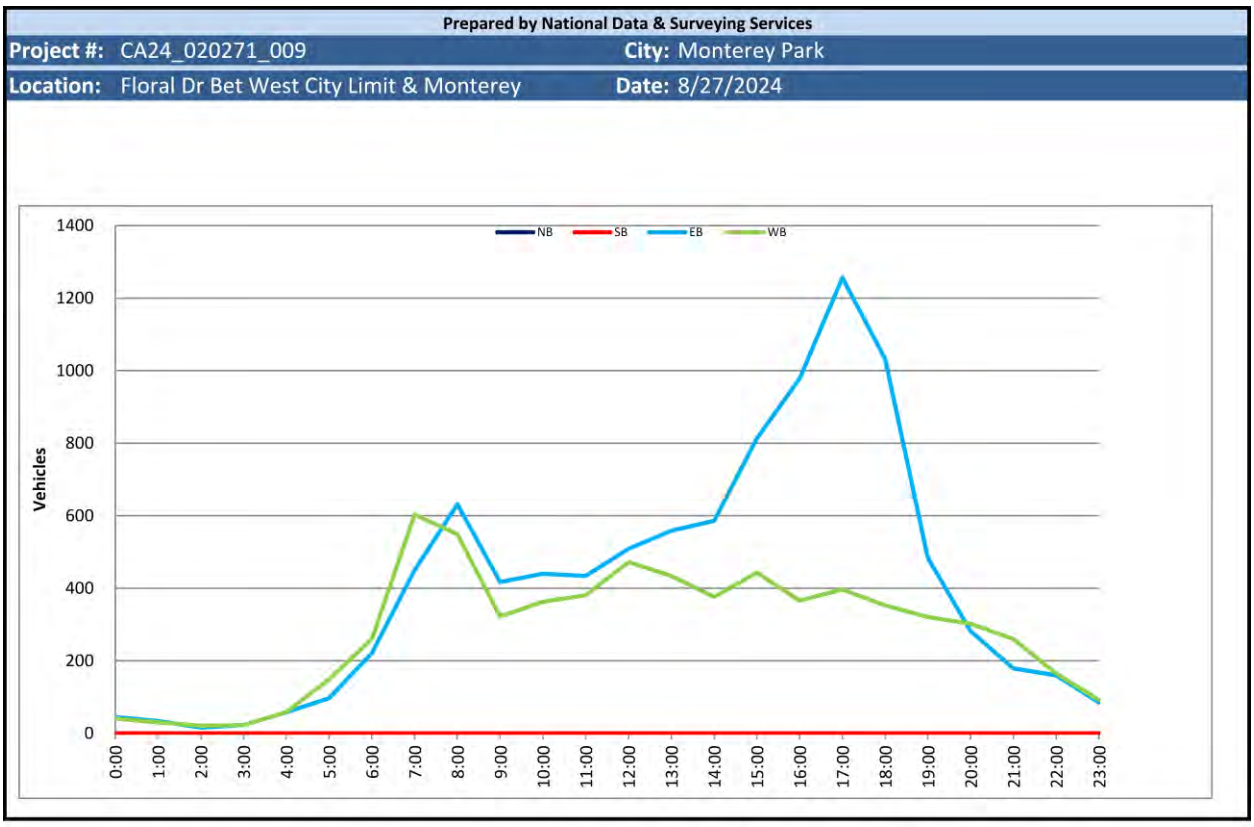
City: Monterey Park
Project #: CA24_020271_009

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	9,791	6,782	16,573

AM Period	NB	SB	EB		WB		TOTAL		PM Period	NB	SB	EB		WB		TOTAL	
0:00			16		10		26		12:00			132		130		262	
0:15			7		16		23		12:15			129		122		251	
0:30			13		9		22		12:30			137		124		261	
0:45			9	45	6	41	15	86	12:45			111	509	96	472	207	981
1:00			4		5		9		13:00			127		110		237	
1:15			9		6		15		13:15			140		104		244	
1:30			8		5		13		13:30			148		116		264	
1:45			13	34	14	30	27	64	13:45			144	559	104	434	248	993
2:00			3		6		9		14:00			129		89		218	
2:15			1		8		9		14:15			150		106		256	
2:30			7		5		12		14:30			147		101		248	
2:45			5	16	2	21	7	37	14:45			160	586	80	376	240	962
3:00			4		3		7		15:00			173		104		277	
3:15			7		9		16		15:15			205		112		317	
3:30			8		5		13		15:30			208		121		329	
3:45			4	23	6	23	10	46	15:45			227	813	106	443	333	1256
4:00			9		12		21		16:00			228		85		313	
4:15			10		12		22		16:15			217		101		318	
4:30			10		9		19		16:30			268		80		348	
4:45			29	58	26	59	55	117	16:45			265	978	100	366	365	1344
5:00			13		22		35		17:00			316		102		418	
5:15			23		27		50		17:15			331		106		437	
5:30			26		49		75		17:30			306		108		414	
5:45			35	97	51	149	86	246	17:45			303	1256	81	397	384	1653
6:00			33		29		62		18:00			299		95		394	
6:15			39		57		96		18:15			295		81		376	
6:30			64		94		158		18:30			229		75		304	
6:45			85	221	80	260	165	481	18:45			210	1033	102	353	312	1386
7:00			90		113		203		19:00			155		88		243	
7:15			87		140		227		19:15			127		77		204	
7:30			127		150		277		19:30			108		76		184	
7:45			146	450	200	603	346	1053	19:45			94	484	80	321	174	805
8:00			138		168		306		20:00			81		84		165	
8:15			145		150		295		20:15			62		75		137	
8:30			182		107		289		20:30			80		63		143	
8:45			167	632	124	549	291	1181	20:45			59	282	80	302	139	584
9:00			112		85		197		21:00			52		65		117	
9:15			107		80		187		21:15			45		65		110	
9:30			92		77		169		21:30			40		76		116	
9:45			106	417	80	322	186	739	21:45			42	179	54	260	96	439
10:00			109		89		198		22:00			46		51		97	
10:15			133		89		222		22:15			43		45		88	
10:30			109		107		216		22:30			35		37		72	
10:45			89	440	78	363	167	803	22:45			36	160	32	165	68	325
11:00			99		80		179		23:00			27		28		55	
11:15			105		102		207		23:15			22		30		52	
11:30			126		100		226		23:30			16		17		33	
11:45			104	434	99	381	203	815	23:45			20	85	17	92	37	177
TOTALS				2867		2801		5668	TOTALS				6924		3981		10905
SPLIT %				50.6%		49.4%		34.2%	SPLIT %				63.5%		36.5%		65.8%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	9,791	6,782	16,573

AM Peak Hour	8:00	7:30	7:45	PM Peak Hour	17:00	12:00	17:00
AM Pk Volume	632	668	1236	PM Pk Volume	1256	472	1653
Pk Hr Factor	0.868	0.835	0.893	Pk Hr Factor	0.949	0.908	0.946
7 - 9 Volume	1082	1152	2234	4 - 6 Volume	2234	763	2997
7 - 9 Peak Hour	8:00	7:30	7:45	4 - 6 Peak Hour	17:00	16:45	17:00
7 - 9 Pk Volume	632	668	1236	4 - 6 Pk Volume	1256	416	1653
Pk Hr Factor	0.868	0.835	0.893	Pk Hr Factor	0.949	0.963	0.946


Prepared by National Data & Surveying Services
Project #: CA24_020271_009
City: Monterey Park
Location: Floral Dr Bet West City Limit & Monterey
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1400
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

W Floral Dr Bet Monterey Pass Rd & S Atlantic Blvd

Day: Tuesday
Date: 8/27/2024

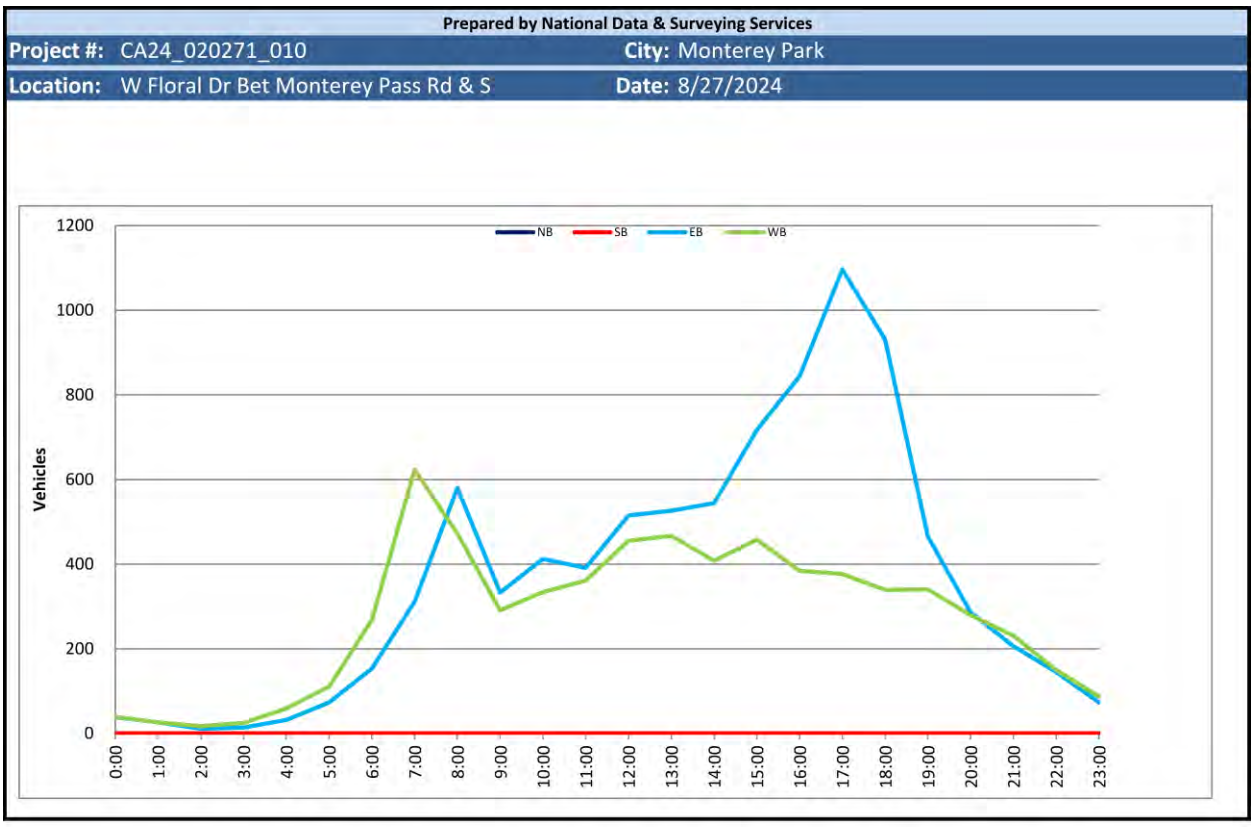
City: Monterey Park
Project #: CA24_020271_010

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	8,722	6,601	15,323

AM Period	NB	SB	EB		WB		TOTAL		PM Period	NB	SB	EB		WB		TOTAL	
0:00			16		12		28		12:00			135		117		252	
0:15			9		11		20		12:15			140		120		260	
0:30			7		4		11		12:30			128		120		248	
0:45			6	38	12	39	18	77	12:45			112	515	98	455	210	970
1:00			4		5		9		13:00			123		116		239	
1:15			7		6		13		13:15			132		128		260	
1:30			8		5		13		13:30			141		107		248	
1:45			7	26	10	26	17	52	13:45			130	526	116	467	246	993
2:00			3		3		6		14:00			124		102		226	
2:15			2		4		6		14:15			139		100		239	
2:30			4		5		9		14:30			130		110		240	
2:45			2	11	5	17	7	28	14:45			151	544	96	408	247	952
3:00			4		7		11		15:00			159		123		282	
3:15			4		7		11		15:15			170		119		289	
3:30			4		5		9		15:30			180		100		280	
3:45			2	14	6	25	8	39	15:45			208	717	116	458	324	1175
4:00			7		9		16		16:00			194		91		285	
4:15			4		10		14		16:15			186		104		290	
4:30			6		14		20		16:30			238		78		316	
4:45			15	32	26	59	41	91	16:45			226	844	111	384	337	1228
5:00			10		18		28		17:00			273		93		366	
5:15			15		19		34		17:15			288		106		394	
5:30			20		33		53		17:30			274		94		368	
5:45			28	73	41	111	69	184	17:45			261	1096	84	377	345	1473
6:00			21		40		61		18:00			265		87		352	
6:15			26		51		77		18:15			268		83		351	
6:30			40		86		126		18:30			211		78		289	
6:45			66	153	91	268	157	421	18:45			187	931	91	339	278	1270
7:00			80		113		193		19:00			150		98		248	
7:15			57		143		200		19:15			123		86		209	
7:30			64		172		236		19:30			103		78		181	
7:45			110	311	195	623	305	934	19:45			89	465	78	340	167	805
8:00			111		142		253		20:00			76		77		153	
8:15			134		133		267		20:15			66		78		144	
8:30			180		105		285		20:30			85		59		144	
8:45			155	580	92	472	247	1052	20:45			59	286	65	279	124	565
9:00			81		81		162		21:00			62		72		134	
9:15			93		67		160		21:15			54		55		109	
9:30			86		72		158		21:30			47		66		113	
9:45			73	333	71	291	144	624	21:45			43	206	38	231	81	437
10:00			101		83		184		22:00			41		50		91	
10:15			124		86		210		22:15			41		39		80	
10:30			111		88		199		22:30			37		36		73	
10:45			76	412	77	334	153	746	22:45			26	145	25	150	51	295
11:00			80		75		155		23:00			25		22		47	
11:15			97		82		179		23:15			17		27		44	
11:30			109		105		214		23:30			17		20		37	
11:45			105	391	99	361	204	752	23:45			14	73	18	87	32	160
TOTALS				2374		2626		5000	TOTALS				6348		3975		10323
SPLIT %				47.5%		52.5%		32.6%	SPLIT %				61.5%		38.5%		67.4%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	8,722	6,601	15,323

AM Peak Hour	8:00	7:15	7:45	PM Peak Hour	17:00	13:00	17:00
AM Pk Volume	580	652	1110	PM Pk Volume	1096	467	1473
Pk Hr Factor	0.806	0.836	0.910	Pk Hr Factor	0.951	0.912	0.935
7 - 9 Volume	891	1095	1986	4 - 6 Volume	1940	761	2701
7 - 9 Peak Hour	8:00	7:15	7:45	4 - 6 Peak Hour	17:00	16:45	17:00
7 - 9 Pk Volume	580	652	1110	4 - 6 Pk Volume	1096	404	1473
Pk Hr Factor	0.806	0.836	0.910	Pk Hr Factor	0.951	0.910	0.935


Prepared by National Data & Surveying Services
Project #: CA24_020271_010
City: Monterey Park
Location: W Floral Dr Bet Monterey Pass Rd & S
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

N Garfield Ave Bet W/E Hellman Ave & W/E Newmark Ave

Day: Tuesday
Date: 8/27/2024

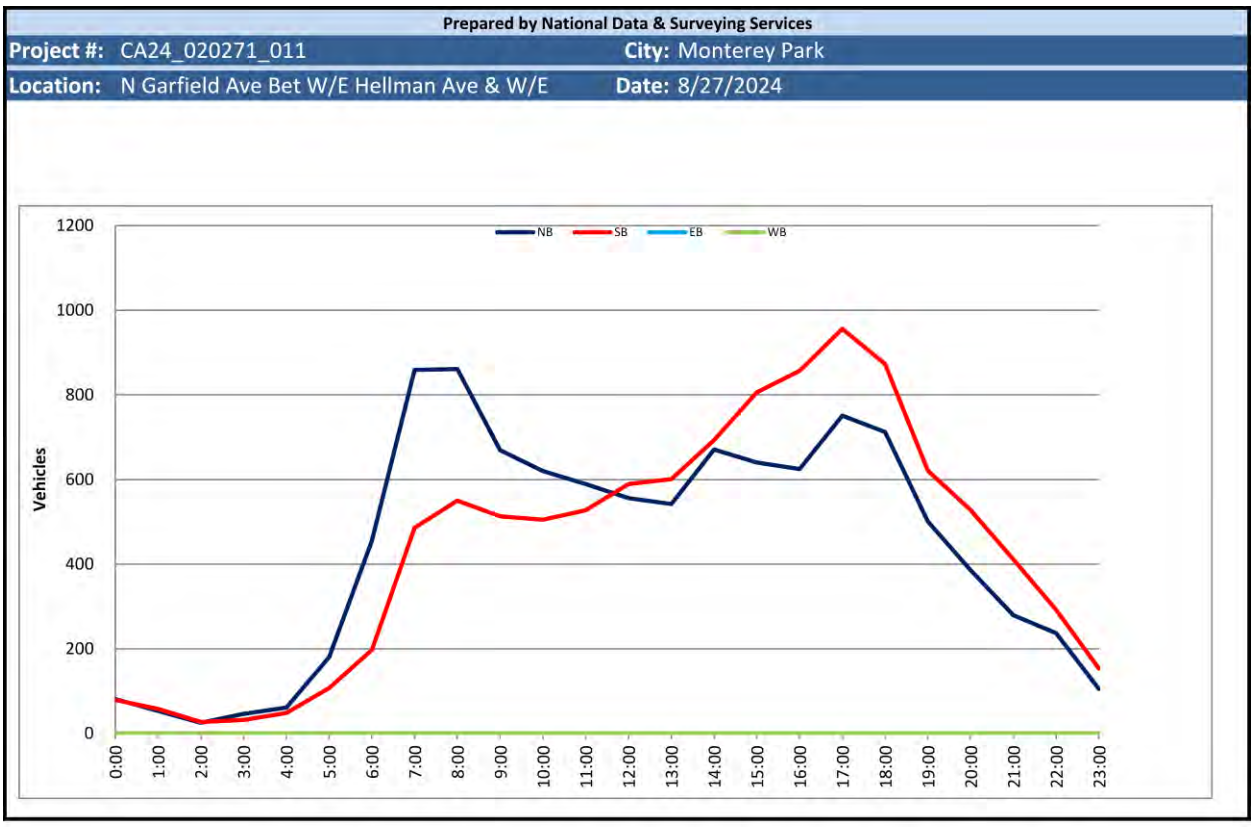
City: Monterey Park
Project #: CA24_020271_011

DAILY TOTALS	NB	SB	EB	WB	Total
	10,504	10,509	0	0	21,013

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	21		27				48		12:00	141		138				279	
0:15	14		19				33		12:15	139		147				286	
0:30	20		18				38		12:30	118		150				268	
0:45	26	81	15	79			41	160	12:45	158	556	154	589			312	1145
1:00	13		23				36		13:00	115		145				260	
1:15	14		13				27		13:15	121		148				269	
1:30	15		17				32		13:30	157		161				318	
1:45	11	53	5	58			16	111	13:45	149	542	147	601			296	1143
2:00	4		5				9		14:00	143		157				300	
2:15	9		6				15		14:15	182		158				340	
2:30	4		11				15		14:30	176		204				380	
2:45	8	25	5	27			13	52	14:45	170	671	174	693			344	1364
3:00	12		10				22		15:00	181		184				365	
3:15	6		5				11		15:15	130		184				314	
3:30	16		11				27		15:30	149		191				340	
3:45	12	46	6	32			18	78	15:45	180	640	247	806			427	1446
4:00	8		12				20		16:00	154		223				377	
4:15	14		14				28		16:15	166		208				374	
4:30	24		8				32		16:30	154		211				365	
4:45	15	61	14	48			29	109	16:45	151	625	215	857			366	1482
5:00	30		23				53		17:00	176		240				416	
5:15	45		29				74		17:15	197		254				451	
5:30	48		25				73		17:30	184		222				406	
5:45	57	180	30	107			87	287	17:45	194	751	240	956			434	1707
6:00	68		30				98		18:00	187		252				439	
6:15	103		58				161		18:15	194		204				398	
6:30	131		56				187		18:30	177		219				396	
6:45	153	455	53	197			206	652	18:45	154	712	198	873			352	1585
7:00	181		67				248		19:00	137		165				302	
7:15	199		107				306		19:15	134		180				314	
7:30	238		178				416		19:30	133		153				286	
7:45	241	859	134	486			375	1345	19:45	97	501	123	621			220	1122
8:00	250		159				409		20:00	100		130				230	
8:15	222		135				357		20:15	104		147				251	
8:30	190		136				326		20:30	101		120				221	
8:45	199	861	120	550			319	1411	20:45	81	386	131	528			212	914
9:00	169		119				288		21:00	66		119				185	
9:15	171		139				310		21:15	86		115				201	
9:30	180		113				293		21:30	61		85				146	
9:45	149	669	142	513			291	1182	21:45	66	279	92	411			158	690
10:00	152		111				263		22:00	76		89				165	
10:15	149		135				284		22:15	53		94				147	
10:30	164		144				308		22:30	60		64				124	
10:45	155	620	115	505			270	1125	22:45	48	237	45	292			93	529
11:00	156		141				297		23:00	26		51				77	
11:15	148		116				264		23:15	29		40				69	
11:30	147		118				265		23:30	25		37				62	
11:45	138	589	152	527			290	1116	23:45	25	105	25	153			50	258
TOTALS		4499		3129				7628	TOTALS		6005		7380				13385
SPLIT %		59.0%		41.0%				36.3%	SPLIT %		44.9%		55.1%				63.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	10,504	10,509	0	0	21,013

AM Peak Hour	7:30	7:30	7:30	PM Peak Hour	17:15	17:15	17:15
AM Pk Volume	951	606	1557	PM Pk Volume	762	968	1730
Pk Hr Factor	0.951	0.851	0.936	Pk Hr Factor	0.967	0.953	0.959
7 - 9 Volume	1720	1036	2756	4 - 6 Volume	1376	1813	3189
7 - 9 Peak Hour	7:30	7:30	7:30	4 - 6 Peak Hour	17:00	17:00	17:00
7 - 9 Pk Volume	951	606	1557	4 - 6 Pk Volume	751	956	1707
Pk Hr Factor	0.951	0.851	0.936	Pk Hr Factor	0.953	0.941	0.946


Prepared by National Data & Surveying Services
Project #: CA24_020271_011
City: Monterey Park
Location: N Garfield Ave Bet W/E Hellman Ave & W/E
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Garfield Ave Bet W/E Newmark Ave & Graves Ave/Grandridge Ave

Day: Tuesday
Date: 8/27/2024

City: Monterey Park
Project #: CA24_020271_012

DAILY TOTALS	NB	SB	EB	WB	Total
	10,363	10,419	0	0	20,782

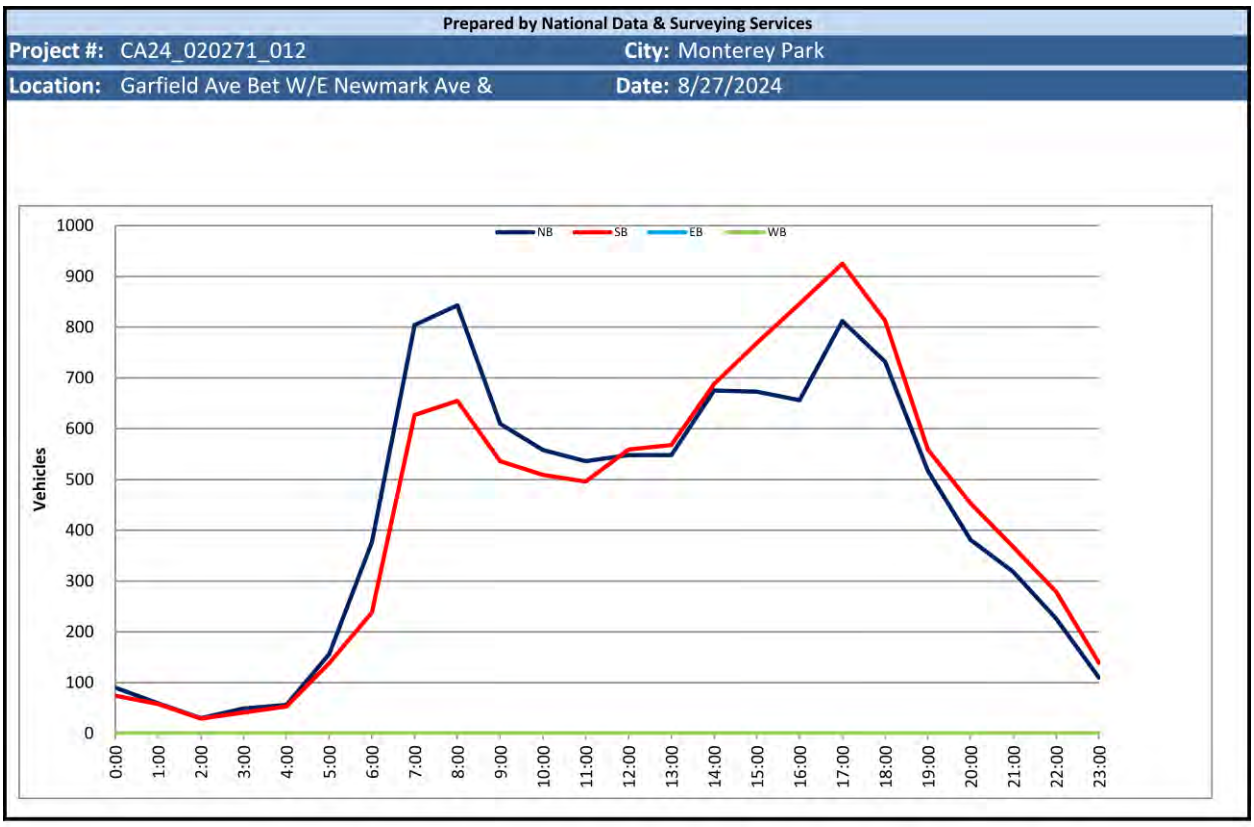
AM Period	NB		SB		EB	WB	TOTAL	
0:00	23		25				48	
0:15	20		17				37	
0:30	23		19				42	
0:45	24	90	13	74			37	164
1:00	14		18				32	
1:15	18		15				33	
1:30	16		17				33	
1:45	11	59	8	58			19	117
2:00	7		4				11	
2:15	8		5				13	
2:30	5		13				18	
2:45	10	30	7	29			17	59
3:00	8		11				19	
3:15	11		9				20	
3:30	18		13				31	
3:45	12	49	8	41			20	90
4:00	8		10				18	
4:15	10		15				25	
4:30	21		12				33	
4:45	17	56	16	53			33	109
5:00	27		34				61	
5:15	37		35				72	
5:30	45		32				77	
5:45	47	156	37	138			84	294
6:00	53		41				94	
6:15	84		61				145	
6:30	106		71				177	
6:45	133	376	65	238			198	614
7:00	156		88				244	
7:15	196		127				323	
7:30	218		240				458	
7:45	234	804	172	627			406	1431
8:00	258		183				441	
8:15	222		159				381	
8:30	183		173				356	
8:45	180	843	140	655			320	1498
9:00	171		126				297	
9:15	148		144				292	
9:30	153		113				266	
9:45	138	610	153	536			291	1146
10:00	127		125				252	
10:15	135		137				272	
10:30	144		136				280	
10:45	152	558	111	509			263	1067
11:00	137		140				277	
11:15	137		100				237	
11:30	132		117				249	
11:45	130	536	139	496			269	1032
TOTALS		4167		3454				7621
SPLIT %		54.7%		45.3%				36.7%

PM Period	NB		SB		EB	WB	TOTAL	
12:00	134		141				275	
12:15	144		137				281	
12:30	121		143				264	
12:45	149	548	138	559			287	1107
13:00	124		151				275	
13:15	117		127				244	
13:30	153		150				303	
13:45	154	548	140	568			294	1116
14:00	137		162				299	
14:15	180		151				331	
14:30	179		203				382	
14:45	179	675	172	688			351	1363
15:00	184		161				345	
15:15	141		176				317	
15:30	167		196				363	
15:45	181	673	236	769			417	1442
16:00	166		225				391	
16:15	177		192				369	
16:30	156		198				354	
16:45	157	656	231	846			388	1502
17:00	191		234				425	
17:15	207		239				446	
17:30	201		217				418	
17:45	213	812	235	925			448	1737
18:00	205		244				449	
18:15	189		202				391	
18:30	182		185				367	
18:45	156	732	182	813			338	1545
19:00	143		149				292	
19:15	133		155				288	
19:30	133		121				254	
19:45	108	517	134	559			242	1076
20:00	99		112				211	
20:15	105		123				228	
20:30	97		103				200	
20:45	80	381	115	453			195	834
21:00	71		100				171	
21:15	97		106				203	
21:30	73		77				150	
21:45	77	318	84	367			161	685
22:00	67		84				151	
22:15	55		84				139	
22:30	62		64				126	
22:45	42	226	47	279			89	505
23:00	24		45				69	
23:15	34		38				72	
23:30	25		33				58	
23:45	27	110	23	139			50	249
TOTALS		6196		6965				13161
SPLIT %		47.1%		52.9%				63.3%

DAILY TOTALS	NB	SB	EB	WB	Total
	10,363	10,419	0	0	20,782

AM Peak Hour	7:30	7:30	7:30
AM Pk Volume	932	754	1686
Pk Hr Factor	0.903	0.785	0.920
7 - 9 Volume	1647	1282	2929
7 - 9 Peak Hour	7:30	7:30	7:30
7 - 9 Pk Volume	932	754	1686
Pk Hr Factor	0.903	0.785	0.920

PM Peak Hour	17:15	17:15	17:15
PM Pk Volume	826	935	1761
Pk Hr Factor	0.969	0.958	0.981
4 - 6 Volume	1468	1771	3239
4 - 6 Peak Hour	17:00	17:00	17:00
4 - 6 Pk Volume	812	925	1737
Pk Hr Factor	0.953	0.968	0.969


Prepared by National Data & Surveying Services
Project #: CA24_020271_012
City: Monterey Park
Location: Garfield Ave Bet W/E Newmark Ave &
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1000
900
800
700
600
500
400
300
200
100
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Garfield Ave Bet Graves Ave & W/E El Repetto Dr

Day: Tuesday
Date: 8/27/2024

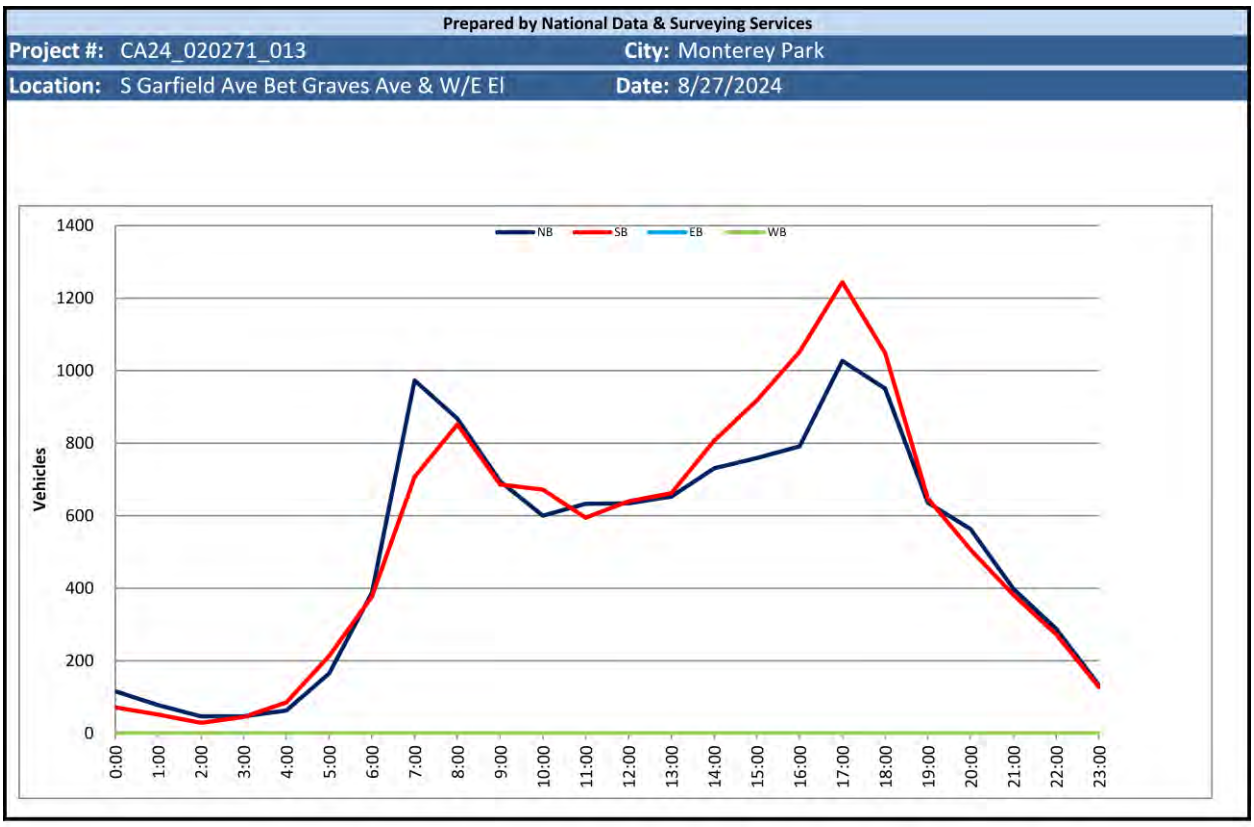
City: Monterey Park
Project #: CA24_020271_013

DAILY TOTALS	NB	SB	EB	WB	Total
	12,238	12,694	0	0	24,932

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	36		27				63		12:00	158		160				318	
0:15	21		20				41		12:15	161		161				322	
0:30	33		13				46		12:30	137		169				306	
0:45	26	116	12	72			38	188	12:45	178	634	150	640			328	1274
1:00	18		16				34		13:00	159		175				334	
1:15	21		17				38		13:15	145		157				302	
1:30	23		14				37		13:30	179		183				362	
1:45	16	78	5	52			21	130	13:45	170	653	147	662			317	1315
2:00	9		6				15		14:00	162		182				344	
2:15	12		6				18		14:15	178		169				347	
2:30	11		9				20		14:30	199		211				410	
2:45	15	47	8	29			23	76	14:45	192	731	245	807			437	1538
3:00	13		14				27		15:00	197		219				416	
3:15	8		12				20		15:15	181		223				404	
3:30	15		10				25		15:30	178		208				386	
3:45	11	47	9	45			20	92	15:45	203	759	268	918			471	1677
4:00	7		16				23		16:00	191		264				455	
4:15	12		26				38		16:15	201		276				477	
4:30	22		22				44		16:30	185		240				425	
4:45	22	63	21	85			43	148	16:45	214	791	272	1052			486	1843
5:00	26		43				69		17:00	257		337				594	
5:15	41		46				87		17:15	246		300				546	
5:30	57		61				118		17:30	272		310				582	
5:45	41	165	63	213			104	378	17:45	252	1027	297	1244			549	2271
6:00	57		67				124		18:00	278		293				571	
6:15	90		96				186		18:15	250		287				537	
6:30	107		114				221		18:30	244		240				484	
6:45	133	387	100	377			233	764	18:45	179	951	229	1049			408	2000
7:00	158		101				259		19:00	171		183				354	
7:15	225		152				377		19:15	157		180				337	
7:30	301		232				533		19:30	163		147				310	
7:45	289	973	222	707			511	1680	19:45	145	636	138	648			283	1284
8:00	237		257				494		20:00	138		132				270	
8:15	225		210				435		20:15	167		143				310	
8:30	196		206				402		20:30	133		119				252	
8:45	210	868	179	852			389	1720	20:45	125	563	112	506			237	1069
9:00	178		148				326		21:00	100		118				218	
9:15	191		187				378		21:15	104		92				196	
9:30	170		160				330		21:30	102		83				185	
9:45	156	695	191	686			347	1381	21:45	93	399	89	382			182	781
10:00	147		182				329		22:00	71		84				155	
10:15	152		167				319		22:15	74		83				157	
10:30	153		163				316		22:30	86		50				136	
10:45	148	600	160	672			308	1272	22:45	58	289	56	273			114	562
11:00	170		161				331		23:00	44		48				92	
11:15	150		127				277		23:15	29		32				61	
11:30	161		151				312		23:30	30		28				58	
11:45	152	633	156	595			308	1228	23:45	30	133	20	128			50	261
TOTALS		4672		4385				9057	TOTALS		7566		8309				15875
SPLIT %		51.6%		48.4%				36.3%	SPLIT %		47.7%		52.3%				63.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	12,238	12,694	0	0	24,932

AM Peak Hour	7:15	7:30	7:30	PM Peak Hour	17:30	17:00	17:00
AM Pk Volume	1052	921	1973	PM Pk Volume	1052	1244	2271
Pk Hr Factor	0.874	0.896	0.925	Pk Hr Factor	0.946	0.923	0.956
7 - 9 Volume	1841	1559	3400	4 - 6 Volume	1818	2296	4114
7 - 9 Peak Hour	7:15	7:30	7:30	4 - 6 Peak Hour	17:00	17:00	17:00
7 - 9 Pk Volume	1052	921	1973	4 - 6 Pk Volume	1027	1244	2271
Pk Hr Factor	0.874	0.896	0.925	Pk Hr Factor	0.944	0.923	0.956


Prepared by National Data & Surveying Services
Project #: CA24_020271_013
City: Monterey Park
Location: S Garfield Ave Bet Graves Ave & W/E El
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1400
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Garfield Ave Bet W/E El Repetto Dr & W/E Riggin St

Day: Tuesday
Date: 8/27/2024

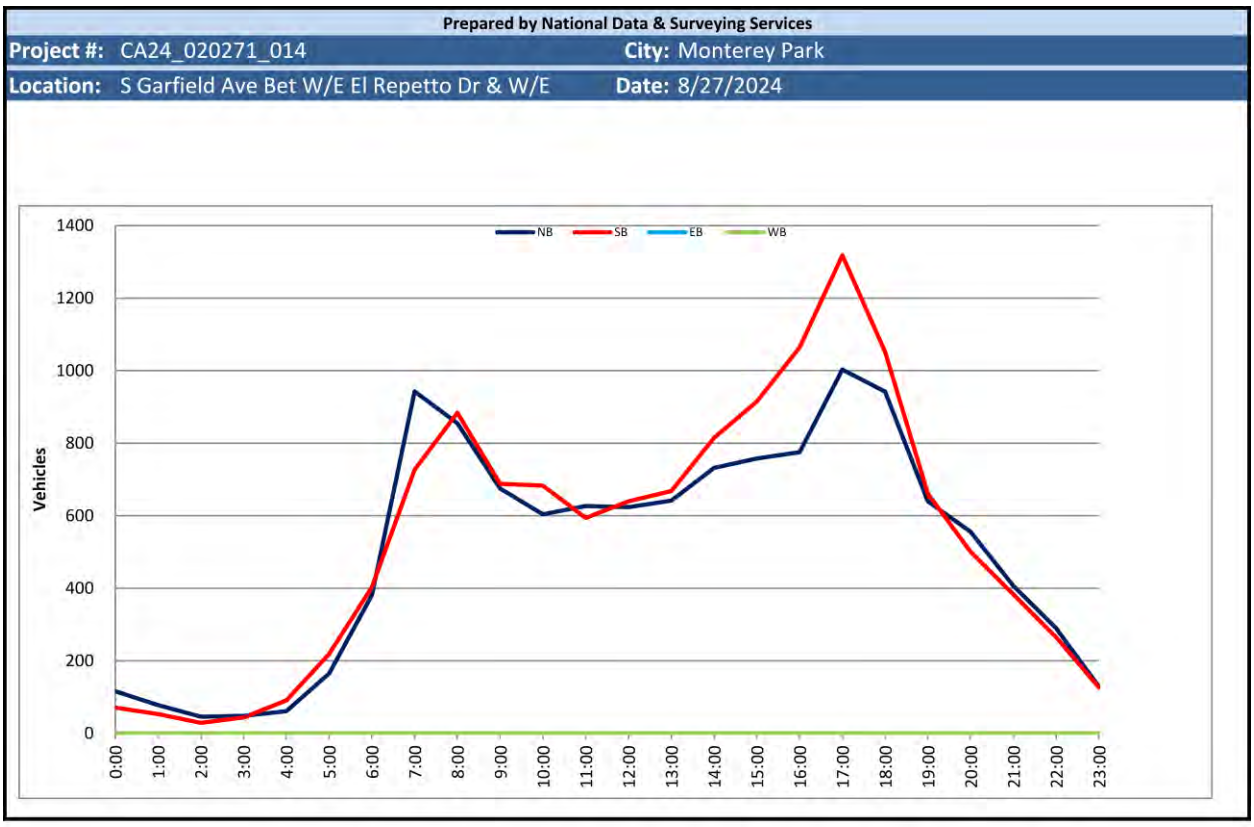
City: Monterey Park
Project #: CA24_020271_014

DAILY TOTALS	NB	SB	EB	WB	Total
	12,097	12,895	0	0	24,992

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	36		27				63		12:00	156		161				317	
0:15	20		19				39		12:15	154		162				316	
0:30	33		13				46		12:30	139		168				307	
0:45	27	116	12	71			39	187	12:45	175	624	149	640			324	1264
1:00	19		17				36		13:00	155		176				331	
1:15	21		17				38		13:15	146		161				307	
1:30	22		14				36		13:30	171		178				349	
1:45	16	78	5	53			21	131	13:45	170	642	153	668			323	1310
2:00	9		6				15		14:00	164		184				348	
2:15	11		6				17		14:15	181		170				351	
2:30	11		9				20		14:30	195		210				405	
2:45	15	46	8	29			23	75	14:45	192	732	251	815			443	1547
3:00	14		13				27		15:00	196		224				420	
3:15	7		12				19		15:15	188		223				411	
3:30	16		10				26		15:30	178		207				385	
3:45	11	48	9	44			20	92	15:45	196	758	261	915			457	1673
4:00	6		17				23		16:00	189		267				456	
4:15	12		27				39		16:15	194		280				474	
4:30	22		25				47		16:30	185		245				430	
4:45	21	61	22	91			43	152	16:45	207	775	272	1064			479	1839
5:00	25		44				69		17:00	247		342				589	
5:15	41		46				87		17:15	246		317				563	
5:30	56		62				118		17:30	261		342				603	
5:45	43	165	67	219			110	384	17:45	249	1003	317	1318			566	2321
6:00	54		72				126		18:00	276		296				572	
6:15	90		100				190		18:15	247		285				532	
6:30	103		121				224		18:30	240		241				481	
6:45	134	381	110	403			244	784	18:45	179	942	230	1052			409	1994
7:00	153		110				263		19:00	170		186				356	
7:15	217		155				372		19:15	159		183				342	
7:30	290		233				523		19:30	166		151				317	
7:45	283	943	229	727			512	1670	19:45	145	640	141	661			286	1301
8:00	230		274				504		20:00	136		134				270	
8:15	221		218				439		20:15	166		142				308	
8:30	193		209				402		20:30	128		114				242	
8:45	211	855	183	884			394	1739	20:45	126	556	111	501			237	1057
9:00	178		149				327		21:00	103		117				220	
9:15	183		187				370		21:15	104		96				200	
9:30	165		158				323		21:30	104		81				185	
9:45	149	675	194	688			343	1363	21:45	96	407	89	383			185	790
10:00	148		183				331		22:00	73		80				153	
10:15	154		172				326		22:15	74		76				150	
10:30	152		166				318		22:30	85		51				136	
10:45	150	604	162	683			312	1287	22:45	58	290	58	265			116	555
11:00	169		156				325		23:00	43		47				90	
11:15	143		128				271		23:15	28		32				60	
11:30	162		160				322		23:30	29		28				57	
11:45	153	627	150	594			303	1221	23:45	29	129	20	127			49	256
TOTALS		4599		4486				9085	TOTALS		7498		8409				15907
SPLIT %		50.6%		49.4%				36.4%	SPLIT %		47.1%		52.9%				63.6%

DAILY TOTALS	NB	SB	EB	WB	Total
	12,097	12,895	0	0	24,992

AM Peak Hour	7:30	7:30	7:30	PM Peak Hour	17:30	17:00	17:00
AM Pk Volume	1024	954	1978	PM Pk Volume	1033	1318	2321
Pk Hr Factor	0.883	0.870	0.946	Pk Hr Factor	0.936	0.963	0.962
7 - 9 Volume	1798	1611	3409	4 - 6 Volume	1778	2382	4160
7 - 9 Peak Hour	7:30	7:30	7:30	4 - 6 Peak Hour	17:00	17:00	17:00
7 - 9 Pk Volume	1024	954	1978	4 - 6 Pk Volume	1003	1318	2321
Pk Hr Factor	0.883	0.870	0.946	Pk Hr Factor	0.961	0.963	0.962


Prepared by National Data & Surveying Services
Project #: CA24_020271_014
City: Monterey Park
Location: S Garfield Ave Bet W/E El Repetto Dr & W/E
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1400
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Garfield Ave Bet W/E Riggin St & W/E Pomona Blvd

Day: Tuesday
Date: 8/27/2024

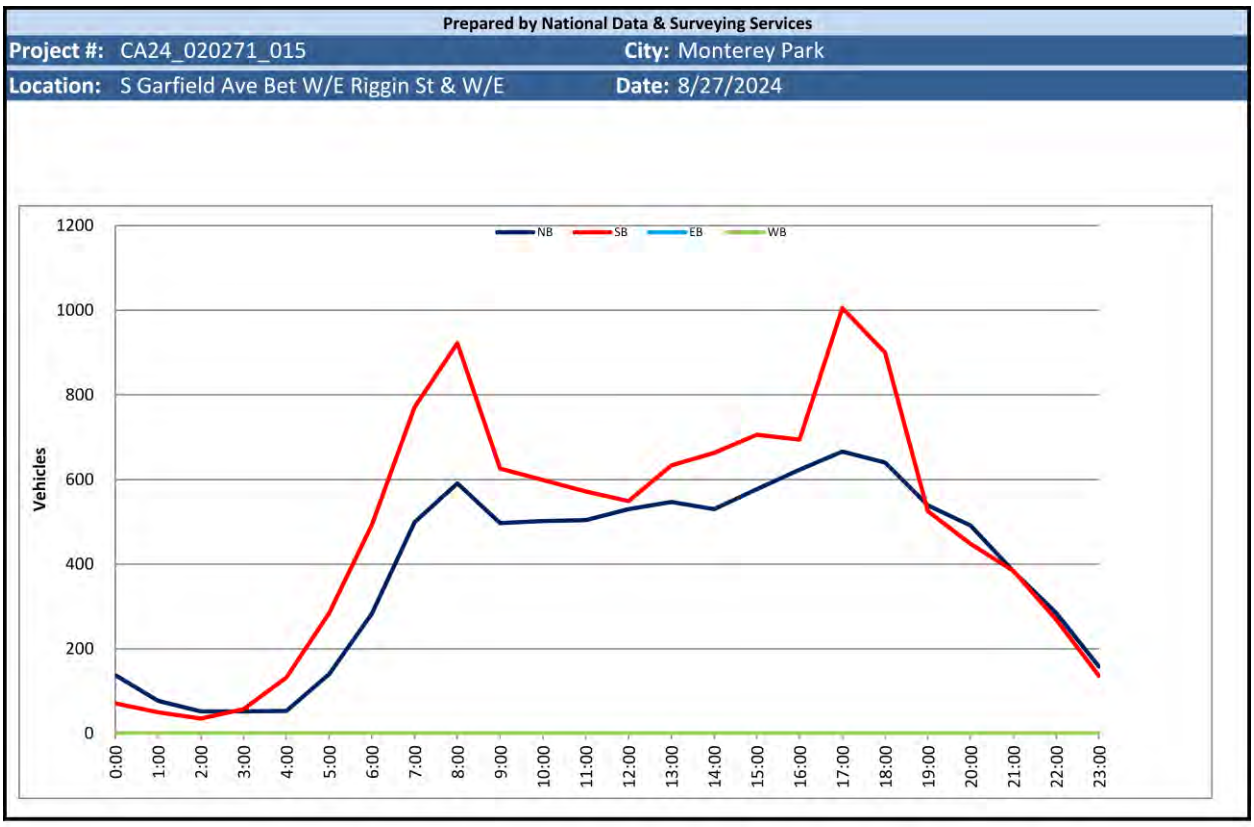
City: Monterey Park
Project #: CA24_020271_015

DAILY TOTALS	NB	SB	EB	WB	Total
	9,357	11,524	0	0	20,881

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	46		26				72		12:00	118		128				246	
0:15	23		15				38		12:15	144		136				280	
0:30	45		18				63		12:30	145		142				287	
0:45	24	138	12	71			36	209	12:45	123	530	143	549			266	1079
1:00	20		15				35		13:00	152		145				297	
1:15	20		14				34		13:15	125		164				289	
1:30	20		15				35		13:30	144		170				314	
1:45	17	77	6	50			23	127	13:45	126	547	154	633			280	1180
2:00	8		8				16		14:00	120		139				259	
2:15	13		6				19		14:15	145		188				333	
2:30	15		12				27		14:30	126		156				282	
2:45	16	52	9	35			25	87	14:45	139	530	180	663			319	1193
3:00	16		12				28		15:00	159		186				345	
3:15	7		13				20		15:15	122		173				295	
3:30	18		17				35		15:30	142		173				315	
3:45	11	52	15	57			26	109	15:45	154	577	174	706			328	1283
4:00	5		24				29		16:00	138		147				285	
4:15	12		32				44		16:15	155		168				323	
4:30	18		45				63		16:30	140		190				330	
4:45	18	53	31	132			49	185	16:45	190	623	189	694			379	1317
5:00	19		51				70		17:00	145		216				361	
5:15	41		70				111		17:15	171		270				441	
5:30	50		75				125		17:30	168		246				414	
5:45	30	140	88	284			118	424	17:45	182	666	273	1005			455	1671
6:00	49		98				147		18:00	183		243				426	
6:15	59		122				181		18:15	153		252				405	
6:30	88		132				220		18:30	174		218				392	
6:45	87	283	141	493			228	776	18:45	130	640	187	900			317	1540
7:00	92		144				236		19:00	132		151				283	
7:15	121		179				300		19:15	113		148				261	
7:30	134		193				327		19:30	165		121				286	
7:45	152	499	255	771			407	1270	19:45	129	539	105	525			234	1064
8:00	161		250				411		20:00	115		135				250	
8:15	155		259				414		20:15	139		120				259	
8:30	141		215				356		20:30	121		91				212	
8:45	134	591	198	922			332	1513	20:45	116	491	102	448			218	939
9:00	140		141				281		21:00	106		108				214	
9:15	127		154				281		21:15	100		100				200	
9:30	136		149				285		21:30	86		86				172	
9:45	94	497	182	626			276	1123	21:45	91	383	90	384			181	767
10:00	133		165				298		22:00	72		72				144	
10:15	111		132				243		22:15	63		86				149	
10:30	138		168				306		22:30	88		58				146	
10:45	120	502	134	599			254	1101	22:45	62	285	53	269			115	554
11:00	118		150				268		23:00	44		48				92	
11:15	119		141				260		23:15	45		34				79	
11:30	146		127				273		23:30	35		38				73	
11:45	121	504	154	572			275	1076	23:45	34	158	16	136			50	294
TOTALS		3388		4612				8000	TOTALS		5969		6912				12881
SPLIT %		42.4%		57.7%				38.3%	SPLIT %		46.3%		53.7%				61.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	9,357	11,524	0	0	20,881

AM Peak Hour	7:45	7:45	7:45	PM Peak Hour	17:15	17:15	17:15
AM Pk Volume	609	979	1588	PM Pk Volume	704	1032	1736
Pk Hr Factor	0.946	0.945	0.959	Pk Hr Factor	0.962	0.945	0.954
7 - 9 Volume	1090	1693	2783	4 - 6 Volume	1289	1699	2988
7 - 9 Peak Hour	7:45	7:45	7:45	4 - 6 Peak Hour	16:45	17:00	17:00
7 - 9 Pk Volume	609	979	1588	4 - 6 Pk Volume	674	1005	1671
Pk Hr Factor	0.946	0.945	0.959	Pk Hr Factor	0.887	0.920	0.918


Prepared by National Data & Surveying Services
Project #: CA24_020271_015
City: Monterey Park
Location: S Garfield Ave Bet W/E Riggin St & W/E
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Garvey Ave Bet Casuda Canyon Dr & S Fremont Ave

Day: Tuesday
Date: 8/27/2024

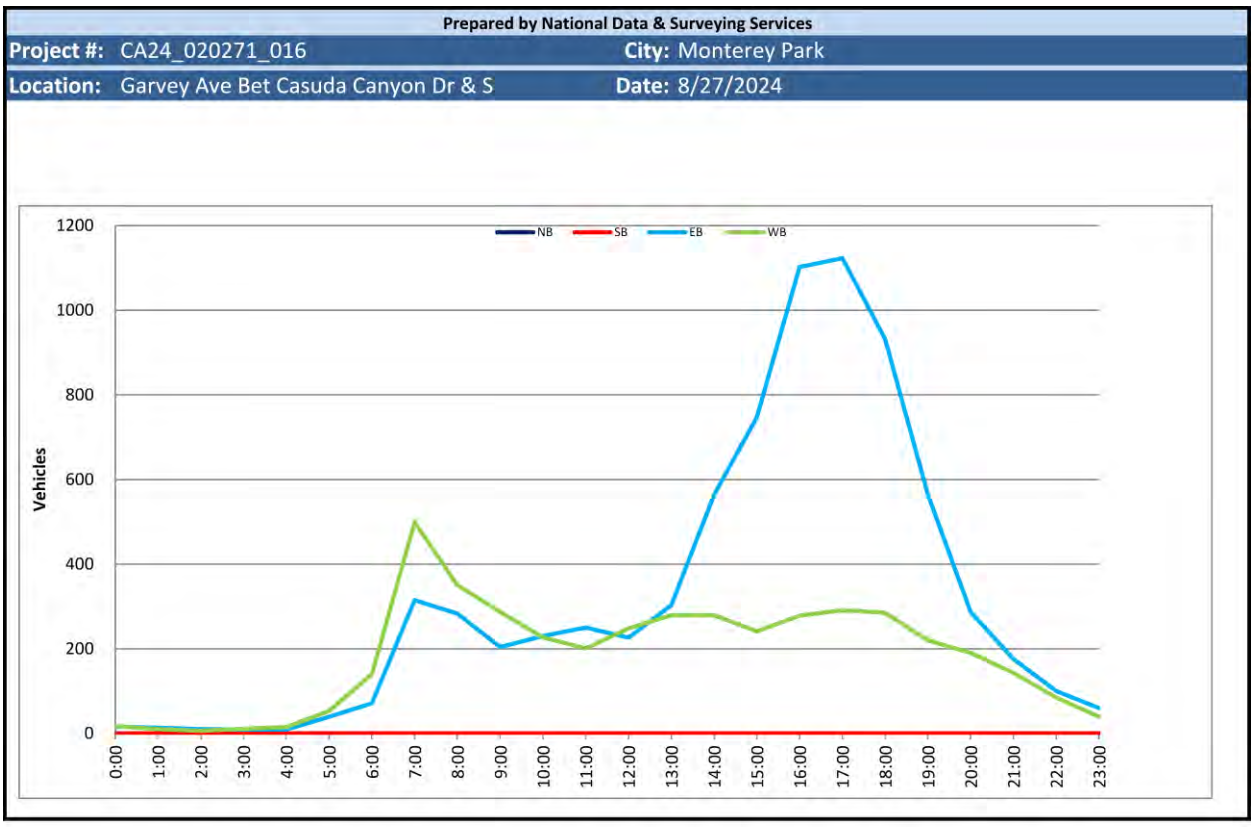
City: Monterey Park
Project #: CA24_020271_016

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	7,634	4,394	12,028

AM Period	NB	SB	EB		WB		TOTAL		PM Period	NB	SB	EB		WB		TOTAL	
0:00			3		6		9		12:00			72		72		144	
0:15			10		5		15		12:15			54		56		110	
0:30			2		3		5		12:30			55		63		118	
0:45			1	16	3	17	4	33	12:45			45	226	57	248	102	474
1:00			2		3		5		13:00			58		65		123	
1:15			4		2		6		13:15			71		86		157	
1:30			6		3		9		13:30			82		59		141	
1:45			1	13	2	10	3	23	13:45			92	303	69	279	161	582
2:00			3		1		4		14:00			104		77		181	
2:15			2		4		6		14:15			128		84		212	
2:30			2		0		2		14:30			170		63		233	
2:45			3	10	1	6	4	16	14:45			162	564	55	279	217	843
3:00			1		0		1		15:00			154		46		200	
3:15			3		4		7		15:15			175		51		226	
3:30			2		1		3		15:30			174		62		236	
3:45			3	9	6	11	9	20	15:45			244	747	82	241	326	988
4:00			2		5		7		16:00			290		68		358	
4:15			1		3		4		16:15			238		61		299	
4:30			3		5		8		16:30			271		77		348	
4:45			3	9	2	15	5	24	16:45			303	1102	72	278	375	1380
5:00			5		7		12		17:00			300		61		361	
5:15			13		9		22		17:15			283		78		361	
5:30			7		22		29		17:30			293		86		379	
5:45			14	39	15	53	29	92	17:45			247	1123	66	291	313	1414
6:00			12		25		37		18:00			244		70		314	
6:15			17		31		48		18:15			239		83		322	
6:30			12		37		49		18:30			249		65		314	
6:45			30	71	47	140	77	211	18:45			200	932	67	285	267	1217
7:00			27		74		101		19:00			153		52		205	
7:15			48		91		139		19:15			132		58		190	
7:30			99		190		289		19:30			164		54		218	
7:45			141	315	144	499	285	814	19:45			116	565	56	220	172	785
8:00			141		90		231		20:00			101		45		146	
8:15			49		82		131		20:15			85		52		137	
8:30			45		83		128		20:30			48		46		94	
8:45			48	283	95	350	143	633	20:45			53	287	47	190	100	477
9:00			50		79		129		21:00			42		44		86	
9:15			46		72		118		21:15			39		39		78	
9:30			59		62		121		21:30			53		39		92	
9:45			49	204	74	287	123	491	21:45			42	176	21	143	63	319
10:00			46		72		118		22:00			35		28		63	
10:15			51		60		111		22:15			29		17		46	
10:30			63		52		115		22:30			25		26		51	
10:45			70	230	43	227	113	457	22:45			11	100	14	85	25	185
11:00			65		55		120		23:00			21		13		34	
11:15			52		42		94		23:15			10		10		20	
11:30			70		57		127		23:30			14		6		20	
11:45			63	250	47	201	110	451	23:45			15	60	10	39	25	99
TOTALS				1449		1816		3265	TOTALS				6185		2578		8763
SPLIT %				44.4%		55.6%		27.1%	SPLIT %				70.6%		29.4%		72.9%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	7,634	4,394	12,028

AM Peak Hour	7:30	7:15	**7:15**	PM Peak Hour	16:45	17:30	**16:45**
AM Pk Volume	430	515	**944**	PM Pk Volume	1179	305	**1476**
Pk Hr Factor	0.762	0.678	**0.817**	Pk Hr Factor	0.973	0.887	**0.974**
7 - 9 Volume	598	849	**1447**	4 - 6 Volume	2225	569	**2794**
7 - 9 Peak Hour	7:30	7:15	**7:15**	4 - 6 Peak Hour	16:45	16:45	**16:45**
7 - 9 Pk Volume	430	515	**944**	4 - 6 Pk Volume	1179	297	**1476**
Pk Hr Factor	0.762	0.678	**0.817**	Pk Hr Factor	0.973	0.863	**0.974**


Prepared by National Data & Surveying Services
Project #: CA24_020271_016
City: Monterey Park
Location: Garvey Ave Bet Casuda Canyon Dr & S
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Garvey Ave Bet S Fremont Ave & N/S Atlantic Blvd

Day: Tuesday
Date: 8/27/2024

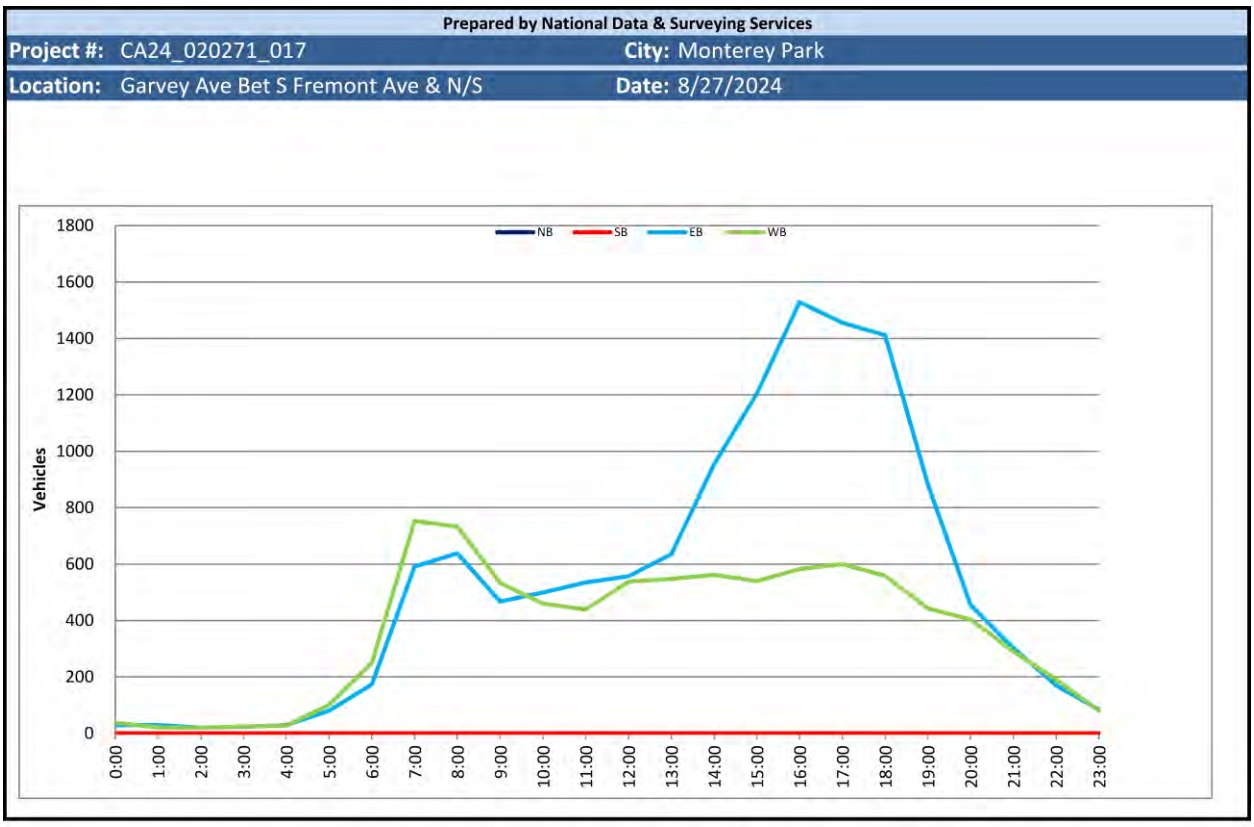
City: Monterey Park
Project #: CA24_020271_017

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	12,755	8,740	21,495

AM Period	NB	SB	EB		WB		TOTAL		PM Period	NB	SB	EB		WB		TOTAL	
0:00			9		18		27		12:00			147		135		282	
0:15			8		6		14		12:15			132		123		255	
0:30			7		7		14		12:30			138		129		267	
0:45			5	29	7	38	12	67	12:45			140	557	151	538	291	1095
1:00			4		5		9		13:00			143		121		264	
1:15			10		3		13		13:15			133		173		306	
1:30			8		7		15		13:30			150		128		278	
1:45			7	29	6	21	13	50	13:45			209	635	126	548	335	1183
2:00			3		5		8		14:00			166		153		319	
2:15			7		8		15		14:15			232		151		383	
2:30			6		2		8		14:30			234		129		363	
2:45			4	20	5	20	9	40	14:45			322	954	129	562	451	1516
3:00			5		2		7		15:00			262		111		373	
3:15			6		10		16		15:15			284		130		414	
3:30			4		6		10		15:30			306		131		437	
3:45			8	23	7	25	15	48	15:45			352	1204	168	540	520	1744
4:00			9		4		13		16:00			416		142		558	
4:15			4		5		9		16:15			364		144		508	
4:30			8		11		19		16:30			395		155		550	
4:45			8	29	8	28	16	57	16:45			354	1529	142	583	496	2112
5:00			15		15		30		17:00			393		159		552	
5:15			17		17		34		17:15			347		155		502	
5:30			21		23		44		17:30			391		146		537	
5:45			27	80	46	101	73	181	17:45			324	1455	140	600	464	2055
6:00			28		44		72		18:00			393		137		530	
6:15			38		58		96		18:15			358		155		513	
6:30			36		63		99		18:30			367		148		515	
6:45			72	174	85	250	157	424	18:45			294	1412	119	559	413	1971
7:00			66		111		177		19:00			272		117		389	
7:15			106		154		260		19:15			194		113		307	
7:30			189		256		445		19:30			234		100		334	
7:45			230	591	232	753	462	1344	19:45			183	883	113	443	296	1326
8:00			258		176		434		20:00			145		101		246	
8:15			139		177		316		20:15			156		102		258	
8:30			115		192		307		20:30			62		100		162	
8:45			126	638	188	733	314	1371	20:45			92	455	101	404	193	859
9:00			113		155		268		21:00			89		75		164	
9:15			123		122		245		21:15			81		86		167	
9:30			131		122		253		21:30			70		73		143	
9:45			100	467	134	533	234	1000	21:45			63	303	57	291	120	594
10:00			108		130		238		22:00			55		56		111	
10:15			132		121		253		22:15			46		44		90	
10:30			118		108		226		22:30			38		59		97	
10:45			141	499	101	460	242	959	22:45			31	170	32	191	63	361
11:00			153		104		257		23:00			24		25		49	
11:15			108		106		214		23:15			16		17		33	
11:30			117		113		230		23:30			23		20		43	
11:45			157	535	116	439	273	974	23:45			21	84	18	80	39	164
TOTALS				3114		3401		6515	TOTALS				9641		5339		14980
SPLIT %				47.8%		52.2%		30.3%	SPLIT %				64.4%		35.6%		69.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	12,755	8,740	21,495

AM Peak Hour	7:30	7:30	7:30	PM Peak Hour	16:00	16:30	15:45
AM Pk Volume	816	841	1657	PM Pk Volume	1529	611	2136
Pk Hr Factor	0.791	0.821	0.897	Pk Hr Factor	0.919	0.961	0.957
7 - 9 Volume	1229	1486	2715	4 - 6 Volume	2984	1183	4167
7 - 9 Peak Hour	7:30	7:30	7:30	4 - 6 Peak Hour	16:00	16:30	16:00
7 - 9 Pk Volume	816	841	1657	4 - 6 Pk Volume	1529	611	2112
Pk Hr Factor	0.791	0.821	0.897	Pk Hr Factor	0.919	0.961	0.946


Prepared by National Data & Surveying Services
Project #: CA24_020271_017
City: Monterey Park
Location: Garvey Ave Bet S Fremont Ave & N/S
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1800
1600
1400
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Garvey Ave Bet N/S Atlantic Blvd & N Garfield Ave

Day: Tuesday
Date: 8/27/2024

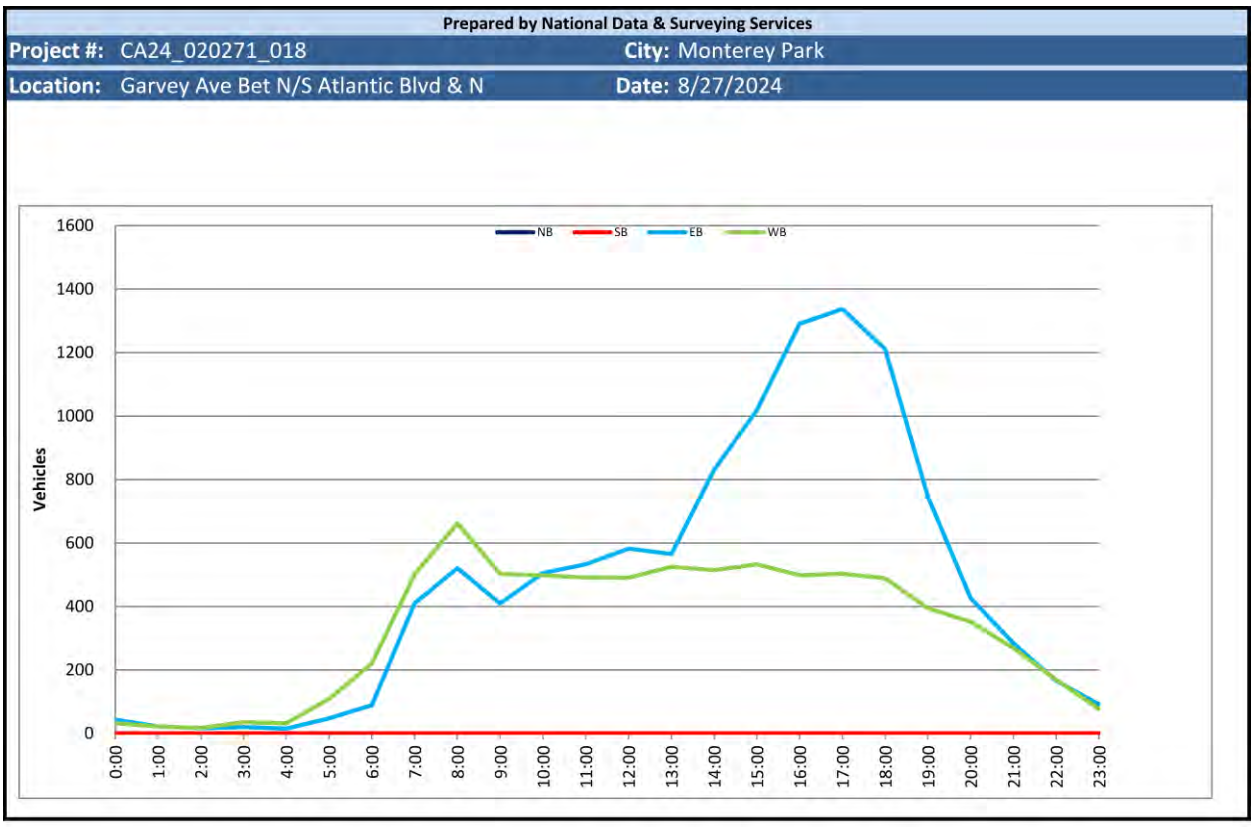
City: Monterey Park
Project #: CA24_020271_018

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	11,179	7,934	19,113

AM Period	NB	SB	EB		WB		TOTAL		PM Period	NB	SB	EB		WB		TOTAL	
0:00			14		10		24		12:00			140		129		269	
0:15			12		8		20		12:15			148		112		260	
0:30			9		9		18		12:30			147		116		263	
0:45			8	43	5	32	13	75	12:45			147	582	133	490	280	1072
1:00			5		7		12		13:00			132		119		251	
1:15			5		5		10		13:15			116		146		262	
1:30			5		8		13		13:30			140		125		265	
1:45			7	22	2	22	9	44	13:45			177	565	135	525	312	1090
2:00			2		3		5		14:00			153		125		278	
2:15			3		5		8		14:15			181		136		317	
2:30			5		4		9		14:30			217		121		338	
2:45			6	16	5	17	11	33	14:45			279	830	132	514	411	1344
3:00			9		5		14		15:00			216		111		327	
3:15			2		15		17		15:15			252		129		381	
3:30			2		5		7		15:30			253		126		379	
3:45			7	20	10	35	17	55	15:45			297	1018	167	533	464	1551
4:00			4		4		8		16:00			314		147		461	
4:15			3		7		10		16:15			321		120		441	
4:30			3		5		8		16:30			347		116		463	
4:45			5	15	16	32	21	47	16:45			309	1291	115	498	424	1789
5:00			9		14		23		17:00			343		134		477	
5:15			5		23		28		17:15			329		131		460	
5:30			16		31		47		17:30			344		112		456	
5:45			17	47	41	109	58	156	17:45			321	1337	126	503	447	1840
6:00			11		27		38		18:00			335		137		472	
6:15			24		53		77		18:15			292		117		409	
6:30			20		65		85		18:30			311		149		460	
6:45			34	89	75	220	109	309	18:45			273	1211	86	489	359	1700
7:00			52		63		115		19:00			223		93		316	
7:15			64		113		177		19:15			170		96		266	
7:30			127		163		290		19:30			182		96		278	
7:45			167	410	162	501	329	911	19:45			172	747	109	394	281	1141
8:00			195		151		346		20:00			125		102		227	
8:15			116		190		306		20:15			125		87		212	
8:30			94		178		272		20:30			87		86		173	
8:45			116	521	143	662	259	1183	20:45			90	427	77	352	167	779
9:00			89		117		206		21:00			88		71		159	
9:15			102		120		222		21:15			64		82		146	
9:30			103		122		225		21:30			66		60		126	
9:45			115	409	143	502	258	911	21:45			66	284	56	269	122	553
10:00			101		141		242		22:00			45		48		93	
10:15			136		123		259		22:15			39		40		79	
10:30			127		118		245		22:30			45		43		88	
10:45			141	505	116	498	257	1003	22:45			37	166	38	169	75	335
11:00			141		118		259		23:00			33		27		60	
11:15			114		133		247		23:15			26		12		38	
11:30			132		111		243		23:30			17		22		39	
11:45			146	533	129	491	275	1024	23:45			15	91	16	77	31	168
TOTALS				2630		3121		5751	TOTALS				8549		4813		13362
SPLIT %				45.7%		54.3%		30.1%	SPLIT %				64.0%		36.0%		69.9%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	11,179	7,934	19,113

AM Peak Hour	7:30	7:45	7:30	PM Peak Hour	17:00	15:15	17:00
AM Pk Volume	605	681	1271	PM Pk Volume	1337	569	1840
Pk Hr Factor	0.776	0.896	0.918	Pk Hr Factor	0.972	0.852	0.964
7 - 9 Volume	931	1163	2094	4 - 6 Volume	2628	1001	3629
7 - 9 Peak Hour	7:30	7:45	7:30	4 - 6 Peak Hour	17:00	17:00	17:00
7 - 9 Pk Volume	605	681	1271	4 - 6 Pk Volume	1337	503	1840
Pk Hr Factor	0.776	0.896	0.918	Pk Hr Factor	0.972	0.938	0.964


Prepared by National Data & Surveying Services
Project #: CA24_020271_018
City: Monterey Park
Location: Garvey Ave Bet N/S Atlantic Blvd & N
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1600
1400
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Garvey Ave Bet N Garfield Ave & New Avenue

Day: Tuesday
Date: 8/27/2024

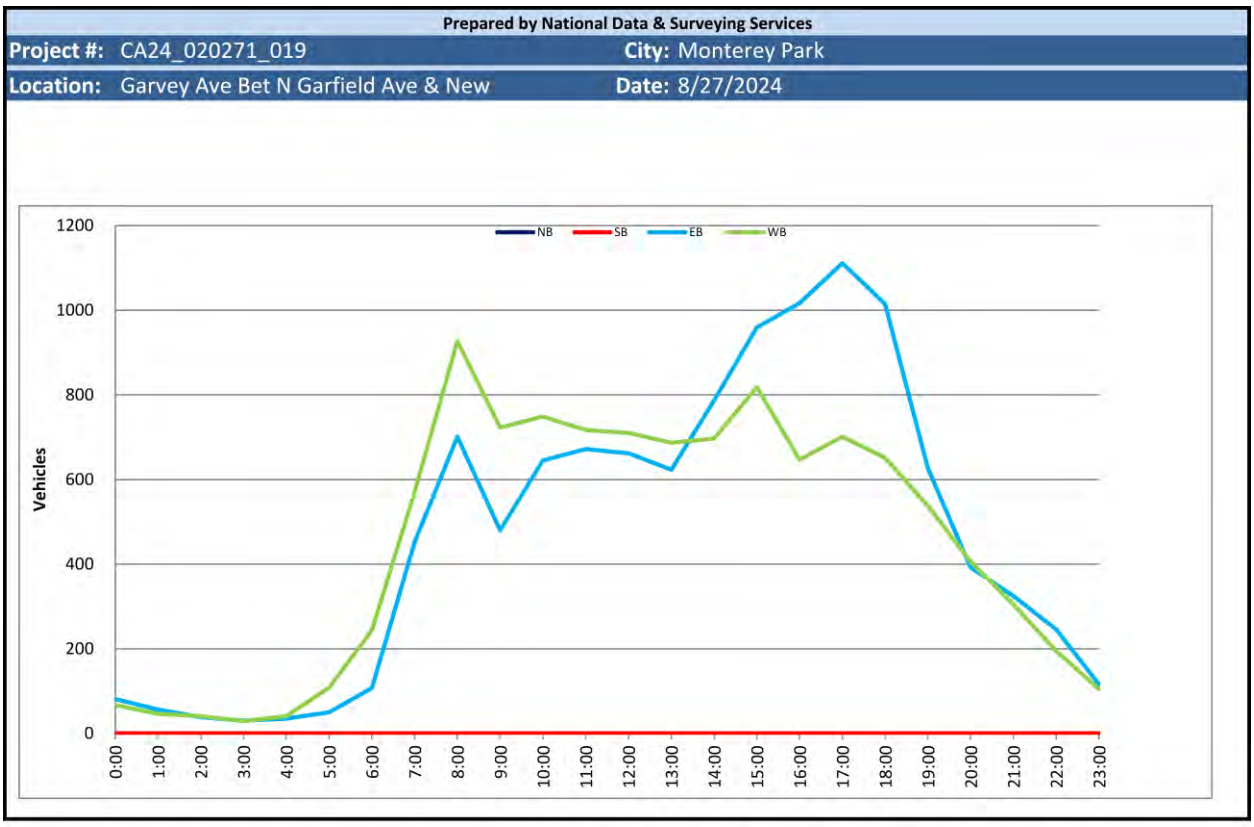
City: Monterey Park
Project #: CA24_020271_019

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	11,227	10,721	21,948

AM Period	NB	SB	EB		WB		TOTAL		PM Period	NB	SB	EB		WB		TOTAL	
0:00			22		23		45		12:00			166		184		350	
0:15			18		19		37		12:15			172		182		354	
0:30			26		16		42		12:30			155		166		321	
0:45			15	81	9	67	24	148	12:45			169	662	178	710	347	1372
1:00			11		12		23		13:00			165		171		336	
1:15			17		14		31		13:15			132		181		313	
1:30			14		10		24		13:30			162		161		323	
1:45			14	56	10	46	24	102	13:45			164	623	174	687	338	1310
2:00			4		8		12		14:00			170		169		339	
2:15			13		6		19		14:15			220		161		381	
2:30			11		12		23		14:30			183		168		351	
2:45			10	38	15	41	25	79	14:45			214	787	199	697	413	1484
3:00			7		1		8		15:00			215		179		394	
3:15			9		13		22		15:15			246		177		423	
3:30			6		10		16		15:30			259		196		455	
3:45			8	30	5	29	13	59	15:45			239	959	266	818	505	1777
4:00			9		7		16		16:00			233		172		405	
4:15			7		9		16		16:15			251		174		425	
4:30			6		10		16		16:30			284		142		426	
4:45			13	35	15	41	28	76	16:45			249	1017	159	647	408	1664
5:00			8		17		25		17:00			254		179		433	
5:15			10		32		42		17:15			302		184		486	
5:30			18		21		39		17:30			294		172		466	
5:45			14	50	38	108	52	158	17:45			261	1111	166	701	427	1812
6:00			16		48		64		18:00			276		196		472	
6:15			26		56		82		18:15			236		166		402	
6:30			27		65		92		18:30			255		146		401	
6:45			38	107	74	243	112	350	18:45			248	1015	143	651	391	1666
7:00			55		91		146		19:00			181		137		318	
7:15			96		145		241		19:15			164		141		305	
7:30			113		148		261		19:30			145		123		268	
7:45			188	452	186	570	374	1022	19:45			137	627	137	538	274	1165
8:00			246		235		481		20:00			153		108		261	
8:15			221		270		491		20:15			81		117		198	
8:30			111		237		348		20:30			80		91		171	
8:45			123	701	185	927	308	1628	20:45			78	392	90	406	168	798
9:00			107		164		271		21:00			101		71		172	
9:15			107		175		282		21:15			75		92		167	
9:30			138		167		305		21:30			69		74		143	
9:45			128	480	217	723	345	1203	21:45			80	325	68	305	148	630
10:00			151		211		362		22:00			65		64		129	
10:15			166		184		350		22:15			65		44		109	
10:30			165		164		329		22:30			59		60		119	
10:45			163	645	190	749	353	1394	22:45			57	246	27	195	84	441
11:00			160		155		315		23:00			34		37		71	
11:15			169		192		361		23:15			29		28		57	
11:30			170		182		352		23:30			28		17		45	
11:45			173	672	188	717	361	1389	23:45			25	116	23	105	48	221
TOTALS				3347		4261		7608	TOTALS				7880		6460		14340
SPLIT %				44.0%		56.0%		34.7%	SPLIT %				55.0%		45.0%		65.3%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	11,227	10,721	21,948

AM Peak Hour	7:30	7:45	7:45	PM Peak Hour	17:15	15:00	17:15
AM Pk Volume	768	928	1694	PM Pk Volume	1133	818	1851
Pk Hr Factor	0.780	0.859	0.863	Pk Hr Factor	0.938	0.769	0.952
7 - 9 Volume	1153	1497	2650	4 - 6 Volume	2128	1348	3476
7 - 9 Peak Hour	7:30	7:45	7:45	4 - 6 Peak Hour	17:00	17:00	17:00
7 - 9 Pk Volume	768	928	1694	4 - 6 Pk Volume	1111	701	1812
Pk Hr Factor	0.780	0.859	0.863	Pk Hr Factor	0.920	0.952	0.932


Prepared by National Data & Surveying Services
Project #: CA24_020271_019
City: Monterey Park
Location: Garvey Ave Bet N Garfield Ave & New
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

N Orange Ave Bet E Hellman Avenue & E Garvey Avenue

Day: Tuesday
Date: 8/27/2024

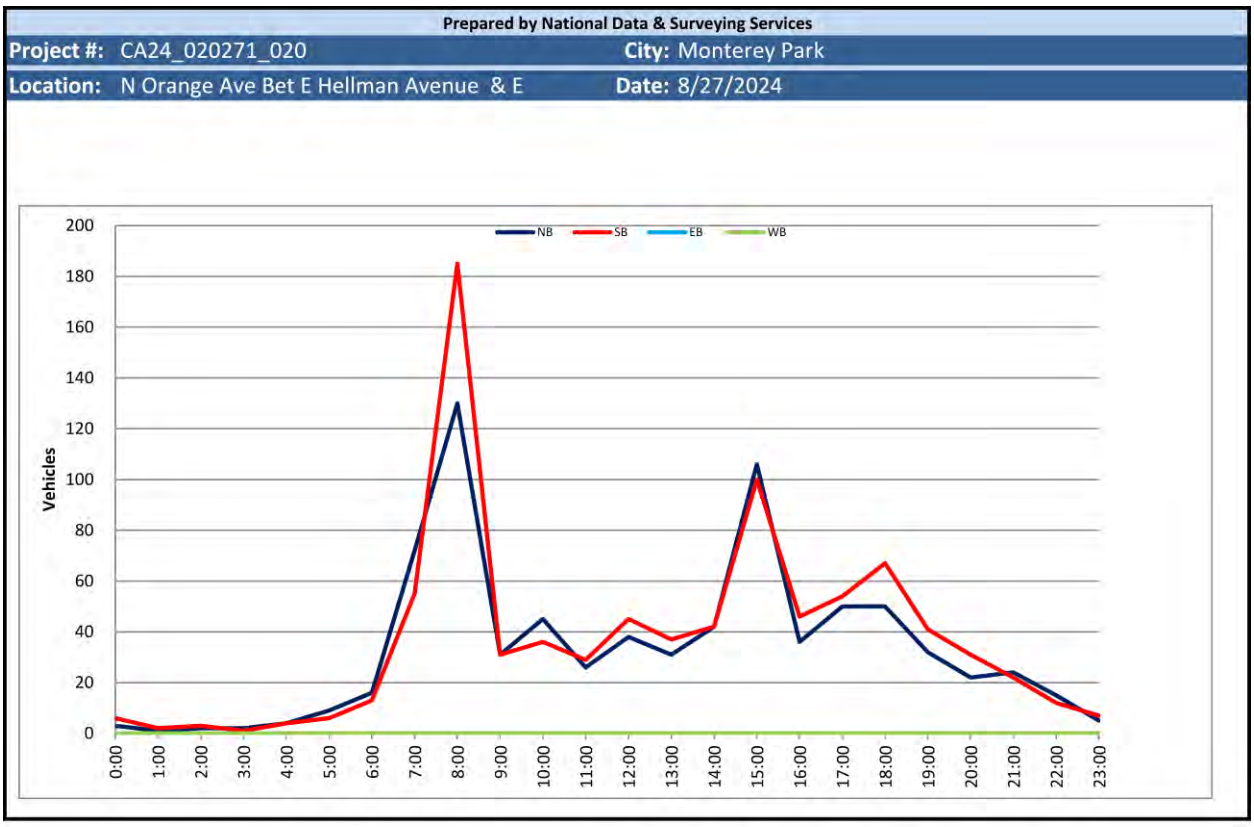
City: Monterey Park
Project #: CA24_020271_020

DAILY TOTALS	NB	SB	EB	WB	Total
	792	875	0	0	1,667

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	1		2				3		12:00	9		8				17	
0:15	2		1				3		12:15	10		11				21	
0:30	0		1				1		12:30	9		15				24	
0:45	0	3	2	6			2	9	12:45	10	38	11	45			21	83
1:00	0		1				1		13:00	10		17				27	
1:15	0		1				1		13:15	6		10				16	
1:30	1		0				1		13:30	9		5				14	
1:45	0	1	0	2			0	3	13:45	6	31	5	37			11	68
2:00	0		1				1		14:00	7		13				20	
2:15	0		0				0		14:15	12		8				20	
2:30	0		0				0		14:30	8		8				16	
2:45	2	2	2	3			4	5	14:45	15	42	13	42			28	84
3:00	0		1				1		15:00	19		11				30	
3:15	1		0				1		15:15	33		20				53	
3:30	1		0				1		15:30	36		39				75	
3:45	0	2	0	1			0	3	15:45	18	106	30	100			48	206
4:00	0		2				2		16:00	11		12				23	
4:15	2		1				3		16:15	7		5				12	
4:30	0		0				0		16:30	11		11				22	
4:45	2	4	1	4			3	8	16:45	7	36	18	46			25	82
5:00	2		3				5		17:00	12		13				25	
5:15	2		1				3		17:15	13		11				24	
5:30	2		0				2		17:30	8		16				24	
5:45	3	9	2	6			5	15	17:45	17	50	14	54			31	104
6:00	4		1				5		18:00	18		15				33	
6:15	2		5				7		18:15	13		18				31	
6:30	6		2				8		18:30	10		16				26	
6:45	4	16	5	13			9	29	18:45	9	50	18	67			27	117
7:00	7		4				11		19:00	10		11				21	
7:15	20		7				27		19:15	8		9				17	
7:30	9		12				21		19:30	6		10				16	
7:45	36	72	32	55			68	127	19:45	8	32	11	41			19	73
8:00	61		69				130		20:00	3		7				10	
8:15	50		85				135		20:15	5		10				15	
8:30	7		23				30		20:30	6		9				15	
8:45	12	130	8	185			20	315	20:45	8	22	5	31			13	53
9:00	11		9				20		21:00	9		6				15	
9:15	7		7				14		21:15	3		9				12	
9:30	7		6				13		21:30	7		4				11	
9:45	6	31	9	31			15	62	21:45	5	24	3	22			8	46
10:00	14		11				25		22:00	4		7				11	
10:15	8		8				16		22:15	3		2				5	
10:30	14		10				24		22:30	5		2				7	
10:45	9	45	7	36			16	81	22:45	3	15	1	12			4	27
11:00	7		9				16		23:00	4		0				4	
11:15	8		6				14		23:15	1		3				4	
11:30	7		6				13		23:30	0		3				3	
11:45	4	26	8	29			12	55	23:45	0	5	1	7			1	12
TOTALS		341		371				712	TOTALS		451		504				955
SPLIT %		47.9%		52.1%				42.7%	SPLIT %		47.2%		52.8%				57.3%

DAILY TOTALS	NB	SB	EB	WB	Total
	792	875	0	0	1,667

AM Peak Hour	7:30	7:45	7:45	PM Peak Hour	15:00	15:15	15:00
AM Pk Volume	156	209	363	PM Pk Volume	106	101	206
Pk Hr Factor	0.639	0.615	0.672	Pk Hr Factor	0.736	0.647	0.687
7 - 9 Volume	202	240	442	4 - 6 Volume	86	100	186
7 - 9 Peak Hour	7:30	7:45	7:45	4 - 6 Peak Hour	17:00	16:45	17:00
7 - 9 Pk Volume	156	209	363	4 - 6 Pk Volume	50	58	104
Pk Hr Factor	0.639	0.615	0.672	Pk Hr Factor	0.735	0.806	0.839


Prepared by National Data & Surveying Services
Project #: CA24_020271_020
City: Monterey Park
Location: N Orange Ave Bet E Hellman Avenue & E
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
200
180
160
140
120
100
80
60
40
20
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Orange Ave Bet E Garvey Ave & Graves Ave

Day: Tuesday
Date: 8/27/2024

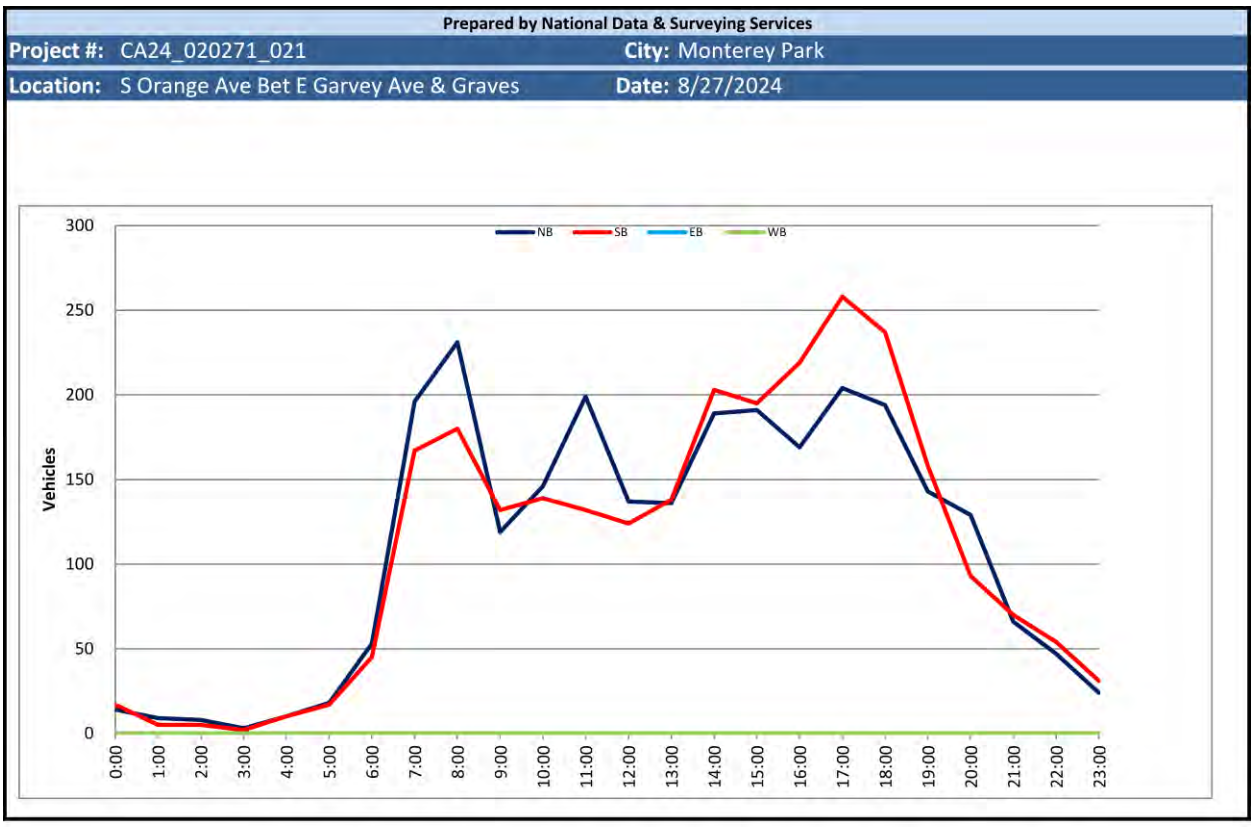
City: Monterey Park
Project #: CA24_020271_021

DAILY TOTALS	NB	SB	EB	WB	Total
	2,635	2,631	0	0	5,266

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	5		5				10		12:00	37		39				76	
0:15	5		2				7		12:15	24		24				48	
0:30	1		5				6		12:30	34		31				65	
0:45	3	14	5	17			8	31	12:45	42	137	30	124			72	261
1:00	2		1				3		13:00	32		31				63	
1:15	3		1				4		13:15	24		31				55	
1:30	1		0				1		13:30	40		36				76	
1:45	3	9	3	5			6	14	13:45	40	136	40	138			80	274
2:00	0		1				1		14:00	31		42				73	
2:15	1		3				4		14:15	43		53				96	
2:30	6		0				6		14:30	60		53				113	
2:45	1	8	1	5			2	13	14:45	55	189	55	203			110	392
3:00	1		2				3		15:00	47		40				87	
3:15	1		0				1		15:15	43		50				93	
3:30	0		0				0		15:30	51		49				100	
3:45	1	3	0	2			1	5	15:45	50	191	56	195			106	386
4:00	2		2				4		16:00	48		62				110	
4:15	1		1				2		16:15	41		49				90	
4:30	2		4				6		16:30	40		54				94	
4:45	5	10	3	10			8	20	16:45	40	169	54	219			94	388
5:00	5		2				7		17:00	35		63				98	
5:15	4		4				8		17:15	45		71				116	
5:30	5		3				8		17:30	57		64				121	
5:45	4	18	8	17			12	35	17:45	67	204	60	258			127	462
6:00	17		9				26		18:00	55		61				116	
6:15	7		11				18		18:15	50		67				117	
6:30	10		10				20		18:30	49		52				101	
6:45	19	53	15	45			34	98	18:45	40	194	57	237			97	431
7:00	20		23				43		19:00	30		52				82	
7:15	48		25				73		19:15	37		49				86	
7:30	47		45				92		19:30	41		26				67	
7:45	81	196	74	167			155	363	19:45	35	143	31	158			66	301
8:00	78		68				146		20:00	28		40				68	
8:15	78		42				120		20:15	31		25				56	
8:30	32		36				68		20:30	40		16				56	
8:45	43	231	34	180			77	411	20:45	30	129	12	93			42	222
9:00	25		33				58		21:00	24		27				51	
9:15	30		27				57		21:15	14		19				33	
9:30	36		32				68		21:30	16		13				29	
9:45	28	119	40	132			68	251	21:45	12	66	11	70			23	136
10:00	33		32				65		22:00	10		15				25	
10:15	39		35				74		22:15	11		16				27	
10:30	30		40				70		22:30	13		13				26	
10:45	44	146	32	139			76	285	22:45	13	47	10	54			23	101
11:00	38		35				73		23:00	9		14				23	
11:15	55		34				89		23:15	5		8				13	
11:30	62		32				94		23:30	4		7				11	
11:45	44	199	31	132			75	331	23:45	6	24	2	31			8	55
TOTALS		1006		851				1857	TOTALS		1629		1780				3409
SPLIT %		54.2%		45.8%				35.3%	SPLIT %		47.8%		52.2%				64.7%

DAILY TOTALS	NB	SB	EB	WB	Total
	2,635	2,631	0	0	5,266

AM Peak Hour	7:30	7:30	7:30	PM Peak Hour	17:30	17:00	17:30
AM Pk Volume	284	229	513	PM Pk Volume	229	258	481
Pk Hr Factor	0.877	0.774	0.827	Pk Hr Factor	0.854	0.908	0.947
7 - 9 Volume	427	347	774	4 - 6 Volume	373	477	850
7 - 9 Peak Hour	7:30	7:30	7:30	4 - 6 Peak Hour	17:00	17:00	17:00
7 - 9 Pk Volume	284	229	513	4 - 6 Pk Volume	204	258	462
Pk Hr Factor	0.877	0.774	0.827	Pk Hr Factor	0.761	0.908	0.909


Prepared by National Data & Surveying Services
Project #: CA24_020271_021
City: Monterey Park
Location: S Orange Ave Bet E Garvey Ave & Graves
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
300
250
200
150
100
50
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Orange Ave Bet Graves Ave & Metro Dr

Day: Tuesday
Date: 8/27/2024

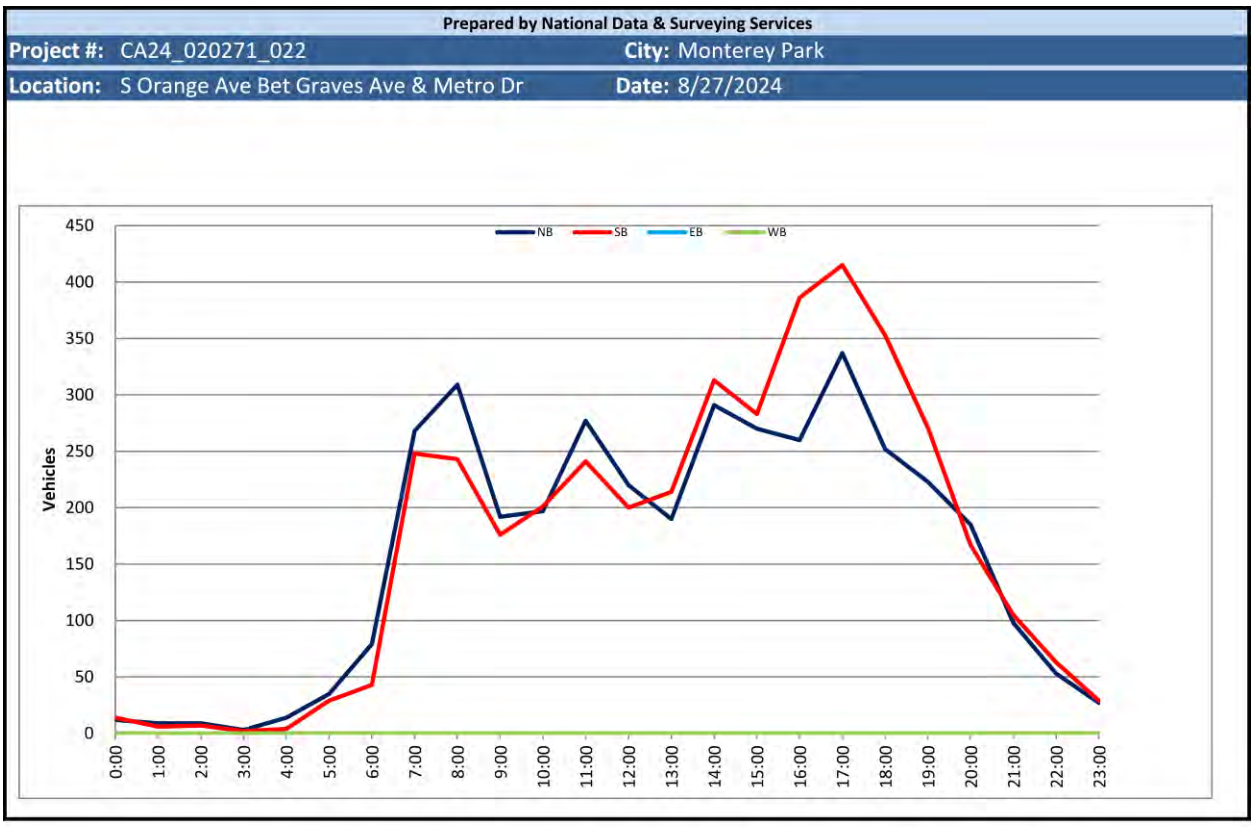
City: Monterey Park
Project #: CA24_020271_022

DAILY TOTALS	NB	SB	EB	WB	Total
	3,810	4,013	0	0	7,823

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	5		4				9		12:00	55		58				113	
0:15	3		2				5		12:15	50		52				102	
0:30	1		4				5		12:30	53		46				99	
0:45	3	12	4	14			7	26	12:45	62	220	44	200			106	420
1:00	2		2				4		13:00	42		50				92	
1:15	3		1				4		13:15	42		55				97	
1:30	0		1				1		13:30	49		54				103	
1:45	4	9	2	6			6	15	13:45	57	190	55	214			112	404
2:00	1		1				2		14:00	61		67				128	
2:15	0		3				3		14:15	65		76				141	
2:30	7		0				7		14:30	65		77				142	
2:45	1	9	3	7			4	16	14:45	100	291	93	313			193	604
3:00	2		1				3		15:00	66		61				127	
3:15	0		0				0		15:15	56		67				123	
3:30	0		0				0		15:30	72		74				146	
3:45	1	3	1	2			2	5	15:45	76	270	81	283			157	553
4:00	2		1				3		16:00	69		94				163	
4:15	3		1				4		16:15	66		92				158	
4:30	5		0				5		16:30	67		91				158	
4:45	4	14	2	4			6	18	16:45	58	260	109	386			167	646
5:00	9		5				14		17:00	68		91				159	
5:15	5		4				9		17:15	65		115				180	
5:30	10		6				16		17:30	95		102				197	
5:45	11	35	14	29			25	64	17:45	109	337	107	415			216	752
6:00	20		7				27		18:00	68		88				156	
6:15	10		9				19		18:15	80		106				186	
6:30	17		12				29		18:30	60		70				130	
6:45	32	79	15	43			47	122	18:45	44	252	89	353			133	605
7:00	30		35				65		19:00	46		72				118	
7:15	63		23				86		19:15	53		87				140	
7:30	74		72				146		19:30	71		55				126	
7:45	101	268	118	248			219	516	19:45	53	223	57	271			110	494
8:00	81		98				179		20:00	47		51				98	
8:15	114		57				171		20:15	52		43				95	
8:30	53		49				102		20:30	45		34				79	
8:45	61	309	39	243			100	552	20:45	41	185	39	167			80	352
9:00	44		41				85		21:00	38		32				70	
9:15	50		38				88		21:15	22		31				53	
9:30	53		42				95		21:30	21		17				38	
9:45	45	192	55	176			100	368	21:45	17	98	25	105			42	203
10:00	46		52				98		22:00	17		20				37	
10:15	54		44				98		22:15	13		20				33	
10:30	44		53				97		22:30	8		14				22	
10:45	53	197	52	201			105	398	22:45	15	53	9	63			24	116
11:00	49		63				112		23:00	10		11				21	
11:15	77		67				144		23:15	7		6				13	
11:30	89		60				149		23:30	1		7				8	
11:45	62	277	51	241			113	518	23:45	9	27	5	29			14	56
TOTALS		1404		1214				2618	TOTALS		2406		2799				5205
SPLIT %		53.6%		46.4%				33.5%	SPLIT %		46.2%		53.8%				66.5%

DAILY TOTALS	NB	SB	EB	WB	Total
	3,810	4,013	0	0	7,823

AM Peak Hour	7:30	7:30	7:30	PM Peak Hour	17:30	16:45	17:30
AM Pk Volume	370	345	715	PM Pk Volume	352	417	755
Pk Hr Factor	0.811	0.731	0.816	Pk Hr Factor	0.807	0.907	0.874
7 - 9 Volume	577	491	1068	4 - 6 Volume	597	801	1398
7 - 9 Peak Hour	7:30	7:30	7:30	4 - 6 Peak Hour	17:00	16:45	17:00
7 - 9 Pk Volume	370	345	715	4 - 6 Pk Volume	337	417	752
Pk Hr Factor	0.811	0.731	0.816	Pk Hr Factor	0.773	0.907	0.870


Prepared by National Data & Surveying Services
Project #: CA24_020271_022
City: Monterey Park
Location: S Orange Ave Bet Graves Ave & Metro Dr
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
450
400
350
300
250
200
150
100
50
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

S Orange Ave Bet Metro Dr & Saturn St

Day: Tuesday
Date: 8/27/2024

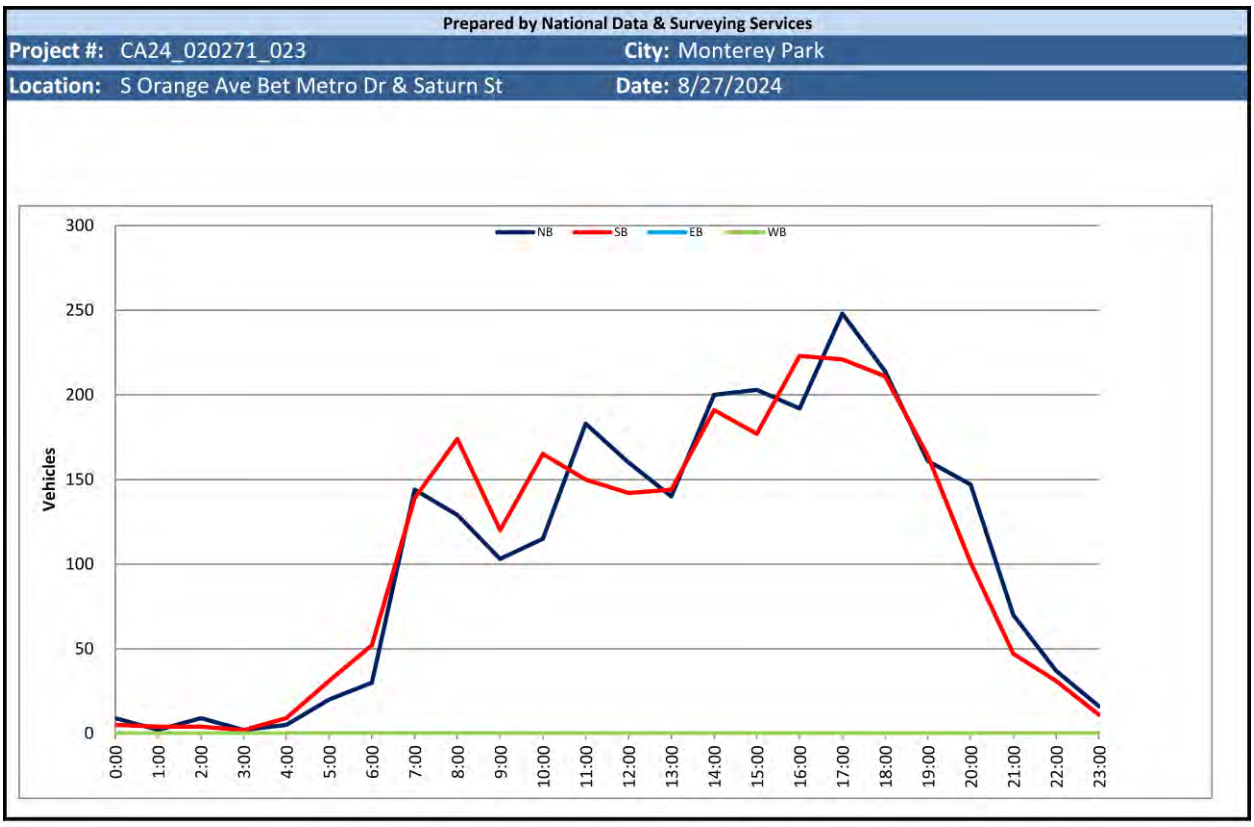
City: Monterey Park
Project #: CA24_020271_023

DAILY TOTALS	NB	SB	EB	WB	Total
	2,539	2,518	0	0	5,057

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	2		1				3		12:00	41		44				85	
0:15	3		2				5		12:15	43		35				78	
0:30	2		2				4		12:30	38		35				73	
0:45	2	9	0	5			2	14	12:45	38	160	28	142			66	302
1:00	0		2				2		13:00	30		37				67	
1:15	1		0				1		13:15	34		32				66	
1:30	1		0				1		13:30	42		37				79	
1:45	0	2	2	4			2	6	13:45	34	140	38	144			72	284
2:00	2		2				4		14:00	56		41				97	
2:15	0		1				1		14:15	48		33				81	
2:30	5		0				5		14:30	53		48				101	
2:45	2	9	1	4			3	13	14:45	43	200	69	191			112	391
3:00	0		1				1		15:00	51		40				91	
3:15	0		0				0		15:15	45		44				89	
3:30	1		0				1		15:30	47		46				93	
3:45	1	2	1	2			2	4	15:45	60	203	47	177			107	380
4:00	0		0				0		16:00	40		58				98	
4:15	2		4				6		16:15	49		53				102	
4:30	2		2				4		16:30	53		58				111	
4:45	1	5	3	9			4	14	16:45	50	192	54	223			104	415
5:00	2		6				8		17:00	50		53				103	
5:15	2		4				6		17:15	64		52				116	
5:30	8		7				15		17:30	60		56				116	
5:45	8	20	14	31			22	51	17:45	74	248	60	221			134	469
6:00	10		11				21		18:00	62		55				117	
6:15	4		12				16		18:15	62		65				127	
6:30	2		12				14		18:30	47		39				86	
6:45	14	30	17	52			31	82	18:45	43	214	52	211			95	425
7:00	20		25				45		19:00	34		50				84	
7:15	36		23				59		19:15	47		41				88	
7:30	38		36				74		19:30	42		38				80	
7:45	50	144	55	139			105	283	19:45	38	161	35	164			73	325
8:00	42		43				85		20:00	38		30				68	
8:15	28		56				84		20:15	38		30				68	
8:30	34		38				72		20:30	39		18				57	
8:45	25	129	37	174			62	303	20:45	32	147	23	101			55	248
9:00	27		24				51		21:00	26		12				38	
9:15	25		22				47		21:15	13		16				29	
9:30	22		39				61		21:30	14		5				19	
9:45	29	103	35	120			64	223	21:45	17	70	14	47			31	117
10:00	23		37				60		22:00	12		14				26	
10:15	31		39				70		22:15	10		8				18	
10:30	34		46				80		22:30	7		7				14	
10:45	27	115	43	165			70	280	22:45	8	37	2	31			10	68
11:00	39		39				78		23:00	9		3				12	
11:15	51		31				82		23:15	3		3				6	
11:30	48		43				91		23:30	1		4				5	
11:45	45	183	37	150			82	333	23:45	3	16	1	11			4	27
TOTALS		751		855				1606	TOTALS		1788		1663				3451
SPLIT %		46.8%		53.2%				31.8%	SPLIT %		51.8%		48.2%				68.2%

DAILY TOTALS	NB	SB	EB	WB	Total
	2,539	2,518	0	0	5,057

AM Peak Hour	11:15	7:45	7:30	PM Peak Hour	17:15	17:30	17:30
AM Pk Volume	185	192	348	PM Pk Volume	260	236	494
Pk Hr Factor	0.907	0.857	0.829	Pk Hr Factor	0.878	0.908	0.922
7 - 9 Volume	273	313	586	4 - 6 Volume	440	444	884
7 - 9 Peak Hour	7:15	7:45	7:30	4 - 6 Peak Hour	17:00	16:00	17:00
7 - 9 Pk Volume	166	192	348	4 - 6 Pk Volume	248	223	469
Pk Hr Factor	0.830	0.857	0.829	Pk Hr Factor	0.838	0.961	0.875


Prepared by National Data & Surveying Services
Project #: CA24_020271_023
City: Monterey Park
Location: S Orange Ave Bet Metro Dr & Saturn St
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
300
250
200
150
100
50
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

W Pomona Blvd Bet Gerhart Ave & S Garfield Ave

Day: Tuesday
Date: 8/27/2024

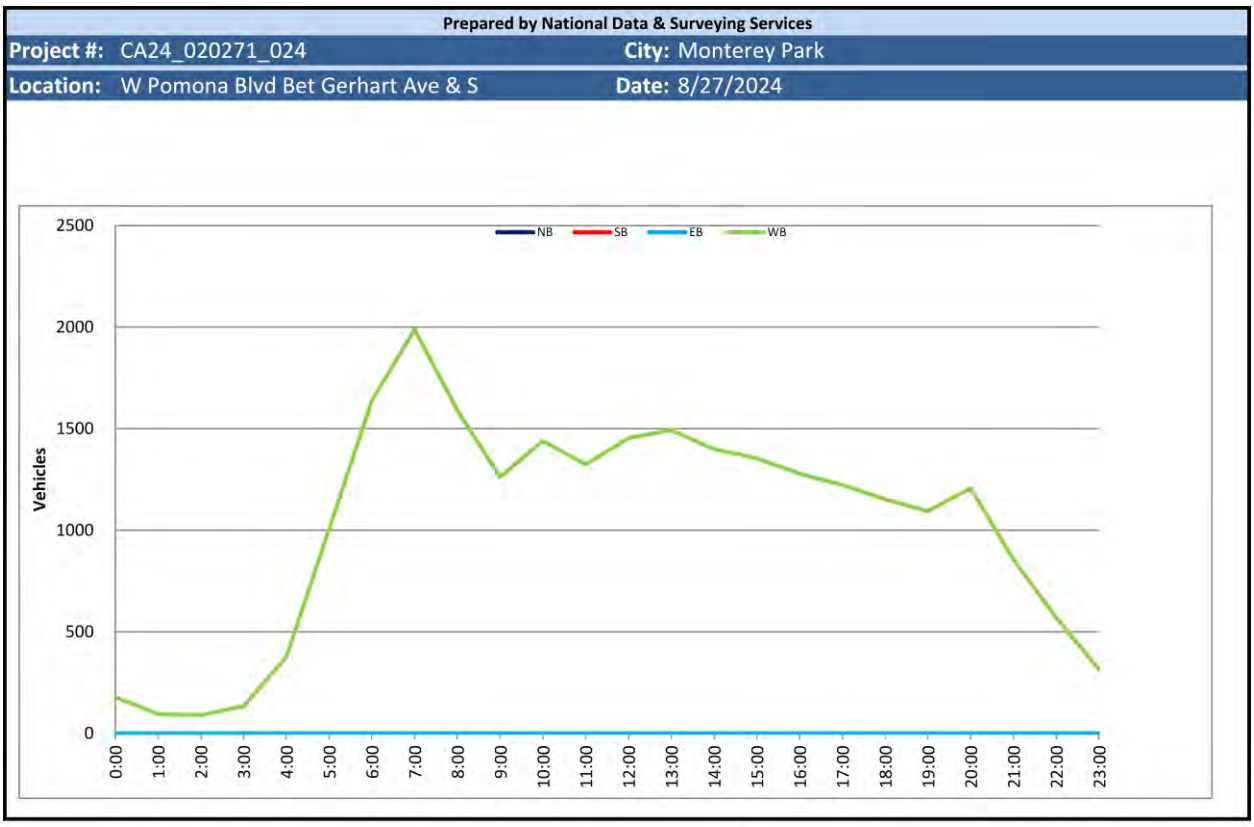
City: Monterey Park
Project #: CA24_020271_024

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	0	24,520	24,520

AM Period	NB	SB	EB	WB		TOTAL		PM Period	NB	SB	EB	WB		TOTAL	
0:00				54		54		12:00				393		393	
0:15				35		35		12:15				351		351	
0:30				53		53		12:30				362		362	
0:45				37	179	37	179	12:45				348	1454	348	1454
1:00				19		19		13:00				399		399	
1:15				19		19		13:15				369		369	
1:30				26		26		13:30				370		370	
1:45				31	95	31	95	13:45				356	1494	356	1494
2:00				29		29		14:00				353		353	
2:15				21		21		14:15				333		333	
2:30				19		19		14:30				365		365	
2:45				20	89	20	89	14:45				348	1399	348	1399
3:00				25		25		15:00				348		348	
3:15				33		33		15:15				328		328	
3:30				31		31		15:30				322		322	
3:45				46	135	46	135	15:45				356	1354	356	1354
4:00				55		55		16:00				302		302	
4:15				112		112		16:15				306		306	
4:30				101		101		16:30				322		322	
4:45				108	376	108	376	16:45				348	1278	348	1278
5:00				154		154		17:00				309		309	
5:15				218		218		17:15				299		299	
5:30				321		321		17:30				327		327	
5:45				313	1006	313	1006	17:45				288	1223	288	1223
6:00				384		384		18:00				327		327	
6:15				409		409		18:15				282		282	
6:30				419		419		18:30				274		274	
6:45				426	1638	426	1638	18:45				269	1152	269	1152
7:00				438		438		19:00				274		274	
7:15				485		485		19:15				280		280	
7:30				545		545		19:30				268		268	
7:45				520	1988	520	1988	19:45				272	1094	272	1094
8:00				476		476		20:00				329		329	
8:15				411		411		20:15				311		311	
8:30				393		393		20:30				305		305	
8:45				311	1591	311	1591	20:45				262	1207	262	1207
9:00				314		314		21:00				230		230	
9:15				309		309		21:15				228		228	
9:30				320		320		21:30				194		194	
9:45				319	1262	319	1262	21:45				205	857	205	857
10:00				385		385		22:00				175		175	
10:15				324		324		22:15				136		136	
10:30				406		406		22:30				139		139	
10:45				324	1439	324	1439	22:45				121	571	121	571
11:00				328		328		23:00				105		105	
11:15				316		316		23:15				80		80	
11:30				355		355		23:30				75		75	
11:45				325	1324	325	1324	23:45				55	315	55	315
TOTALS					11122		11122	TOTALS					13398		13398
SPLIT %					100.0%		45.4%	SPLIT %					100.0%		54.6%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	0	24,520	24,520

AM Peak Hour	7:15	7:15	PM Peak Hour	13:00	13:00
AM Pk Volume	2026	2026	PM Pk Volume	1494	1494
Pk Hr Factor	0.929	0.929	Pk Hr Factor	0.936	0.936
7 - 9 Volume	3579	3579	4 - 6 Volume	2501	2501
7 - 9 Peak Hour	7:15	7:15	4 - 6 Peak Hour	16:15	16:15
7 - 9 Pk Volume	2026	2026	4 - 6 Pk Volume	1285	1285
Pk Hr Factor	0.929	0.929	Pk Hr Factor	0.923	0.923


Prepared by National Data & Surveying Services
Project #: CA24_020271_024
City: Monterey Park
Location: W Pomona Blvd Bet Gerhart Ave & S
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
2500
2000
1500
1000
500
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

E Pomona Blvd Bet S Garfield Ave & E Markland Dr

Day: Tuesday
Date: 8/27/2024

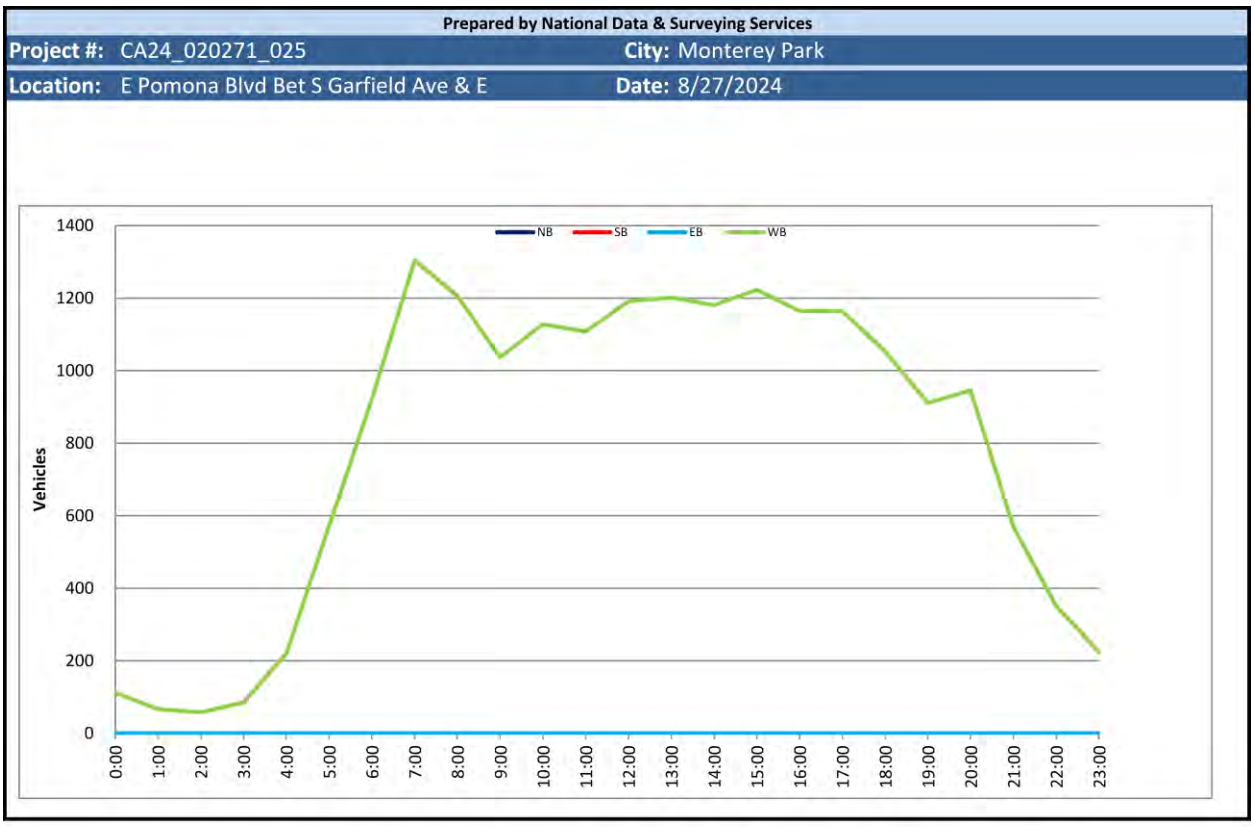
City: Monterey Park
Project #: CA24_020271_025

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	0	18,997	18,997

AM Period	NB	SB	EB	WB		TOTAL		PM Period	NB	SB	EB	WB		TOTAL	
0:00				30		30		12:00				313		313	
0:15				23		23		12:15				273		273	
0:30				39		39		12:30				296		296	
0:45				20	112	20	112	12:45				309	1191	309	1191
1:00				16		16		13:00				320		320	
1:15				10		10		13:15				284		284	
1:30				14		14		13:30				307		307	
1:45				27	67	27	67	13:45				290	1201	290	1201
2:00				16		16		14:00				299		299	
2:15				19		19		14:15				277		277	
2:30				11		11		14:30				301		301	
2:45				12	58	12	58	14:45				304	1181	304	1181
3:00				23		23		15:00				293		293	
3:15				20		20		15:15				289		289	
3:30				23		23		15:30				295		295	
3:45				19	85	19	85	15:45				346	1223	346	1223
4:00				29		29		16:00				279		279	
4:15				62		62		16:15				269		269	
4:30				58		58		16:30				286		286	
4:45				71	220	71	220	16:45				331	1165	331	1165
5:00				93		93		17:00				275		275	
5:15				92		92		17:15				304		304	
5:30				193		193		17:30				281		281	
5:45				193	571	193	571	17:45				304	1164	304	1164
6:00				190		190		18:00				307		307	
6:15				226		226		18:15				271		271	
6:30				244		244		18:30				242		242	
6:45				261	921	261	921	18:45				233	1053	233	1053
7:00				284		284		19:00				204		204	
7:15				308		308		19:15				257		257	
7:30				383		383		19:30				202		202	
7:45				329	1304	329	1304	19:45				248	911	248	911
8:00				357		357		20:00				230		230	
8:15				294		294		20:15				256		256	
8:30				303		303		20:30				233		233	
8:45				252	1206	252	1206	20:45				226	945	226	945
9:00				272		272		21:00				170		170	
9:15				244		244		21:15				155		155	
9:30				281		281		21:30				133		133	
9:45				240	1037	240	1037	21:45				112	570	112	570
10:00				261		261		22:00				100		100	
10:15				272		272		22:15				92		92	
10:30				310		310		22:30				92		92	
10:45				285	1128	285	1128	22:45				68	352	68	352
11:00				256		256		23:00				76		76	
11:15				270		270		23:15				53		53	
11:30				296		296		23:30				51		51	
11:45				286	1108	286	1108	23:45				44	224	44	224
TOTALS					7817		7817	TOTALS					11180		11180
SPLIT %					100.0%		41.1%	SPLIT %					100.0%		58.9%

DAILY TOTALS	NB	SB	EB	WB	Total
	0	0	0	18,997	18,997

AM Peak Hour	7:15	7:15	PM Peak Hour	15:00	15:00
AM Pk Volume	1377	1377	PM Pk Volume	1223	1223
Pk Hr Factor	0.899	0.899	Pk Hr Factor	0.884	0.884
7 - 9 Volume	2510	2510	4 - 6 Volume	2329	2329
7 - 9 Peak Hour	7:15	7:15	4 - 6 Peak Hour	16:30	16:30
7 - 9 Pk Volume	1377	1377	4 - 6 Pk Volume	1196	1196
Pk Hr Factor	0.899	0.899	Pk Hr Factor	0.903	0.903


Prepared by National Data & Surveying Services
Project #: CA24_020271_025
City: Monterey Park
Location: E Pomona Blvd Bet S Garfield Ave & E
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1400
1200
1000
800
600
400
200
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

Prepared by National Data & Surveying Services

VOLUME

Potrero Grande Dr Bet E Markland Dr & Arroyo Dr

Day: Tuesday
Date: 8/27/2024

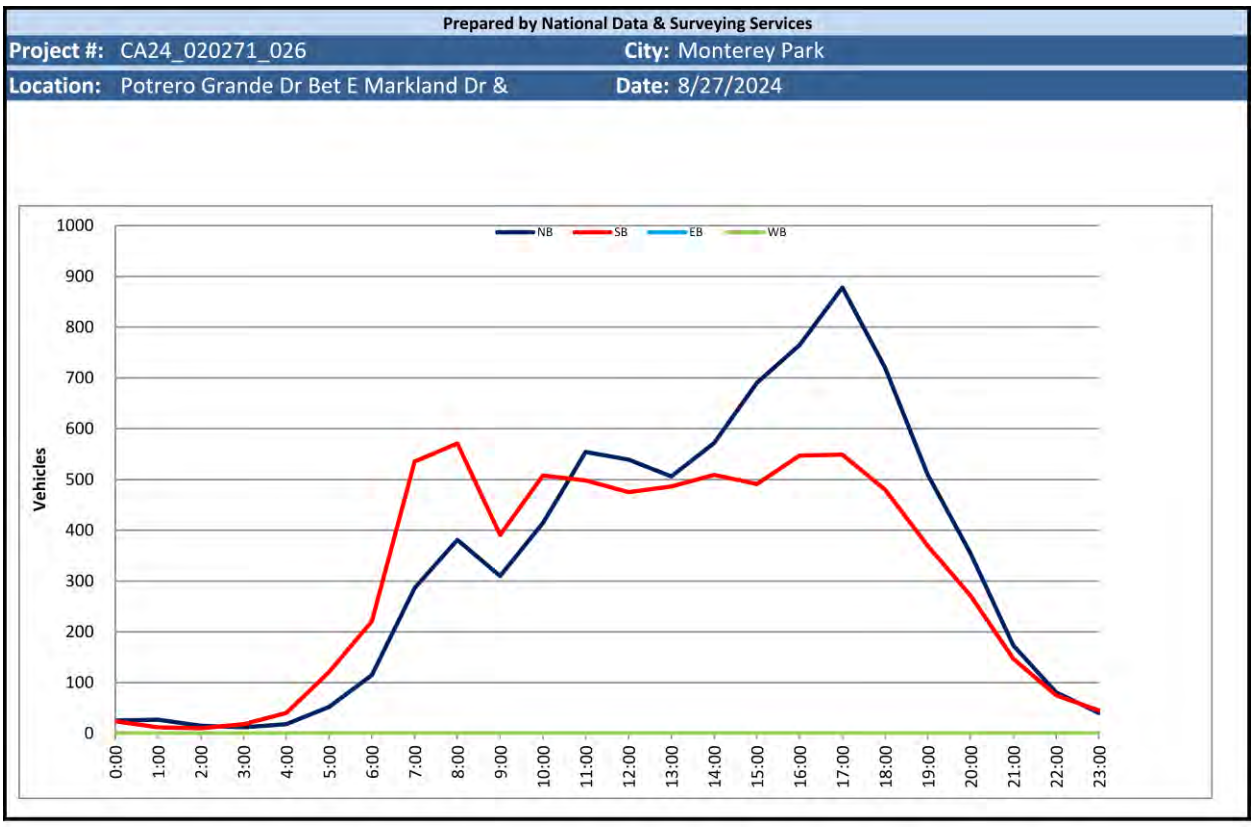
City: Monterey Park
Project #: CA24_020271_026

DAILY TOTALS	NB	SB	EB	WB	Total
	8,036	7,393	0	0	15,429

AM Period	NB		SB		EB	WB	TOTAL		PM Period	NB		SB		EB	WB	TOTAL	
0:00	10		10				20		12:00	109		116				225	
0:15	3		4				7		12:15	132		113				245	
0:30	9		7				16		12:30	161		117				278	
0:45	3	25	3	24			6	49	12:45	137	539	129	475			266	1014
1:00	7		1				8		13:00	171		136				307	
1:15	11		1				12		13:15	112		122				234	
1:30	5		2				7		13:30	110		103				213	
1:45	4	27	8	12			12	39	13:45	113	506	125	486			238	992
2:00	2		4				6		14:00	133		108				241	
2:15	6		3				9		14:15	155		104				259	
2:30	4		2				6		14:30	142		146				288	
2:45	3	15	1	10			4	25	14:45	142	572	151	509			293	1081
3:00	0		4				4		15:00	175		110				285	
3:15	2		4				6		15:15	162		139				301	
3:30	4		5				9		15:30	174		115				289	
3:45	6	12	5	18			11	30	15:45	179	690	127	491			306	1181
4:00	2		10				12		16:00	156		121				277	
4:15	3		9				12		16:15	176		151				327	
4:30	4		9				13		16:30	222		140				362	
4:45	9	18	12	40			21	58	16:45	211	765	135	547			346	1312
5:00	10		17				27		17:00	230		123				353	
5:15	6		23				29		17:15	241		139				380	
5:30	16		22				38		17:30	210		139				349	
5:45	20	52	59	121			79	173	17:45	197	878	148	549			345	1427
6:00	21		27				48		18:00	205		131				336	
6:15	19		50				69		18:15	189		131				320	
6:30	35		68				103		18:30	151		113				264	
6:45	40	115	76	221			116	336	18:45	175	720	105	480			280	1200
7:00	46		96				142		19:00	131		105				236	
7:15	63		134				197		19:15	145		88				233	
7:30	78		137				215		19:30	128		87				215	
7:45	99	286	168	535			267	821	19:45	105	509	89	369			194	878
8:00	94		171				265		20:00	93		98				191	
8:15	99		148				247		20:15	120		71				191	
8:30	110		113				223		20:30	87		55				142	
8:45	78	381	139	571			217	952	20:45	54	354	47	271			101	625
9:00	74		92				166		21:00	60		40				100	
9:15	71		98				169		21:15	56		48				104	
9:30	80		105				185		21:30	27		40				67	
9:45	85	310	96	391			181	701	21:45	30	173	19	147			49	320
10:00	93		135				228		22:00	23		18				41	
10:15	92		131				223		22:15	19		27				46	
10:30	121		136				257		22:30	21		25				46	
10:45	108	414	106	508			214	922	22:45	18	81	5	75			23	156
11:00	106		125				231		23:00	14		15				29	
11:15	179		133				312		23:15	8		13				21	
11:30	134		111				245		23:30	10		13				23	
11:45	135	554	129	498			264	1052	23:45	8	40	4	45			12	85
TOTALS		2209		2949				5158	TOTALS		5827		4444				10271
SPLIT %		42.8%		57.2%				33.4%	SPLIT %		56.7%		43.3%				66.6%

DAILY TOTALS	NB	SB	EB	WB	Total
	8,036	7,393	0	0	15,429

AM Peak Hour	11:15	7:30	11:00	PM Peak Hour	16:30	17:15	16:30
AM Pk Volume	557	624	1052	PM Pk Volume	904	557	1441
Pk Hr Factor	0.778	0.912	0.843	Pk Hr Factor	0.938	0.941	0.948
7 - 9 Volume	667	1106	1773	4 - 6 Volume	1643	1096	2739
7 - 9 Peak Hour	7:45	7:30	7:45	4 - 6 Peak Hour	16:30	16:15	16:30
7 - 9 Pk Volume	402	624	1002	4 - 6 Pk Volume	904	549	1441
Pk Hr Factor	0.914	0.912	0.938	Pk Hr Factor	0.938	0.909	0.948


Prepared by National Data & Surveying Services
Project #: CA24_020271_026
City: Monterey Park
Location: Potrero Grande Dr Bet E Markland Dr &
Date: 8/27/2024
NB
SB
EB
WB
Vehicles
1000
900
800
700
600
500
400
300
200
100
0
0:00
1:00
2:00
3:00
4:00
5:00
6:00
7:00
8:00
9:00
10:00
11:00
12:00
13:00
14:00
15:00
16:00
17:00
18:00
19:00
20:00
21:00
22:00
23:00

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, DECLARING AND RECOGNIZING NOVEMBER 2024 AS NATIVE AMERICAN HERITAGE MONTH

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

SECTION 1: The City Council finds as follows:

A. Native Americans are the original Indigenous people of what is now the United States of America.

B. The City of Monterey Park is on lands sacred to California's Indigenous peoples, including the Gabrieleño-Tongva people, and gives them as well as all Indigenous people (past, present, and future) gratitude and respect, and honors their labor as original caretakers of this land.

C. California is home to nearly 200 Native American groups, and Indigenous peoples remain actively engaged in cultural revitalization, resource protection, and self-determination within every region of the State.

D. As of January 2024, there are 574 federally recognized tribes in the United States. The State of California has the highest Native American population in the country and is home to 109 federally recognized tribes, with approximately 81 groups seeking recognition.

E. Native Americans, their governments, and their communities have persevered and flourished. As teachers and scholars, scientists and doctors, writers and artists, business leaders and elected officials, heroes in uniform, and so much more, they have made immeasurable contributions to our country's progress.

F. In 1986, the U.S. Congress authorized and requested the U.S. President to proclaim the week of November 23-30, 1986, as "American Indian Week". Since the 1970s, the U.S. President has issued proclamations to designate "Native American Awareness Week".

G. Beginning in 1990, November was designated as "National American Indian Heritage Month," and the proclamation of U.S. President George H.W. Bush in 1990 acknowledged that Indigenous peoples had developed rich, thriving cultures, as well as their own systems of social order.

H. The City of Monterey Park seeks to honor the Indigenous peoples who have inhabited this place for generations and endeavors to be a good steward of the land and waterways for future generations. American Indians and Alaska Natives alone account for approximately 0.80% of the Monterey Park population (over 460 individuals).

I. During Native American Heritage Month, we celebrate Indigenous peoples past and present and rededicate ourselves to honoring Tribal sovereignty, promoting Tribal self-determination, and upholding the United States' solemn trust and treaty responsibilities to Tribal Nations.

J. Indigenous peoples have been part of shaping our early culture and civilization and have impacted today's society. Spreading awareness about Native American heritage and history is paramount and it is important to celebrate and honor Native American heritage.

K. Native Americans have made distinct and important contributions to our nation and the world in many fields, including agriculture, environmental stewardship, wayfinding, medicine, music, dance, language, and art.

L. Native Americans have served with honor and distinction in the Armed Forces of the United States for centuries. During World Wars I and II, hundreds of Native Americans used their Indigenous languages to send secret coded messages enemies could never break. Known as code talkers, these individuals helped U.S. forces achieve military victory in some of the greatest battles of the 20th century.

M. The City of Monterey Park recognizes the contributions of Native Americans and honors them and continues to honor them by adopting a land acknowledgment that is recited at every council meeting and special City functions; including tribal organizations in many City functions; and continuing to advocate for Native Americans.

N. The City of Monterey Park acknowledges that the land we inhabit today was once known as Tovangaar, the home of the Gabrieleño-Tongva people. The City of Monterey Park is committed to uplifting the Gabrieleño-Tongva people and invites the community to acknowledge the history and join in to care for this land.

O. The Monterey Park City Council urges the community to observe Native American Heritage Month with appropriate programs, ceremonies, and activities and to celebrate and learn more about Indigenous histories and cultures and hereby declares and recognizes November 2024 as Native American Heritage Month.

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 6th day of November 2024.

_____
Thomas Wong, Mayor

Attest:

_____
Maychelle Yee, City Clerk