

**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

Wednesday

November 17, 2021

6:30 p.m.

Public Hearing Item No. 4A will begin promptly at 7:00 p.m.

ASSEMBLY BILL NO. 361

These meetings will be conducted pursuant to Government Code § 54953(e) as implemented by City Council Resolution.

Accordingly, Councilmembers will be provided with electronic meeting login information; they will not be physically present at Council Chambers.

Pursuant to City Council resolution, the public may provide public comment utilizing the methods set forth below.

Note that City Hall is currently closed to the public. You will not be admitted to City Hall.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community.

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>.

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

PUBLIC PARTICIPATION

In accordance with Government Code § 54953(e) and City Council resolution, remote public participation is allowed in the following ways:

Via Email (Written Communications)

Public comment will be accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov. Written communications (if any) will be briefly summarized and include the name of each individual that submitted a comment; the summary will be read via prerecorded video and played during the Public Comment section of the City Council meeting. To view the full text of written communications, please visit www.montereypark.ca.gov/AgendaCenter. All written communications are provided to the City Council and filed as part of the City's administrative record.

Via Telephone

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling **(888) 788-0099 or (877) 853-5247** and entering Zoom Meeting ID: **289 222 5995** then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter **"*9"** then the Clerk's office will be notified, and you will be in the rotation to make a public comment. Press **"*6"** to unmute yourself when called upon to speak. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda item. Speakers will not be allowed to combine time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Important Disclaimer

When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

CALL TO ORDER Mayor

FLAG SALUTE Mayor

ROLL CALL Peter Chan, Hans Liang, Henry Lo, Fred Sornoso, Yvonne Yiu

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS:

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

STAFF COMMUNICATIONS:

- Library Services
- Recreation and Community Services
- Economic Development
- Fire Department

[1.] PRESENTATION

1-A. SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT PRESENTATION ON DROUGHT

1-B. AB 1276 – SINGLE-USE FOODWARE ACCESSORIES AND STANDARD CONDIMENTS

1-C. AWARD OF EXCELLENCE BY GFOA

[2.] OLD BUSINESS – NONE.

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

3-A. MINUTES

It is recommended that the City Council consider:

- (1) Approving the minutes from the regular meeting of October 20, 2021; and
- (2) Taking such additional, related, action that may be desirable.

3-B. MONTHLY INVESTMENT REPORT – OCTOBER 2021

It is recommended that the City Council consider:

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

3-C. ADOPT A RESOLUTION TO CONTINUE TO EXTEND THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZE PUBLIC MEETINGS VIA TELECONFERENCING

It is recommended that the City Council consider:

- (1) Adopting a resolution to continue to extend the existence of a local emergency and authorize public meetings via teleconferencing; and
- (2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

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

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

3-D. PROFESSIONAL SERVICES AGREEMENT FOR THE INVESTMENT MANAGEMENT/ADVISORY SERVICES BY CHANDLER ASSET MANAGEMENT

It is recommended that the City Council consider:

- (1) Authorizing the Mayor to execute an agreement with Chandler Asset Management, in a form approved by the City Attorney, to provide investment management/advisory services for a percentage of the City's investment that will amount to approximately \$30,000 annually (based upon an investment amount not to exceed \$40,000,000);
- (2) Adopting a Resolution authorizing the City Treasurer to implement the Investment Policy for FY 2021-22; and
- (3) Taking such additional, related, action that may be desirable.

3-E. CONFIRMATION OF THE CITY'S WITHDRAWAL FROM ICRMA AND DIRECTION TO THE CITY MANAGER REGARDING JOINING A NEW INSURANCE POOL

It is recommended that the City Council consider:

- (1) Confirming that the City is withdrawing from the ICRMA as set forth in Resolution No. 12252, adopted June 16, 2021;
- (2) Authorizing the City Manager to execute an agreement, in a form approved by the City Attorney, with an appropriate third party administrator to oversee processing of City claims including, without limitation, workers compensation claims;
- (3) Authorizing the City Manager to negotiate terms and conditions of an agreement with Public Risk Innovation, Solutions, and Management ("PRISM") for ratification by the City Council at a future agenda; and
- (4) Taking such additional, related, action that may be desirable.

3-F. AUTHORIZE A PARTNERSHIP WITH ALHAMBRA EDUCATIONAL FOUNDATION TO HOST A TRIBUTE CONCERT AT THE BARNES PARK AMPHITHEATER IN HONOR OF JOHNNY THOMPSON

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute a sponsorship agreement, in a form approved by the City Attorney, with the Alhambra Educational Foundation to host a tribute concert at the Barnes Park Amphitheater in honor of Johnny Thompson; and
- (2) Taking such additional, related, action that may be desirable.

3-G. FIRST AMENDMENT TO AGREEMENT NO. 2241-AB WITH TRANSTECH ENGINEERS, INC., FOR STAFF AUGMENTATION SERVICES – BUILDING OFFICIAL

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute a 1-year amendment, in a form approved by the City Attorney, to Agreement No. 2241-AB with Transtech Engineers, Inc., for Staff Augmentation Services – Building Official to extend the agreement and include additional services; and
- (2) Taking such additional, related, action that may be desirable.

3-H. TASK ORDER TO PUBLIC WORKS ON-CALL AGREEMENT WITH HAMPTON TEDDER ELECTRIC COMPANY FOR URGENT REPAIRS TO UNDERGROUND DUCT BANK

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute a Task Order, in a form approved by the City Attorney, with Hampton Tedder Electric Company for an amount not to exceed \$163,000 for emergency repairs to the Underground Duct Bank at the Delta Plant Facility;
- (2) Appropriating \$163,000 in City Water Operations funds for the project; and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed work involves minor alterations to existing public facilities and therefore is Class 1 Categorically Exempt pursuant to the California Environmental Quality Act (CEQA).

3-I. PROFESSIONAL SERVICES AGREEMENT - LABELLE MARVIN, INC. FOR PAVEMENT STUDY SERVICES

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute a three-year agreement with Labelle Marvin Inc., in a form approved by the City Attorney, for an amount not to exceed \$280,000 (including 10% contingency) to provide testing, analysis, and pavement rehabilitation design for street segments in Years 1-3 Street Resurfacing and Slurry Seal projects funded by the recent street bonds;
- (2) Appropriating \$280,000 from the Sales Tax Revenue Bonds; and
- (3) Taking such additional, related, action that may be desirable.

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).

[4.] PUBLIC HEARING

4-A. PUBLIC HEARING TO RECEIVE TESTIMONY REGARDING REDRAWING COUNCIL DISTRICT BOUNDARIES PURSUANT TO ELECTIONS CODE § 21601

It is recommended that the Board of Directors consider:

- (1) Conducting a Public Hearing to receive testimony on redrawing of council district boundaries pursuant to Elections Code § 21601;
- (2) Providing direction to the City's demographer regarding redrawing of council district boundaries pursuant to Elections Code § 21601; and
- (3) Taking such additional, related, action that may be desirable.

4-B. CONTINUATION OF PUBLIC HEARING REGARDING CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA CONFIRMING THE 2021 ANNUAL REPORT AND THE LEVY OF ASSESSMENTS FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2022

It is recommended that the City Council consider:

- (1) Continuing the public hearing originally scheduled for November 17, 2021, to December 1, 2021;
- (2) Taking such additional, related, action that may be desirable.

[5.] NEW BUSINESS

5-A. ORDINANCE REQUIRING REDUCTION OF ORGANIC WASTE DISPOSAL AND PARTICIPATION IN SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS REGIONAL FOOD RECOVERY PROGRAM

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of an Ordinance amending the Monterey Park Municipal Code ("MPMC") to add Chapter 6.08.290 that mandates reducing organic waste disposal;
- (2) Authorizing the City Manager to execute Amendment 1 to the Agreement with San Gabriel Valley Council of Governments for participation in Tasks 5 and 6 of the Regional Food Recovery Program;
- (3) Appropriating \$110,800 for the cost of Tasks 5 and 6 of the Food Recovery Program from refuse enterprise fund 421; and
- (4) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procures to clarify existing policies and practices related to waste disposal services; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. The ordinance would be adopted, in part, for protection of the environment. Accordingly, the ordinance does not constitute a "project" that requires environmental review (*see specifically* 14 CCR § 15378(b)(2,5)).

5-B. AMENDMENT TO MONTEREY PARK MUNICIPAL CODE CHAPTER 2.28 REGULATING THE PERSONNEL BOARD

It is recommended that the City Council consider:

- (1) Introducing and waving first reading of an ordinance amending Chapter 2.28 of Monterey Park Municipal Code ("MPMC") regulating the Personnel Board responsibilities; and
- (2) Taking such additional, related, action that may be desirable.

5-C. CONSIDERATION OF STAGE 2 DROUGHT EMERGENCY DECLARATION AS DESCRIBED IN MPMC CHAPTER 14.25

It is recommended that the City Council consider:

- (1) Adopting a resolution declaring a Stage 2 Drought Emergency per Monterey Park Municipal Code Chapter 14.25, Water Conservation Regulations;
- (2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.²

[6.] CITY COMMUNICATIONS (CITY COUNCIL)

[7.] FUTURE AGENDA ITEMS

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

ADJOURN

² CEQA findings regarding an anticipated imminent emergency are valid (see *CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3A

TO: The Honorable Mayor and City Council

FROM: Vincent D. Chang, City Clerk

SUBJECT: Minutes

RECOMMENDATION:

It is recommended that the City Council consider:

1. Approving the minutes from the regular meeting of October 20, 2021; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

None.

BACKGROUND:

None.

FISCAL IMPACT:

None.

Respectfully submitted,

Prepared by:

A blue ink signature of Vincent D. Chang.

Vincent D. Chang
City Clerk

A blue ink signature of Viridiana Martinez.

Viridiana Martinez
Senior Clerk Typist

Approved By:

A blue ink signature of Ron Bow.

Ron Bow
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)
OCTOBER 20, 2021**

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA) and the Geologic Hazard Abatement District (GHAD) of the City of Monterey Park held a Regular Teleconference Meeting via Zoom on Wednesday, October 20, 2021 at 6:30 p.m. The regular meeting was conducted pursuant to Assembly Bill No. 361. This meeting was conducted pursuant to Assembly Bill No. 361. This meeting was conducted pursuant to Government Code § 54953(e). Accordingly, Council Members were provided a meeting login number and conference call number and were not physically present at Council Chambers.

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

PUBLIC PARTICIPATION

In accordance with Government Code § 54953 (e) and guidance from the California Department of Public Health on gatherings, remote public participation was allowed in the following ways:

Via Email

Public comment will be accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov. Written communications (if any) will be briefly summarized and include the name of each individual that submitted a comment; the summary will be read via prerecorded video and played during the Public Comment section of the City Council meeting. To view the full text of written communications, please visit www.montereypark.ca.gov/AgendaCenter. All written communications are provided to the City Council and filed as part of the City’s administrative record.

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MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

to combine time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Important Disclaimer – When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

CALL TO ORDER:

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

FLAG SALUTE:

Mayor Yiu led the Flag Salute.

ROLL CALL:

City Clerk Vincent Chang called the roll:

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

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Karl Berger, City Treasurer Joseph Leon, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, City Librarian Diana Garcia, Director of Human Resources & Risk Management Christine Tomikawa, Director of Recreation & Community Services Robert Aguirre, Director of Management Services Martha Garcia, Interim Director of Community & Economic Development Steve Sizemore, Economic Development Manager Joseph Torres, Deputy City Attorney Joaquin Vazquez, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho, Community Communications Coordinator Randy Ishino, Senior Clerk Typist Viridiana Martinez

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

PUBLIC COMMUNICATIONS

None.

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

STAFF COMMUNICATIONS

- Ron Bow, City Manager, introduced the new Interim Director of Community & Economic Development, Steve Sizemore. Mr. Sizemore shared his excitement to work for the City.

- Robert Aguirre, Director of Recreation & Community Service gave an update on upcoming City events.

1. **PRESENTATION** – None

Matters listed under presentation are for informational content and discussion only.

2. **OLD BUSINESS** – None

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

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

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

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

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

3A. **MINUTES**

Approve the minutes from the regular meeting of September 15, 2021.

Action Taken: The City Council approved the minutes from the regular meeting of September 15, 2021 on Consent Calendar

3B. **MONTHLY INVESTMENT REPORT – SEPTEMBER 2021**

As of September 30, 2021 invested funds for the City of Monterey Park is \$84,956,569.03.

Public Speakers:

- Joseph Leon, City Treasurer, provided his input on City investments.

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

3C. WAIVE FURTHER READING AND ADOPT AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT (DA-21-XX) BY AND BETWEEN THE CITY OF MONTEREY PARK AND RYKADAN 005, LLC. ENACTING THE BUSINESS RECOVERY DEVELOPMENT ZONE (BRDZ) OVERLAY ZONE PERMITTING AND DEVELOPMENT OF A 509,295 SQUARE FOOT MULTI STORY MIXED USE RESIDENTIAL/COMMERCIAL PROJECT OVER THREE SUBTERRANEAN PARKING LEVELS LOCATED AT 114 E. GARVEY AVENUE

The ordinance was introduced on October 6, 2021. At that meeting, the City Council conducted the first reading of the ordinance. The staff report from the October 6, 2021 meeting is attached to the staff report for reference. Second reading and adoption of this ordinance is recommended; if adopted, the ordinance will take effect in 30 days.

Recommendation: It is recommended that the City Council consider (1) Waiving the second reading and adopt draft proposed ordinance; or (2) Taking such additional, related, action that may be desirable.

Action Taken: The City Council waived the second reading and adopted Ordinance No. 2215.

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

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

Action Taken: The City Council to reconsider the previous motion.

Motion: Moved by Mayor Yiu and seconded by Council Member Liang motion carried by the following vote:

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

Action Taken: The City Council waived the second reading and adopted Ordinance No. 2215.

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

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

Ordinance No. 2215, entitled:

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MONTEREY PARK AND RYKADAN 005, LLC, TO FACILITATE DEVELOPMENT OF A MULTI-STORY MIXED USE DEVELOPMENT; AND TO ACTIVATE THE BUSINESS RECOVERY DEVELOPMENT AGREEMENT ZONE ("BRDZ") IN MONTEREY PARK MUNICIPAL CODE CHAPTER 21.45

3-D. PUBLIC HEARING FOR CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA CONFIRMING THE 2021 ANNUAL REPORT AND THE LEVY OF ASSESSMENTS FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2022

The Business Improvement District No. 1 (BID) was established in 1986 in accordance with the Parking and Business Improvement Area Law of 1989 (Streets and Highways Code §§ 36000-36004). The BID in the following discussion is business-based, meaning that an assessment is collected from businesses based upon fees rather than real property.

California law requires the BID to file an annual report with the City Clerk summarizing its activities and expenditures for the past year and proposing its budget for the upcoming year. The law also requires the BID assessments to be renewed annually after conducting a public hearing. The Advisory Committee to the BID requested that the City Council set a public hearing to consider the 2022 Levy of Assessment Fees. The BID Advisory Committee is not seeking an increase in assessments for the 2022 program year to help the businesses in the BID weather the financial burdens brought on by the COVID-19 pandemic.

Annual revenue and expenditures may be found within the 2021 Annual Report attached as Attachment 1 in the Staff Report or at the City Clerk's office where it is available for viewing.

This item was heard after Agenda Item No. 4A.

Action Taken: The City Council received and filed the 2018 Annual Report with the City Clerk; and adopted Resolution No. 12274 of Intent and set the Public Hearing for November 17, 2021, for consideration of the 2022 BID assessments as amended to correct the typographical errors noted in the various annual reports and directed staff to provide the actual expenditures for the various annual reports at the November 17, 2021 public hearing.

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

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

Resolution No. 12274, entitled:

A RESOLUTION DECLARING THE CITY OF MONTEREY PARK'S INTENT TO LEVY AND COLLECT ASSESSMENTS WITHIN BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2022 AND SETTING A PUBLIC HEARING

3-E APPROVAL OF RESPONSE LETTER TO THE LOS ANGELES COUNTY CIVIL GRAND JURY'S REPORT ENTITLED "A DIET FOR LANDFILLS: CUTTING DOWN ON FOOD WASTE"

On July 31, 2020, the Los Angeles County Grand Jury (Grand Jury) issued the report entitled "A Diet for Landfills: Cutting Down on Food Waste" (Report). In the Report, the Grand Jury identified several opportunities for supportive public policies that can incentivize and create avenues to increase food waste recycling and organic waste diversion rates. At the conclusion of the Report, the Grand Jury requested a response from the City of Monterey Park (City) to Recommendations 1.1, 1.3, 1.8, and 1.14. To ensure that the City met the deadlines established by the Grand Jury, the City Manager sent the attached response letter. As noted in that letter, the information in the letter is subject to City Council consideration and approval.

Action Taken: The City Council adopted Resolution No. 12275 approving the City of Monterey Park's response letter to the Los Angeles County Civil Grand Jury's report entitled "A Diet for Landfills: Cutting Down on Food Waste".

Motion: Moved by Council Member Chan and seconded by Mayor Yiu motion carried by the following vote:

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

Resolution No. 12275, entitled:

A RESOLUTION RATIFYING A RESPONSE TO THE LOS ANGELES COUNTY CIVIL GRAND JURY REGARDING ITS REPORT ON FOOD WASTE

3-F. RESOLUTION DECLARING THE MONTH OF NOVEMBER AS "MOVEMBER" TO RAISE AWARENESS TO PROSTATE AND OTHER MALE CANCERS

The Movember Foundation is the leading global organization committed to changing the face of men's health. The Movember community has raised \$911 million to date and funded over 1,250 programs in 20 countries (<https://us.movember.com/>). This work is saving and improving the lives of men affected by prostate cancer, testicular cancer and mental health programs.

The Foundation challenges men to grow mustaches during Movember (formerly known as November), to spark conversation and raise vital funds for its men's health programs. To date, over 5 million mustaches have been grown worldwide.

The mustaches are a symbol to promote awareness regarding men's health issues and to encourage yearly checkups regarding prostate and testicular cancer. The growth of a new mustache prompts a conversation, which in turn generates awareness and educates people on the health issues men face.

The Vision of the Movember Foundation is to have an everlasting impact of the face of men's health.

Action Taken: The City Council adopted Resolution No. 12276 declaring the month of November as "Movember".

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

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

Resolution No. 12276, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING THE MONTH OF NOVEMBER AS "MOVEMBER," AN ANNUAL EVENT INVOLVING MEN GROWING MUSTACHES DURING THE MONTH TO RAISE AWARENESS OF PROSTATE CANCER AND OTHER MALE CANCER AND ASSOCIATED CHARITIES.

3-G. TREE MEMORIAL PROGRAM NOMINATIONS

At the September 15, 2021 City Council meeting, City Council nominated William R. Sanchez and John C. Thompson for the Tree Memorial Program for their dedication and service to the community. Tree Memorial honorees are nominated based on the criteria established in Resolution 10485 and 11484 (Attachment A).

Subsequently, the Tree Memorial Program Committee consisting of three Community Participation Commissioners and two Recreation and Parks Commissioners met to review the nomination of William R. Sanchez and John C. Thompson and discussed their consideration for a Tree Memorial Program.

After reviewing each nominee's brief biography the committee voted unanimously to recommend City Council approves to honor William R. Sanchez and John C. Thompson with Tree Memorials for their service and positive impact on the Monterey Park Community.

Action Taken: The City Council approved to honor William R. Sanchez with a memorial tree and approved to honor John C. Thompson with a memorial tree.

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

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

4. PUBLIC HEARING

4-A. PUBLIC HEARING TO RECEIVE TESTIMONY REGARDING REDRAWING COUNCIL DISTRICT BOUNDARIES PURSUANT TO ELECTIONS CODE § 21601

In 2019, the City transitioned to district-based elections. In accordance with the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act (Elections Code § 21601-21609), following the federal decennial census every ten years, districts boundaries must be redrawn so that each district is substantially equal in population. It is important in ensuring that each City Councilmember represents about the same number of constituents. The maps must meet certain requirements and has a total deviation of less than 10% difference.

The U.S. Census Bureau released the 2020 Census data on August 12, 2021, and the Statewide Database adjusted its dataset and released its Adjusted Census data on September 22, 2021. Demographer, National Demographics Corporation

(NDC) performed the “Still Balance Analysis” and finds that the existing district map meet the FAIR MAPS Act criteria with a deviation of 2.84%.

The City Council may choose to adopt the existing district map after having the statutory hearings and that will conclude the redistricting process or choose to redraw the election areas or districts if it desires to do so. The City Council held the first public hearing on July 21, 2021. This is the second public hearing. The City Council will need to schedule two additional public hearings to meet the statutory requirement of four public hearings.

This item was heard promptly at 7:02 P.M. after Agenda Item No. 3C.

Public Speakers:

- City Clerk Chang received, filed, and play a prerecorded audio comment from Bill Lam resident and student, who expressed that he is in favor of Option B, redrawing of council district boundaries
- Dr. Justin Levitt, Vice President of National Demographic Corporation, gave a presentation and was available for questions.

Recommendation: It is recommended that the City Council consider (1) Conducting a Public hearing to receive testimony on redrawing council district boundaries pursuant to Elections Code § 21601; (2) Providing direction regarding whether to choose Option A – to accept the existing council district map **OR** Option B – redrawing of council district boundaries pursuant to Elections Code § 21601; (3) Receiving and filing the mayoral rotation schedule or provide direction regarding the mayoral schedule; and (4) Taking such additional, related, action that may be desirable.

Action Taken: The City Council (1) opened the public hearing at 7:02 p.m., received testimony on redrawing council district boundaries pursuant to Elections Code § 21601, and closed the public hearing at 7:34 p.m.; (2) provided direction to staff to choose Option A – to accept the existing council district map; and (3) received and filed the mayoral rotation schedule and to provide direction at the end of the meeting for additional discussion regarding the mayoral rotation.

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

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

5. NEW BUSINESS – None.

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Chan announced that he attended the Metro Service Council Meeting where they established a Youth Council for ages 14 to 17. He conveyed that this would be a great opportunity for young Monterey Park residents and mentioned that the application period opened October 18th. He reported that he was present at the Boy Scouts of America banquet to honor two distinguished citizens: Margaret Finlay and John Fasana. He also relayed that he attended the Vincent Price Art Museum at East Los Angeles College.

Council Member Liang had nothing to report.

Council Member Sornoso expressed that he is looking forward to the City's Monster Mash event on October 21 at Barnes Park. He reported that he took a tour of Athens Services Material Recovery Facility. He announced that he will sit on the Committee for the Laura Scudder Scholarship, which is awarded to community college students majoring in Nursing, Culinary Arts, or Business. He indicated that he is looking forward to attending the ceremony honoring Police Chief Gordon at El Encanto. He conveyed that he has been strolling by Station 62 and asked Fire Chief Hallock to give an update on the status of the station's grand opening.

Mayor Pro Tem Lo announced that on Sunday, October, 24th, he will be attending the 150th Year Commemoration of 1871 Los Angeles Chinatown Massacre. He reported that the Chinese American Museum will be hosting this event with the Friends of Chinese American Foundation.

Mayor Yiu reported that she attended her former classmate's fashion show.

7. FUTURE AGENDA ITEMS

Mayor Yiu proposed a discussion on the Mayoral Rotation.

Mayor Pro Tem Lo proposed a discussion on the new California Assembly Bill, AB-1276, Single-use foodware accessories and standard condiments.

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

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 8:31 p.m.

Vincent D. Chang
City Clerk



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3B

TO: The Honorable Mayor and City Council
FROM: Joseph Leon, City Treasurer
SUBJECT: Monthly Investment Report – October 2021

RECOMMENDATION:

It is recommended that the City Council consider:

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

EXECUTIVE SUMMARY:

As of October 31, 2021 invested funds for the City of Monterey Park is \$81,239,481.11.

BACKGROUND:

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

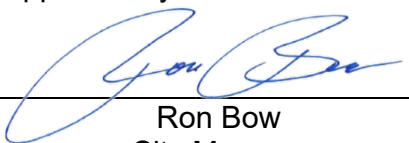
Respectfully submitted by: /


Joseph Leon
City Treasurer

Prepared by:


Martha Garcia
Director of Management Services

Approved by:


Ron Bow
City Manager

Attachment 1

Monthly Investment Report

**CITY OF MONTEREY PARK
INVESTMENT REPORT
OCTOBER 31, 2021**

INVESTMENTS PORTFOLIO PROFILE:

TOTAL BALANCE AT 10/31/2021 **\$ 81,239,481.11**

INVESTMENT COMPOSITION

(1) <u>LA COUNTY POOLED INVESTMENT FUND</u> (See Schedule A for LA County Pool Composition)	ON DEMAND	0.530%	<u>\$ 37,738,626.14</u>
(2) <u>LOCAL AGENCY INVESTMENT FUND</u>	ON DEMAND	0.200%	<u>\$ 40,800,854.97</u>

	<u>Purchase Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	
(3) <u>CERTIFICATES OF DEPOSIT</u>				
1 PREFERRED BANK	09/03/20	09/03/21	0.76%	100,000
2 PREFERRED BANK	09/08/20	09/08/21	0.76%	150,000
3 MORGAN STANLEY BANK	02/27/20	02/28/22	1.70%	245,000
4 MORGAN STANLEY PRIVATE BANK	02/27/20	02/28/22	1.70%	245,000
5 AMERICAN FIRST CREDIT UNION	03/06/20	03/07/22	1.60%	245,000
6 SALLIE MAE BANK	08/11/21	08/12/24	0.70%	245,000
7 GOLDMAN SACHS BANK	08/11/21	08/12/24	0.60%	245,000
8 TOYOTA FINANCIAL SAVINGS BANK	09/16/21	09/16/24	0.65%	245,000
9 BMW BANK NORTH AMERICA	09/17/21	09/17/24	0.65%	245,000
10 SYNCHRONY BANK	09/17/21	09/17/24	0.65%	245,000
11 UBS BANK USA	09/22/21	09/23/24	0.65%	245,000
12 STATE BANK OF INDIA	10/18/21	10/18/24	0.70%	245,000
<i>Total CDs (12)</i>			0.927%	<u>\$ 2,700,000.00</u>

OTHER INFORMATION:

BANK BALANCE: ⁽¹⁾ **\$ 4,424,490.74**

AVERAGE MATURITY DAYS **25**

AVERAGE INTEREST RATE FOR THE MONTH **0.377%**

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

INTEREST EARNINGS FOR 1ST QUARTER 2021-2022 **\$80,497**

THERE HAVE BEEN NO VARIANCES TO THE INVESTMENT POLICY.

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

POOLED SURPLUS AND SPECIFIC PURPOSE INVESTMENTS
AS OF SEPTEMBER 30, 2021

SCHEDULE A

<u>PORTFOLIO PROFILE</u>	<u>Pooled Surplus Investments</u>	<u>Specific Purpose Investments</u>
Inventory Balance at 09/30/21		
At Cost	\$ 37,408,106,184	\$ 117,081,527
At Market	\$ 37,125,771,633	\$ 117,101,682
Repurchase Agreements	\$ -	\$ -
Reverse Repurchase Agreements	\$ -	\$ -
Composition by Security Type:		
Certificates of Deposit	3.88%	0.00%
United States Government and Agency Obligations	68.13%	62.70%
Bankers Acceptances	0.00%	0.00%
Commercial Paper	27.69%	0.00%
Municipal Obligations	0.08%	2.73%
Corporate and Deposit Notes	0.22%	0.00%
Repurchase Agreements	0.00%	0.00%
Asset-Backed	0.00%	0.00%
Other	0.00%	34.57%
1-60 days	43.87%	0.00%
61 days-1 year	17.29%	34.57%
Over 1 year	38.84%	65.43%
Weighted Average Days to Maturity	1,052	



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3C

TO: The Honorable Mayor and City Council

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

SUBJECT: Adopt a Resolution to continue to extend the existence of a local emergency and authorize public meetings via teleconferencing.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a resolution to continue to extend the existence of a local emergency and authorize public meetings via teleconferencing; and
2. Taking such additional, related, action that may be desirable.

CEQA:

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

EXECUTIVE SUMMARY:

Assembly Bill (AB) No. 361 became effective on September 16, 2021. In sum, AB 361 amended the Brown Act to extend the circumstances under which teleconferencing open meetings are permitted. In many respects, the Bill effectively extends the teleconferencing procedures authorized by, which the City has been using regularly since the early stages of the COVID-19 pandemic.

The City Council extended the local emergency on October 6, 2021. However, it must reconsider the circumstances of the state of emergency every 30 days and find, by a majority vote, that circumstances continue to necessitate the use of such teleconferencing procedures.

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

BACKGROUND:

AB 361 amends the Brown Act to allow a local agency to use teleconferencing without complying with the typical requirements in any of the following circumstances:

- The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

If the state emergency that forms the basis for the use of teleconference meetings pursuant to the AB 361 exception remains active for more than 30 days, the local agency must make the following findings by majority vote every 30 days to continue using the AB 361 exemption to the Brown Act teleconferencing rules:

- The legislative body has reconsidered the circumstances of the emergency; and
- Either of the following circumstances exist:
 - i) The state of emergency continues to directly impact the ability of members to meet safely in person.
 - ii) State or local officials continue to impose or recommend social distancing measures.

Subsequent resolutions will be placed on the agenda every 30 days. AB 361 will remain in effect until January 1, 2024, and as of that date will automatically be repealed.

City Council meetings will be conducted pursuant to Government Code § 54953(e) as implemented by City Council Resolution. Based upon readily available information, it appears that the Pandemic may continue to until the end of 2023.

FISCAL IMPACT:

The final fiscal impacts are unknown at this time. The City Manager will provide a final report when the City Council takes action to end the emergency.

Respectfully Submitted by:



Ron Bow
City Manager

Reviewed by:



Kelly Gordon
Police Chief

Reviewed by:



Matt Hallock
Fire Chief

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Resolution

ATTACHMENT 1

Resolution

RESOLUTION NO.

A RESOLUTION EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZING PUBLIC MEETINGS VIA TELECONFERENCING.

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

SECTION 1: The City Council finds as follows:

- A. On March 18, 2020, the City Council adopted Resolution No. 12142 which confirmed the existence of a local emergency related to the COVID-19 Pandemic (the "COVID-19 Pandemic"). Section 4 of Resolution No. 12142 authorizes the City Manager to undertake all actions needed to preserve public health and safety in accordance with applicable law.
- B. The Governor's March 4, 2020 Proclamation of Emergency (see paragraph 8) suspended the reporting and extension requirements of Government Code § 8630 for the duration of the COVID-19 Pandemic.
- C. Notwithstanding the Governor's Proclamation of Emergency, however, the City Council regularly reviewed and ratified actions undertaken by the City Manager when exercising his emergency powers. Accordingly, the City Council adopted a series of resolutions ratifying the City Manager's actions and extending the existence of a local emergency prompted by the COVID-19 Pandemic.
- D. Effective September 16, 2021, Assembly Bill No. 361 took effect which (among other things) amends certain provisions of the Ralph M. Brown Act governing open meetings and imposes a requirement to consider teleconferencing of meetings every 30 days.
- E. Government Code § 54953(e) allows the City to continue utilizing teleconferencing (which includes internet based video conferencing) to conduct public meetings under certain circumstances.

SECTION 2: *Ratification; Continuation of Local Emergency.* The City Council reviewed the state of the community and continues to extend the COVID-19 Pandemic emergency. Based upon the verbal and written reports of the City Manager regarding the COVID-19 Pandemic, the City Council is satisfied that the local emergency will continue for the foreseeable future.

SECTION 3: *Teleconferencing.*

- A. Pursuant to Government Code § 54953(e), the City Council finds as follows:

1. The state of California continues to be in a declared state of emergency pursuant to Government Code § 8625 (the California Emergency Services Act; see Government Code § 54953(e)(3); see also Governor's Proclamation dated March 4, 2020); and
 2. Based upon the recommendations of the Police Chief, Fire Chief, and City Manager, along with the most recent Order of the Health Officer for County of Los Angeles Department of Public Health (dated September 17, 2021 and effective October 7, 2021), masks and social distancing continue to be necessary to curb the spread of the COVID-19 virus (Government Code § 54953(e)(3)(B)(ii)).
- B. Accordingly, to protect public health and safety the City Council finds that it is in the public interest to conduct public meetings of its legislative bodies via teleconference as defined by Government Code § 54953.
- C. The City will adhere to all requirements of Government Code § 54953 governing teleconferencing during the emergency including, without limitation, posting agendas; allowing for real-time public comment via either call-in or internet-based; allowing for written communications that will be either read or summarized into the record during the meeting as determined by the City Council; and protecting the statutory and constitutional rights of all persons appearing before the legislative body. No physical location will be provided for persons wishing to provide real-time public comment.

SECTION 4: Reporting. Every 30 days following adoption of this Resolution, the City Council will reconsider the extension of the teleconferencing method of public meetings in accordance with Government Code § 54953(e)(3). Such determinations may take the form of a minute order and be placed on the consent calendar.

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

PASSED AND ADOPTED this 17th day of November, 2021.

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3D

TO: The Honorable Mayor and City Council
FROM: Martha Garcia, Director of Management Services
SUBJECT: Professional Services Agreement for the Investment Management/Advisory Services by Chandler Asset Management

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the Mayor to execute an agreement with Chandler Asset Management, in a form approved by the City Attorney, to provide investment management/advisory services for a percentage of the City's investment that will amount to approximately \$30,000 annually (based upon an investment amount not to exceed \$40,000,000);
2. Adopting a Resolution authorizing the City Treasurer to implement the Investment Policy for FY 2021-22; and
3. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Professional investment management of public funds is a best practice which provides substantial benefits to the City of Monterey Park. These benefits include day-to-day monitoring of investments within the portfolio, including daily analysis of available market yields; re-balancing of the portfolio's duration (average maturity) to take advantage of higher interest when available, daily credit monitoring of investment instruments, security selection and competitive shopping of investments to obtain the best execution of trades. Performance measurement against selected benchmarks and compliance will be monitored daily with the City's investment policy and California Government Code and reported formally to the City as part of its monthly reporting package.

During the September 15, 2021 City Council Meeting, and in compliance with the City's Investment Policy, City Council directed the Treasury Committee to analyze external investment management services. The goal of external management is to maximize the return on investments within the portfolio, while minimizing risk of principal and prioritizing safety of principal and liquidity.

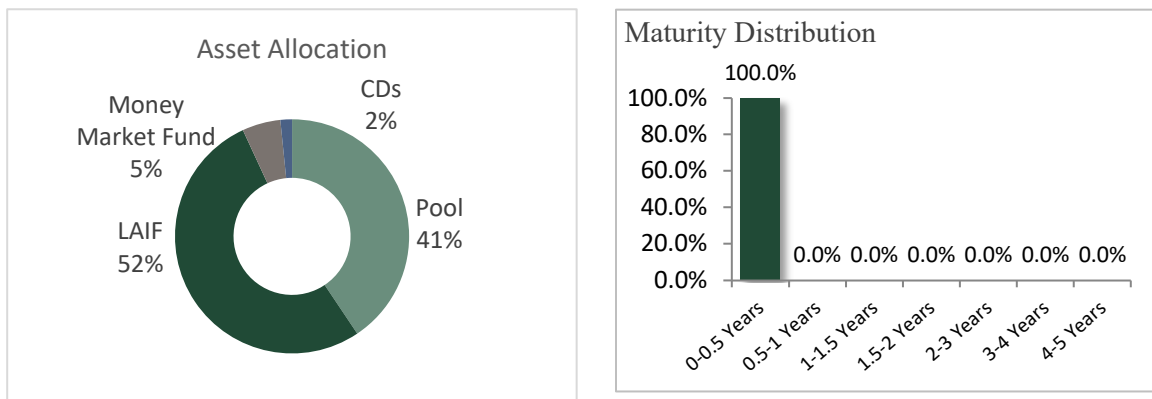
BACKGROUND:

The two pools currently utilized by the City are LAIF and the Los Angeles County Investment Pool (LACIP). Both pools offer local agencies the opportunity to participate in institutional investment vehicles which utilize a professional staff and furnish standard reports.

Investment returns in these shorter-duration investment pools have been significantly impacted by the lower interest rate environment brought on by the COVID-19 pandemic, resulting in lower returns and loss of income to the City. By outsourcing idle funds, which are those funds typically not needed for 12-18 months to Chandler for external management, the City can select an investment strategy with a slightly longer duration which reflects the City's investment goals and objectives.

City of Monterey Park Portfolio as of August 31, 2021

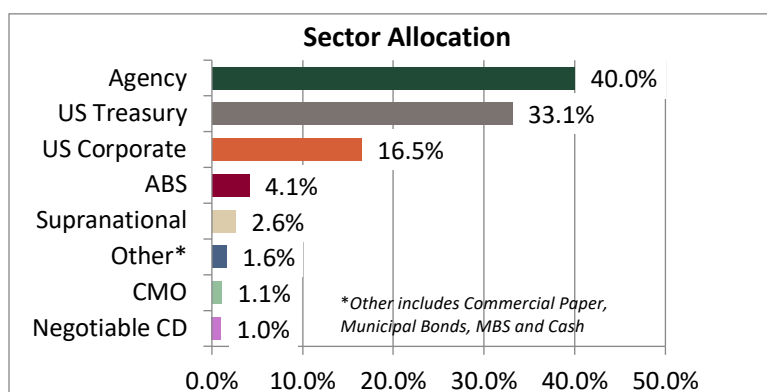
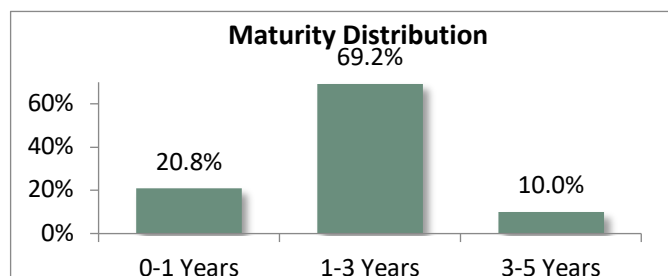
City of Monterey Park's Portfolio Characteristics	
Total Market Value:	\$92,866,051
Yield To Maturity:	0.41%
Weighted Average Maturity:	1,111 days



Through ownership of individual securities, the City may be able to optimize returns on investments and generate additional liquidity through the structuring of funds to mature concurrent with cash needs to generate liquidity while also prioritizing safety. Below are the characteristics of two of Chandler's composite strategies most commonly used by California public agencies:

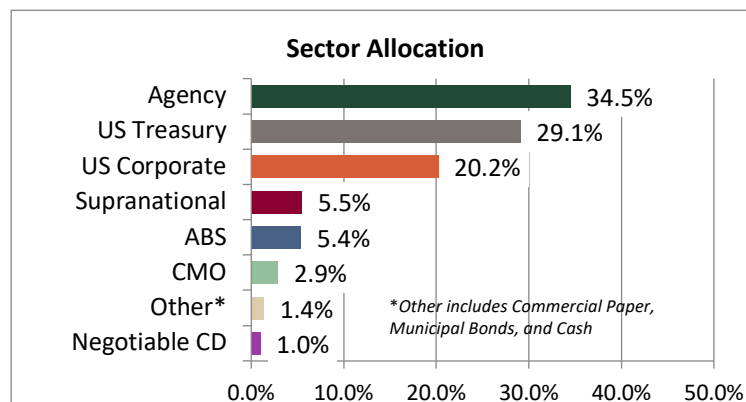
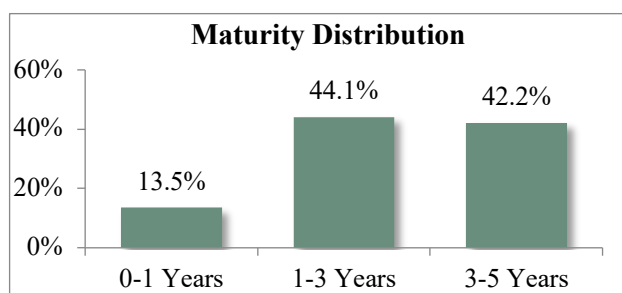
Limited Maturity (1-3 Year)

Average Final Maturity	2.00
Average Duration	1.86
Average Market Yield	0.31%
Average Quality (S&P)	AA+
Average Coupon	1.39%



Short Term Bond (1-5 Year)

Average Final Maturity	2.78
Average Duration	2.57
Average Market Yield	0.48%
Average Quality (S&P)	AA
Average Coupon	1.63%



Based on Chandler's Limited Maturity and Short-Term Bond composite characteristics as of 6/30/2021. Credit Quality equivalent of composite/average of S&P, Moody's and Fitch ratings; "A" category includes "A-1" rated

money market securities. The composite characteristic information presented above is supplemental information pursuant to GIPS®. There is no guarantee that investment in any of these styles will result in characteristics similar to those that appear in this presentation due to changes in economic conditions and other market factors. Past characteristic is not indicative of future results. Please see the GIPS Composite Reports at the end of this presentation for complete details.

Chandler Investment Styles
10-Year Gross of Fee Performance Compared to LAIF (Hypothetical)
June 2011— June 2021

Investment Styles	Portfolio Duration	Annualized Total Return 10-Year Period (Net of Fee)	10-Year Growth of \$40 Million Portfolio (Net of Fee)	Chandler Added Value Over LAIF \$40 Million Portfolio (Net of Fee)
LAIF	0.80	0.85%	\$43.5 million	<i>n/a</i>
Chandler's Limited Maturity (1-3 Year)	1.86	1.36%	\$45.8 million	\$2.3 million
Chandler's Short Term Bond (1-5 Year)	2.57	1.74%	\$47.5 million	\$4.0 million

**Net performance for Chandler investment styles based on sample fee of 9.25 basis points (0.0925 of 1%) proposed for a \$40 million account relative to LAIF. LAIF returns include an administrative fee charged to investors by the California State Treasurer. LAIF duration estimated based on average maturity in days, as of 6/30/2021, divided by 365 days. Performance shown is hypothetical for a \$40 million portfolio and not based on an actual client's account. Performance for Chandler's Limited Maturity and Short Term Bond strategies has been calculated using historical composite performance compared to LAIF. Performance shown is net of fees. Gross performance does not include fees, which will reduce performance. Past performance is not a guarantee of future results. All investment strategies have the potential for profit or loss. Market conditions or economic factors may alter the performance and results of a portfolio. Please see the GIPS Composite Reports and disclosures at the end of this presentation for further details. For one-on-one presentation only*

In September 2021, the City's Treasury Committee requested investment presentations of external investment management services from three fee-based providers. The three providers included Public Financial Management (PFM), Public Trust Advisors (PTA), and Chandler Asset Management. The presentations included as follows:

- Growth of a \$40 million dollar investment over LAIF for a 10 year period net of the proposed fee.
- Observations on the City's Investment Policy for consideration.
- Reviews, comprehensive reporting package to the City which includes, monthly reports, quarterly reports and meetings, annual GASB reports and secure online portal access.
- Performance, historical performance for firm's investment strategies.
- Benefits and hurdles of pooled investments.
- List of other municipalities served by the firm.

The minimum qualifications for consideration of investment advisors for investment management services included as follows:

- Currently manage at least \$10 billion of domestic fixed income assets for public entities.
- Assign a portfolio manager and a relationship manager who each have a minimum of ten years of experience providing investment advice to California public entities.
- Be familiar with all applicable California Government Codes regarding qualified investments for public entities.
- Be registered with the Securities and Exchange Commission under the Investment Advisor's Act of 1940.
- Be financially solvent and appropriately capitalized to be able to provide service for the duration of the contract.
- Have Errors and Omissions insurance coverage of at least \$10 million.
- Have fidelity bond coverage of at least \$10 million.
- Adhere to the Code of Professional and Ethical Standards as described by the Chartered Financial Analyst Institute (CFA Institute).

The Treasury Committee selected Chandler Asset Management to provide external investment management services for the city. Chandler's analysis of the City's existing portfolio was presented to City Treasurer, Joseph Leon; City Manager, Ron Bow; Assistant City Manager, Inez Alvarez; Director of Management Services, Martha Garcia; and the City's Financial Advisor Michael Busch. Evaluation criteria was as follows:

- Responsiveness and understanding of engagement
- Firm experience, approach and long-term performance
- Assigned personnel experience
- Client References and overall client satisfaction
- Investment Returns for Chandler's Composites
- Cash Flow Analysis and Modeling

The following cost associated with these services is as follows:

**City of Monterey Park
Fee Schedule**

Assets Under Management	Annual Asset Management Fee
First \$25 million	0.10 of 1% (10 basis points)
Next \$25 million	0.08 of 1% (8 basis points)
Next \$50 million	0.06 of 1% (6 basis points)

*Annual fee is based on approximately \$40 Million in managed investments. Chandler's fees do not include third party custody services, as the firm is not a provider of such services. The safekeeping/custody of the City's funds by a third-party provider of the City's choosing is an important control in the investment management process. Under no circumstances will Chandler take possession or control of the City's assets, and all securities transaction will be delivery versus payment ("DVP").

The most significant factors considered in recommending Chandler:

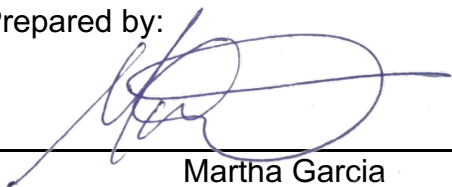
- Provided the most similar and neighboring clients as references. Chandler manages over \$23.5 billion in assets under management including over \$6.5 billion for 58 California Cities.
- Provided significant understanding of the City's Investment Policy, portfolio requirements and objectives, including observations of the investment policy and analysis of the portfolio suggesting optimization of idle funds and improvements, such as diversification from pools for future consideration.
- Outstanding references, including testimonials of being service oriented, providing assistance beyond contracted services, validated performance beyond the benchmark while maintaining a lower risk than the benchmark.
- Superior reporting as well as education and training which will save the City's Staff time and provide continuity of care of the investment program through staff changes and various market cycles.
- Complete Cash Flow Analysis to assist the City in identifying near and long-term investment goals.

With the award of the contract, the Management Services Department and Chandler will develop every aspect of an investment program, including analysis of risk and return, investment policy development and review, and cash flow analysis and forecasting. Chandler will implement investment strategies that meet the City of Monterey Park's risk and return requirements, conduct reconciliation with custodian statements and settlement of transactions, and provide comprehensive investment reporting for transparency. Chandler will conduct education and training for staff enrichment, provide monthly reporting, hold quarterly meetings to discuss investment results, and be available to present to the City's staff, Treasury Committee and Council as needed. Chandler will be assisting staff with the annual update of the Investment Policy, which ultimately will be submitted to the Council for consideration and approval.

FISCAL IMPACT

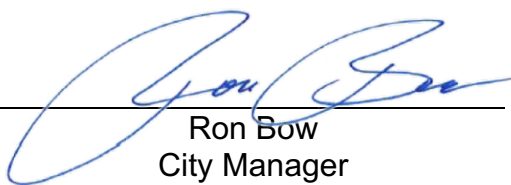
The cost of investment management services is approximately \$3,083 per month for \$40M dollars but will fluctuate based on portfolio value. Chandler Asset Management will extend a 10% discount on the first six months of invoices of the professional contract and services. City Staff anticipates that enhanced investment earnings will exceed investment management fees. Fees for investment management and custodial services will be debited from interest earnings at the City's third-party custodian.

Prepared by:



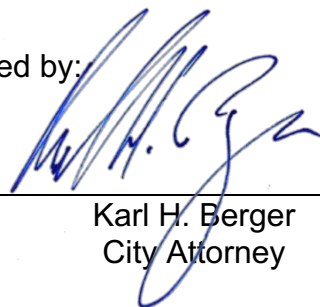
Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

- 1) Draft Resolution

ATTACHMENT 1
Draft Resolution

RESOLUTION NO. _____
SA RESOLUTION NO. _____
GHAD RESOLUTION NO. _____

**A JOINT RESOLUTION OF THE CITY OF MONTEREY PARK,
SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT
AGENCY, AND GEOLOGIC HAZARD ABATEMENT DISTRICT
ADOPTING AN INVESTMENT POLICY AND DELEGATING AUTHORITY
TO IMPLEMENT THE POLICY.**

The City Council, acting on behalf of the City of Monterey Park, the Successor Agency to the Monterey Park Redevelopment Agency, and the Board of Directors for the Monterey Park Geologic Hazard Abatement District (collectively, "City Council") does resolve as follows:

SECTION 1: The City Council finds and declares as follows:

- A. Government Code § 53646 allows the City Treasurer or Management Services Director to provide the City Council an investment policy for consideration;
- B. Government Code § 53607 confirms the City Council's authority to invest or reinvest funds and, in its sole discretion, to delegate investment authority to the City Treasurer to implement such authority, on an annual basis; and
- C. The Treasurer proposed that the City Council consider the amended Investment Policy attached as Exhibit "A," and incorporated by reference, for Fiscal Year 2021-22 ("Policy").

SECTION 2: After due consideration, the City Council finds that the Policy conforms with applicable law and adopts it for use during Fiscal Year 2021-22 on behalf of the City of Monterey Park and the Successor Agency to the Monterey Park Redevelopment Agency (collectively, "City"). The Treasurer, upon approval by a majority of the Treasury Committee members, is authorized to implement the Policy (in accordance with the terms and conditions of the Policy) for this time period on the City's behalf.

SECTION 3: This Resolution supersedes all previous investment policies including, without limitation, that adopted by Resolution No. 12272, adopted September 15, 2021. Supersession of previous investment policies does not affect any penalty, forfeiture, or liability incurred before, or precludes prosecution and imposition of penalties for any violation occurring before this Resolution's effective date. Any such superseded part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

SECTION 4: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 5: The City Manager, or designee, is authorized to implement this Resolution in accordance with applicable administrative policies and procedures that may be

promulgated by the city manager.

SECTION 6: *Electronic Signatures*. Pursuant to Monterey Park Municipal Code § 3.95.020, 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 7: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

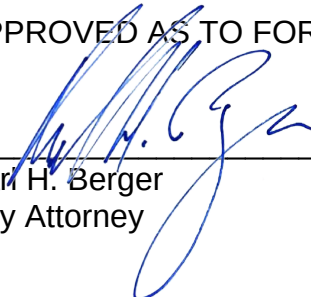
PASSED AND ADOPTED this 17th day of November 2021

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger
City Attorney

Resolution No.

Page 3

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF MONTEREY PARK)

I, VINCENT D. CHANG, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. _____ was duly regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 17th day of November 2021, by the following vote:

AYES:	Councilmembers:
NOES:	Councilmembers:
ABSTAIN:	Councilmembers:
ABSENT:	Councilmembers:

Dated this 17th day of November 2021

Vincent D. Chang, City Clerk

EXHIBIT A

CITY OF MONTEREY PARK INVESTMENT POLICY

I. PURPOSE

This Policy is intended to provide guidelines for prudent investment of the City's temporary idle cash (including City of Monterey Park, Monterey Park Public Financing Authority, Monterey Park Geologic Hazard Abatement District, and Monterey Park Housing Authority) and outline the policies for maximizing the efficiency of the City's cash management system. The ultimate goal is to enhance the economic status of the City while safeguarding its assets.

The Investment Policy complies with Government Code § 53600, *et seq.* However, to meet the City's needs, the investment parameters set forth in the City's policy are more conservative than those allowed by the Government Code.

II. SCOPE

The policy directs the investment of the City's temporarily idle monies for all funds that are accounted for in the City's Comprehensive Annual Financial Report including the general fund, special revenue funds, fiduciary funds, and proprietary funds. Employee deferred compensation, long-term debt proceeds and reserves held by a Trustee and invested pursuant to contractual agreement, or retirement investments held by a trustee (such as CalPERS) are not managed by the City and are not subject to this Investment Policy.

This Investment Policy also directs all investments related to the Monterey Park Public Financing Authority, the Monterey Park Geologic Hazard Abatement District, and the Monterey Park Housing Authority. For purposes of investments made for the Monterey Park Public Financing Authority, the Monterey Park Geologic Hazard Abatement District, and the Monterey Park Housing Authority, all references made to the City Treasurer also mean the appointed Treasurer(s) of each respective entity.

III. INVESTMENT OBJECTIVES

Criteria for selecting investments and the order of priority are:

1. **Safety**: The safety and risk associated with an investment refers to the potential loss of principal, interest or a combination of these amounts. Safety of Principal is the foremost objective of the City's investment program. To attain this objective, the City will select only those investments that ensure the preservation of capital in the overall portfolio and to mitigate credit risk and market risk.
2. **Liquidity**: This refers to the ability to "cash in" at any moment in time with a minimal chance of losing principal or interest. Liquidity is an important investment quality, especially when the need for unexpected funds occurs. The objective is to remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated within 180 days.
3. **Yield**: Yield is the potential dollar earnings an investment can provide, also referred to as the rate of return. The objective is to attain a rate of return that equals or exceeds the yield for the three-month Treasury Bill.

IV. TREASURY COMMITTEE

The Policy creates a Treasury Committee ("The Committee"). The Committee is comprised of the City Treasurer, the City Manager, the Assistant City Manager and the Director of Management Services. The Committee meets periodically and performs the following:

- Development and implementation of investment strategy in accordance with this Policy;
- Development and implementation of investment procedures to establish internal controls, investment reporting, recordkeeping, accounting and processes for movement of funds;
- Evaluation of financial institutions;
- Development and implementation of controls to ensure compliance with California law and the City's Investment Policy; and
- Selection of investment managers, when appropriate.

V. INVESTMENT PROCEDURES AND RESPONSIBILITY

- An Investment Procedures Manual is established to guide staff with day-to-day investment operations. The Manual includes procedural elements such as

cash position review, investment selection, investment transaction, investment recording, and investment reporting.

- Within the constraints set forth in this policy, the Treasury Committee, upon majority vote, has the authority to oversee the Citywide investment operations.
- Following direction by the Treasury Committee, the City Council delegates the authority to the Director of Management Services to open new bank accounts, investment and cash management accounts, and other credit enhancement products, closing bank accounts, investment and cash management accounts, and signing all documents related thereto. The City Manager is required to periodically review the Director of Management Service's implementation of this authority.
- The Director of Management Services is responsible for the following implementation and supervision of investment controls: approving daily investment transactions, developing the projections of the City's cash requirements for operating needs, reviewing the liquidity position of the investment portfolio, ensuring that the citywide cash position is consistent with operating requirements, preparing appropriate investment reports for review by the Committee, and developing, implementing and monitoring controls over investments. If required, the Director of Management Services may delegate certain tasks to other designees within the Management Services Department.

ETHICS AND CONFLICTS OF INTEREST

VI. ALLOWABLE INVESTMENTS

- All investments must conform with Government Code § 53600, *et seq.* and this investment policy.
- See the list of allowable investments (Investments) in the matrix provided in Attachment A, which is incorporated by reference. Any newly developed derivative of an allowable investment that is not specifically mentioned in the policy must be recommended by the City Treasurer to the City Council for inclusion in the policy. City Council approval of such investments must be reflected via resolution or minute order.

VII. SELECTION OF FINANCIAL INSTITUTIONS AND DEALERS

- The Treasury Committee will maintain an approved list of primary dealers or regional dealers that qualify under Securities and Exchange Commission Rule

15C3-1 (uniform net capital rule) and government-sponsored investment pools. The Treasury Committee will review and amend the approved list periodically to ensure that the institutions continue to meet the selection criteria.

- A copy of the City's Investment Policy will be submitted to all dealers, investment managers and fiscal agents who manage City monies. The City must obtain an annual certification evidencing that they (1) have reviewed the City's investment policies and objectives, (2) are familiar with the City's investment constraints and (3) have complied with the provisions contained in this policy.
- Purchases of investments must be made directly from the issuer, with the exception of the State LAIF or the County Pool investments, from a member of a federally regulated securities exchange, from a national or state-chartered bank, or from a brokerage firm.
- Only commercial banks and savings and loan associations that demonstrate financial strength and are insured by the federal government may be selected to provide investment services.
- Other financial institutions must be selected using the following selection criteria: financial strength, reputation, area of expertise and ability to conform to the City and state-mandated investment parameters.

VIII. SAFEKEEPING AND CUSTODY

- Investments evidenced by physical or book-entry securities must be secured through third-party custody and safekeeping procedures or under a tripartite agreement (does not apply to insured certificates of deposit, money market funds and the Local Agency Investment Fund).
- All transactions described above, where applicable, must be executed on a delivery versus payment basis.
- The custodian will hold assets until the investments mature or the bank receives a request from the City to dispose of the securities.
- Bearer instruments can only be held through third-party institutions.

IX. INVESTMENT POOLS/MONEY MARKET MUTUAL FUNDS/BANK SAVINGS FUNDS

The Treasury Committee will conduct a thorough investigation before obtaining City Council approval for investing in the State Local Agency Investment Fund (LAIF), the Los Angeles County Pool Investment Fund (LACPIF), Treasury Bills and/or any money market mutual fund. Periodically, LAIF, LACPIF and all mutual funds will be required to respond to an investment pool questionnaire to ensure that the criteria as qualified investment vehicles for the City remain unchanged.

X. COLLATERALIZATION

Certificates of Deposits (CD) - The City will require any commercial bank or savings and loan association to deposit eligible securities with an Agent of a Depository approved by the California Department of Business Oversight, Division of Financial Institutions, to secure any uninsured portion of a non-negotiable certificate of deposit:

- The value of eligible securities as defined pursuant to Government Code Section 53652, pledged against a certificate of deposit must be equal to 150% of the face value of the CD if the securities are classified as mortgages and 110% of principal of the CD for all other classes of security, if the Certificate of Deposit is not FDIC insured or goes over the FDIC \$250,000 limit.
- Financial Institutions must mark the value of the collateral to market monthly and increase or decrease the collateral to satisfy the ratio requirement described above.

XI. MATURITY

- The City cannot make any new investments in instruments with stated remaining maturities that exceed the terms specified in attached Attachment A ("Allowable Investments"), which is incorporated by reference, at the time of purchase. Overall, all investments must follow the City's Investment Policy.
- Maturities of investment instruments in the portfolio will be staggered as much as practical and be consistent with projected cash requirements.

XII. LIQUIDITY

- All forecasted operating requirements must be satisfied by maintaining an adequate level of liquidity in the portfolio.
- Maturities will be selected to mature before or match the timing of the City's projected cash needs.

- The marketability of a security is an important criterion in selecting an investment.
- A liquidity base equal to the forecasted cash needs for 180 days should be maintained whenever practical.

XIII. DIVERSIFICATION

- Within the parameters established by this Policy, investments should be diversified by security type and institution.

XIV. COMPETITIVE BIDDING

- The purchase or sale of securities should be made on the basis of competitive bids. A minimum of three bids, from a list of eligible dealers and/or banks should be obtained and documented. Exceptions to this policy may be granted by the majority of the Treasury Committee members when competitive bids are not practical. Reasons for granting exceptions to the competitive bid process should be stated.

XV. REPORTING

- The Treasurer must report to the City Council on a monthly and annual basis.
- The monthly investment report submitted to the City Council will contain the following:
 - o An investment inventory including types and amounts of investments, issuing financial institutions and maturities
 - o Average maturity of the portfolio
 - o Average total yield to maturity of the portfolio
 - o For marketable securities only including current market value of investments with maturities of more than 12 months
 - o A statement indicating that the City can meet its expenditure requirements for the upcoming 180 days

- o A statement indicating that the portfolio complies with the City's Investment Policy
 - o Percent of portfolio invested by type of instrument
 - o Comparison of portfolio performance to the average yield rate for the three-month treasury bill
 - o Written explanations for any variances to policy
- The Annual Investment Report must provide a summary of the annual investment activities and include a proposed statement of Investment Policy to be approved by the City Council during the first sixty days of the fiscal year.

XVI. PRUDENCE

- The City of Monterey Park will follow the prudent investor standard of Government Code § 53600.3. Prudent Investor Standard: Investments must be made with judgment and care – under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.
- Investment officers acting in accordance with this Investment Policy and written procedures and exercising due diligence are relieved of personal responsibility and liability for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely and accurate fashion as required by this Policy and procedures and appropriate action is taken to control adverse developments.

XVII. INTERNAL CONTROLS

- Internal controls must be established and documented in writing. The controls must be designed to prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, or imprudent actions by employees and officers of the City. Controls deemed most important include: separation of duties; separation of transaction authority from accounting and recordkeeping; custodial safekeeping; clear delegation of authority; specific limitations regarding securities losses and remedial action; control over wire transfers such as dual authorization; minimizing the number of authorized investment officials; documentation of transactions and strategies; and a code of ethics standard.

- The City's investment procedures manual will establish and maintain an internal control structure designed to ensure that the assets managed under the scope of the Policy are protected from loss, theft, or misuse. The internal control structure will provide reasonable assurance that these objectives are met.
- As part of the City's annual audit, the City's external auditor will review the City's investment activities to ensure compliance with the Investment Policy.

XVIII. INVESTMENT GUIDELINES POLICY ADOPTION

- The City's Investment Policy will be reviewed and updated annually by the Treasury Committee to reflect changes in applicable law, general market conditions or to provide further clarification of the City's policies. The Investment Policy may be amended annually by resolution of the City Council. Any amendments to the Policy must be approved by the City Council.

Glossary of Terminology

Allowable Investments: A list of permitted investments by investment type maintained as a component to an investment policy. Allowable investment listings will generally include descriptions or parameters for investment diversification ratios, terms of maturity, and quality ratings.

Bankers' Acceptance (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institutions guarantee payment of the bill, as well as the issuer.

BID: The price offered for securities.

Book Entry Securities: All U.S. Treasury and Federal Agencies are maintained on computerized records at the Federal Reserve; now known as "wireable" securities.

Broker: A broker brings buyers and sellers together for a commission.

Certificate of Deposit (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CDs are typically negotiable.

Collateral: Securities, evidence of deposit, or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

Collateralized Bank Deposits: Non-negotiable Certificate of Deposit issued by a nationally or state - chartered bank or association or a State - licensed branch or a foreign bank (insured by the federal government); Bank Collateralized Savings.

Commercial Paper (CP): An unsecured short-term promissory note issued by corporations, with maturities ranging from 2 to 270 days.

Cost: The purchase price of an investment.

Coupon: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on a bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment.

Credit Risk: The risk of loss of principal and interest due to failure of the security issuer or broker.

Dealer: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own.

Debenture: A bond secured only by the general credit of the issuer.

Delivery versus Payment: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

Derivatives: (1) Financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities or commodities).

Discount: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

Discount Securities: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury Bills.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Credit Agencies: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank deposits, currently up to \$ 250,000 per deposit for anyone issuer with maturity on or before 12/31/2013.

Federal Open Market Committee (FOMC): Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

Federal Reserve System: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, D.C., twelve Regional Banks and about 5,700 commercial banks that are members of the system.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid

if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

Los Angeles County Pooled Investment Fund (LACPIF): Government Code § 53684 allows local agencies in the County of Los Angeles to deposit excess funds in the Los Angeles County Treasury Pool for the purpose of investment by the Treasurer and Tax Collector of the County.

Local Agency Investment Pool (LAIF): The aggregate of all funds from California political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

Market Risk: The risk that the market value and interest earnings of an investment or a portfolio will fall due to changes in general interest rates.

Market Value: The price at which a security is trading and could presumably be purchased or sold.

Maturity: The date upon which the principal or stated value of an investment becomes due and payable.

Money Market: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

Par Value: The amount that will be realized upon maturity of an investment.

Portfolio: Collection of securities held by an investor.

Primary Dealer: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

Prudent Person Rule: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state-- the so called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

Qualified Public Depositories: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral

having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

Rate of Return: The yield obtainable on a security based on its purchase price or its current market price. Or income earned on an investment, expressed as a percentage of the cost of that investment.

Rule 15C3-1: See Uniform Net Capital Rule.

Safekeeping: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

Secondary Market: A market made for the purchase and sale of outstanding issues following the initial distribution.

Securities & Exchange Commission: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

Treasury Bills: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

Treasury Bonds: Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years.

Treasury Notes: Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years.

Uniform Net Capital Rule: Securities and Exchange Commission requirement that member firms as well as non-member broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15:1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

Weighted Average Rate of Return: Rate of return calculated based on interest earnings and the length of actual holding for each individual security.

Yield: The rate of annual income return on an investment, expressed as a percentage. (a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. (b) NET YIELD OR YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in

purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

Zero Coupons: Securities that have no periodic interest payments and are sold at a deep discount from face value. For the purposes of the Monterey Park Investment Policy, zero coupons reference U.S Treasury issues.

CITY OF MONTEREY PARK

FINANCIAL INSTITUTIONS

Section I – Certificates of Deposit and Collateralized Bank Deposits

All California or nationally chartered banks and savings and loans covered by the Federal Deposit Insurance Corporation.

Section II – Government Investment Pools

Local Agency Investment Fund (State of California) Investment Pools (LAIF)
Los Angeles County Pooled Investment Fund (LACPIF)

Section III – “Primary” or “Regional” Security Dealers

<u>Name</u>	<u>Address</u>
Bank of the West/BNP Paribas (City’s Servicing Bank)	13300 Crossroads Parkway North City of Industry, CA 91746 (800) 676-4549
Bank of America Securities Inc.	300 S. Grand Avenue, 19 th Floor Los Angeles, CA 90071
Morgan Stanley	245 Lytton Avenue, #200 Palo Alto, CA 94301 (800) 755-8081
Multi-Bank Securities, Inc.	6 Sea Island Drive Newport Beach, CA 92660 (800) 337-3467
Wells Fargo Bank, N.A	333 S. Spring Street Los Angeles, CA 90013 (213) 972-0828
Merrill Lynch Government Securities, Inc.	350 S. Grand Avenue, 28 th Fl. Los Angeles, CA 90071 (213) 236-2047

ALLOWABLE INVESTMENTS

Investment Types	CITY AUTHORIZED			STATE CODE		
	Maximum % of Portfolio	Maximum Maturity	Minimum Quality	Maximum % of Portfolio	Maximum Maturity	Minimum Quality
<u>Local Agency Bonds</u> Bonds issued by the City, including bonds payable solely out of revenues from a revenue producing property owned, controlled, or operated by the City or authority of the City	None	5 years	None	None	5 years	None
<u>U.S. Treasury Obligations</u> · United States Treasury Notes, Bonds, Bills or other certificates of indebtedness backed by the US government · U.S. Treasury Zero Coupons	None	5 years	None	None	5 years	None
<u>State Obligations - CA and Others</u> Bonds, notes or other evidence of indebtedness of any local agency within this state	None	5 years	None	None	5 years	None
<u>U.S. Agency Obligations</u> Discount notes or notes issued by Agencies of the Federal Government	None	5 years	None	None	5 years	None
<u>Collateralized Bank Deposits</u> Non - negotiable Certificate of Deposit issued by a nationally or state - chartered bank or association or a State - licensed branch or a foreign bank (insured by the federal government); Bank Collateralized Savings.	None	5 years	None	None	5 years	None
Medium-term notes issued by corporations	30%	5 years	"A" or better ranking by nationally recognized rating service U.S. domiciled corporations or U.S. licensed depository	30%	5 years	"A" or better ranking by nationally recognized rating service U.S. domiciled corporations or U.S. licensed depository
<u>Local Agency Investment Fund (LAIF)</u> State of California Local Agency Investment Fund (LAIF) or other Local Government Investment Pools established by public entities	None	Not applicable	None	None	Not applicable	None

ALLOWABLE INVESTMENTS

Investment Types	CITY AUTHORIZED			STATE CODE		
	Maximum % of Portfolio	Maximum Maturity	Minimum Quality	Maximum % of Portfolio	Maximum Maturity	Minimum Quality
<u>Los Angeles County Pooled Investment Fund</u> California Government Code Section 53684 allows local agencies in the County of Los Angeles to deposit excess funds in the Los Angeles County Treasury Pool for the purpose of investment by the Treasurer and Tax Collector of the County	10% of LACPIF pool balance	None	None	Not applicable	None	None
Mutual Funds and Money Market Mutual Funds	20%	Not applicable	Highest ranking by not less 2 largest rating services Have an SEC registered investment advisor with more than 5 years' experience Assets under management greater than \$500 million	20%	Not applicable	Highest ranking by not less 2 largest rating services Have an SEC registered investment advisor with more than 5 years' experience Assets under management greater than \$500 million
"Banker's acceptance"	40% of portfolio (no more than 30% in any one commercial bank)	180 days	None	40% of portfolio (no more than 30% in any one commercial bank)	180 days	None
Commercial Paper	40% of portfolio for counties, cities and other local agencies (No more than 10% of agency's money in the commercial paper of any one corporate issuer)	270 days	"A" or higher rating for issuer's debt within U.S. corporations and have assets in excess of \$500 million.	40% of portfolio for counties, cities and other local agencies (No more than 10% of agency's money in the commercial paper of any one corporate issuer)	270 days	"A" or higher rating for issuer's debt within U.S. corporations and have assets in excess of \$500 million.
Repurchase Agreements	Not Allowable	Not Allowable	Not Allowable	None	1 year	None
<u>Negotiable Certificates of Deposit</u> Negotiable Certificates of Deposit issued by a nationally or State - chartered Bank, a federal association, or a State - licensed branch of a foreign - owned bank (insured by the federal government).	30%	5 years	None	30%	5 years	None

ALLOWABLE INVESTMENTS

Investment Types	CITY AUTHORIZED			STATE CODE		
	Maximum % of Portfolio	Maximum Maturity	Minimum Quality	Maximum % of Portfolio	Maximum Maturity	Minimum Quality
Financial Futures and Financial option contracts.	None	5 years	None	None	5 years	None
Reverse Repurchase Agreements and Securities Lending Agreements	Not Allowable	Not Allowable	Not Allowable	20% of the base value of the portfolio	92 days	None
<u>Mortgage Pass-Through Securities</u> · Mortgage-backed securities '(Corporate issued)	Not specified			Not specified		
· Diversified Management Companies	20%	5 years	"A" or better ranking by nationally recognized rating service	20%	5 years	"A" or better ranking by nationally recognized rating service



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3E

TO: The Honorable Mayor and City Council
FROM: Christine Tomikawa, Director of Human Resources & Risk Management
SUBJECT: Confirmation of the City's withdrawal from ICRMA and direction to the City Manager regarding joining a new insurance pool.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Confirming that the City is withdrawing from the ICRMA as set forth in Resolution No. 12252, adopted June 16, 2021;
2. Authorizing the City Manager to execute an agreement, in a form approved by the City Attorney, with an appropriate third party administrator to oversee processing of City claims including, without limitation, workers compensation claims;
3. Authorizing the City Manager to negotiate terms and conditions of an agreement with Public Risk Innovation, Solutions, and Management ("PRISM") for ratification by the City Council at a future agenda; and
4. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On June 16, 2021, City Council authorized the City Manager to issue a notice of intent to withdraw from the Independent Cities Risk Management Authority (ICRMA). ICRMA provides excess insurance coverage for the City's property, workers' compensation and general liability programs. Per ICRMA bylaws, the City would need to rescind its withdrawal notice with ICRMA by December 1, 2021.

Staff received insurance quotes from two Joint Powers Authorities (JPAs) that provide coverage similar to that offered by ICRMA. It appears that the quote from PRISM is the overall best option for the City. Staff recommends that the City Council approve negotiating with PRISM to implement the change in JPAs by July 1, 2022.

BACKGROUND:

The research staff conducted included quotes from Public Risk Innovation, Solutions, and Management (PRISM) JPA and the California Joint Powers Insurance Authority (CJPIA). Both JPAs provide similar coverage to ICRMA with property insurance, cyber insurance, workers' compensation excess insurance, general liability excess insurance, and auto insurance.

	ICRMA	PRISM	CJPIA
Liability Program	\$2,768,794	\$2,900,000	\$2,426,500
Property Program	\$83,876	\$179,366	\$376,600
Auto Program	\$40,898	Included in Property	\$54,800
Workers' Comp	\$627,688	\$420,000	\$766,900
Cyber	\$7,833	\$23,000	Included in Property
Other	\$7,378	\$8,000	\$2,300
TOTAL:	\$3,536,467	\$3,530,366	\$3,637,100

CJPIA was founded in 1978 and currently has 123 members. The members include various cities, other JPAs and special districts throughout the State of California. City of Monterey Park, with its 300+ employees and a Police and Fire department, is considered one of the larger cities within the CJPIA, meaning Monterey Park brings more potential liability concerns to the CJPIA compared to other members. CJPIA provides third-party administrators (TPAs) for the general liability and workers' compensation programs for any new claims starting after July 1, 2022. An added cost for the City is to continue with its current TPA contract to oversee any claims before July 1, 2022 (estimated at \$50K/year). CJPIA provides additional training resources and risk management resources similar to ICRMA.

PRISM was founded in 1979 and currently has 360+ members. The members include various counties, cities, special districts, other JPAs, and school districts throughout the State of California. City of Monterey Park is considered one of the medium sized cities within PRISM. The City would continue to utilize its current TPAs to manage current and new claims after July 1, 2022. PRISM provides similar training resources and risk management resources as ICRMA. PRISM offers ancillary benefit programs for dental, vision, and Employee Assistance Programs (EAP) which could be an additional savings for the City if it opts to enroll.

City of Monterey Park has been with ICRMA for many years. As the needs of the member cities have changed, ICRMA has seen a reduction in membership which reduces the JPA's ability to market excess insurance rates compared to other JPAs with larger membership to share the risk sharing costs.

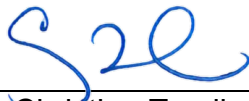
Staff recommends the City of Monterey Park continue the withdrawal process from ICRMA and finalize its application with PRISM JPA. By joining a larger JPA, it allows the

City to participate in a larger risk sharing pool which can provide a more stable cost for the City in the long run.

FISCAL IMPACT:

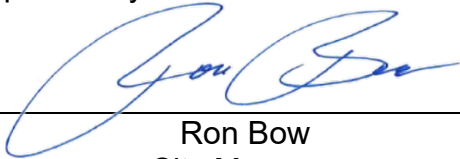
None

Respectfully submitted by:



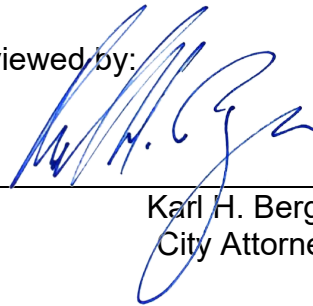
Christine Tomikawa
Director of Human Resources & Risk
Management

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT(S):

1. Resolution 12252

ATTACHMENT 1

Resolution 12252

RESOLUTION NO. 12252

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROVIDE WRITTEN NOTICE OF INTENT TO WITHDRAW FROM THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA)

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

SECTION 1. The City Council finds as follows:

- A. The City wishes to explore various options of insurance coverage including other risk-sharing pools or purchasing commercial insurance directly;
- B. The City is interested in performing an analysis on the feasibility of continuing its participation in the Independent Cities Risk Management Authority (ICRMA);
- C. Should the city wish to transition to another insurance provider/carrier in the upcoming fiscal year, the Bylaws of the Liability and Workers' Compensation programs for the ICRMA requires that notice of intent to withdraw membership as of July 1, 2022, must be provided not later than July 1, 2021; and
- D. Providing a written notice to withdraw does not preclude the City from rescinding such notice should the City wish to remain with the ICRMA during the 2021/2022 fiscal year based upon any analysis completed by the city of based upon any need for additional time to conduct such analysis, provided that rescission is provided not later than December 1, 2021.

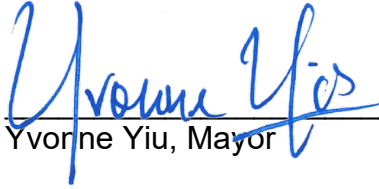
SECTION 2. The City Manager is authorized to provide written notice of intent to withdraw membership from the Independent Cities Risk Management Authority (ICRMA). A copy of the Resolution will be provided to the Independent Cities Risk Management Authority (ICRMA) as part of that notice.

SECTION 3. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

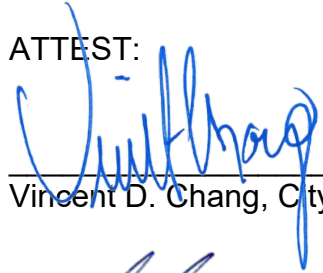
SECTION 4. The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

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.

PASSED AND ADOPTED this 16th day of June, 2021.


Yvonne Yiu, Mayor

ATTEST:


Vincent D. Chang, City Clerk

APPROVED AS TO FORM:

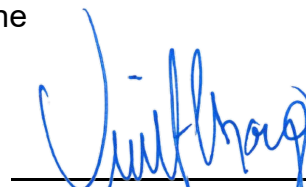

Karl H. Berger, City Attorney

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

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 12252 was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the 16th day of June, 2021, by the following vote:

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

Dated this 16th day of June 2021.


Vincent D. Chang, City Clerk
Monterey Park, California



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3F

TO: Honorable Mayor and Members of the City Council
FROM: Robert Aguirre, Director of Recreation & Community Services
SUBJECT: Authorize a partnership with Alhambra Educational Foundation to host a tribute concert at the Barnes Park Amphitheater in honor of Johnny Thompson

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute a sponsorship agreement, in a form approved by the City Attorney, with the Alhambra Educational Foundation to host a tribute concert at the Barnes Park Amphitheater in honor of Johnny Thompson; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On Sunday, January 9, 2022 the Alhambra Educational Foundation and the Johnny Thompson music store will host a tribute concert in honor of the late Johnny Thompson at the Barnes Park Amphitheater from 12:00p.m. to 6:00p.m.

The event will consist of performances by live bands throughout the day and memorial speeches between performances. Attendance will be free to the public and any sponsorships or donations will directly benefit the Alhambra Educational Foundation. During the event a tree memorial located at the Barnes Park Amphitheater will also be dedicated to Mr. Thompson as approved by City Council at the October 20, 2021 meeting.

The recommended action would authorize the City Manager to enter into a sponsorship agreement with the Alhambra Educational Foundation to, among other things, allow use of the Barnes Park Amphitheater without cost; assist with advertisements including social media in accordance with the City's Social Media Policy (Resolution No. 12167); coordination of Recreation & Community Services Department equipment; and one part-time Recreation Leader to assist at the event. This proposed fee waiver is anticipated and authorized pursuant to Monterey Park Municipal Code § 9.57.070(d)(2).

BACKGROUND:

The Alhambra Educational Foundation's purpose is to raise funds to augment the instructional programs for children of the Alhambra Unified School District in the areas of music, art, performing arts, and technology.

Mr. John "Johnny" Thompson was a long time resident, business owner, volunteer and advocate for the musical arts. For over 60 years he owned and operated *Johnny Thompson Music* store on Garvey Avenue. In the 1980s he was the founding member of the Downtown Merchants' Association, now known as the Business Improvement District (BID) and served on the board until his passing in August 2021. Johnny dedicated numerous hours to local school districts to promote their music programs and helped to provide access to music for disadvantaged students.

FISCAL IMPACT:

If City Council approves the partnership, the approximate cost would be \$261 to waive non-profit reservation fees for the Barnes Park Amphitheater and absorb part-time staff salaries.

Respectfully submitted by:



Robert Aguirre
Director of Recreation & Community Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3G

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Director of Public Works / City Engineer
SUBJECT: First Amendment to Agreement No. 2241-AB with Transtech Engineers, Inc., for Staff Augmentation Services – Building Official

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute a 1-year amendment, in a form approved by the City Attorney, to Agreement No. 2241-AB with Transtech Engineers, Inc., for Staff Augmentation Services – Building Official to extend the agreement and include additional services; and
2. Taking such additional, related action that may be desirable.

EXECUTIVE SUMMARY:

Agreement No. 2241-AB with Transtech Engineers, Inc., (Transtech) for the City's Building Official is set to expire on December 31, 2021. This agreement was approved by the City Manager for a term of 8 months and in an amount not to exceed \$60,000. Due to the continued vacancy of the building official position and recent vacancies of building and safety personnel, staff is requesting that the City Council extend the contract term with Transtech for one year from December 31, 2021 to December 31, 2022, with an option to extend an additional year, if needed, and increase the agreement amount from \$60,000 to \$300,000 annually. Transtech has provided exceptional services to the City in this capacity for several months. There is no impact to the General Fund as the agreement is funded by salary savings from the vacant positions.

BACKGROUND:

Transtech's staff has represented the City in similar capacities and provided technical guidance with the City's large complex projects, capital improvement projects and related activities. Without the building official, the City's capacity to handle building and plan check services is insufficient for the volume and complexity of ongoing projects. Transtech is not only familiar with the City's procedures, practices, and regulations, but also has a good working relationship with other agencies. It is desirable and recommended that the City maintain this agreement to ensure that the City's building and plan check services are managed in a timely, accurate, and professional manner until building and safety positions are filled permanently.

The scope of work includes representing the City as its building official, building inspector, plan checker, and provide any other services as may be necessary for administration and enforcement of the California Building Code and related codes and applicable provisions

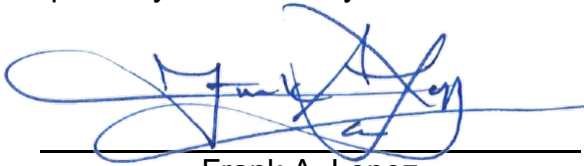
of the Monterey Park Municipal Code. The added scope of work also provides the City with technical assistance, inspections, permitting, management of building and zoning code violations, approval of architectural and structural plans, preparation of technical reports, field work to inspect public and private facilities and project plan reviews.

The amended agreement cost will be based on the Scope of Work and the fee proposal (Attachment 1). The term of the amended agreement is recommended to be one year from its current expiration of December 31, 2021 to December 31, 2022.

FISCAL IMPACT:

The agreement will be funded by salary savings. A budget adjustment from permanent salary accounts to professional services account is required to pay for the consultant services.

Respectfully submitted by:



Frank A. Lopez
Director of Public Works /
City Engineer

Reviewed by



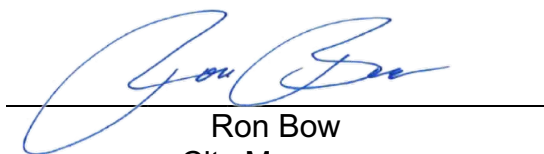
Steve Sizemore
Interim Director of Community &
Economic Development

Reviewed by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. Proposal

ATTACHMENT 1

Proposal



November 1, 2021

City of Monterey Park
Steve Sizemore
Interim Director of Community and Economic Development
ssizemore@montereypark.ca.gov

Subject: **BUILDING AND SAFETY DIVISION STAFF AUGMENTATION AND PLAN CHECK SERVICES**

Dear Steve:

Per City's request, Transtech is pleased to submit this proposal to provide **BUILDING AND SAFETY DIVISION STAFF AUGMENTATION AND PLAN CHECK SERVICES** to the City.

Per our discussion, it is our understanding that the City is looking for a full time Building Inspector until the vacant City Building Inspector position is filled as well as Building Division plan check services. Currently Transtech is providing approximately 8-10 hrs. a week Building Official staff support, on a need plan check and 40 hrs. a week Building Inspector staff support. It is our understanding that the building inspection services may be for a period of 6 months or until the position filled.

The fees for the services are as the following:

Services	Fees
Plan Reviews On a need basis	50% of the plan check fees as per City Fee Schedule
Building Official Services 8 to 10 hrs. /week	\$140
Building Inspector at a special rate *	\$65
Where no fees collected for plan check or permits, entitlement reviews, LID Compliance, Soils Report, Hydrology Report Reviews and other additional services requested shall be per the hourly standard rate of \$120/hr.	
Schedule of hourly rates and any hourly fees will be increased each year July 1 st automatically by the percentage change Los Angeles-Long Beach-Anaheim California Consumer Price Index-All Urban Consumers ("CPI-U") for the preceding twelve-month period as calculated for February by the U.S. Department of Labor Bureau of Labor Statistics and published by the United States Bureau of Labor Statistic.	
*Special rate for Building Inspector will be valid until April 30, 2022, or until position filled whichever occur first.	

**TRANSTECH PROPOSAL TO CITY OF MONTEREY PARK
BUILDING AND SAFETY DIVISION STAFF AUGMENTATION AND PLAN CHECK
SERVICES**

Should you have any questions, or require additional information, please contact us.



Dennis Tarango, CBO, Principal Building Official
E: dennis.tarango@transtech.org
C: 909-821-7117, O: 909-595-8599;127



Ayla Jefferson, CBO, Principal Building Official
E: ayla.jefferson@transtech.org
C: 909-851-5765, O: 909-595-8599;123

Attachments: Transtech SOQ

TRANSTECH STATEMENT OF QUALIFICATIONS

October 2021



TRANSTECH

Est. 1989

Transtech Engineers, Inc.

Transtech.org

info@transtech.org

855.595.2495 (toll-free)

ISO 9001 Certified



STATEMENT OF QUALIFICATIONS

Transtech Engineers, Inc.

October 2021

Company Profile: Established in 1989, Transtech (a California Corporation) is a multi-disciplinary engineering consulting firm. Transtech is currently providing municipal services over 55 agencies, and has extensive experience providing services to public sector clients and working in a mixed public agency staff/consultant environment for over 32 years. Our staff and resources include, civil engineers, city engineers, traffic engineers, building officials, project managers, designers, plan checkers, inspectors, construction managers, traffic and transportation analysts, technicians, planners, support personnel. Our key staff members serve as Public Works Directors, City Engineers, Building Officials for Public Agencies. Our resources include over 100 team members.

Service Capabilities:

- City Engineer, City Traffic Engineer, Building & Safety Services, Building Development Review, Public Works Engineering, Inspection, Plan Check, Building Evaluations, Plan Check, Inspection City Building Official, Code Enforcement
- Civil Engineering
- Staff Augmentation
- CIP Program Management
- Construction Management and Inspection
- Federally Funded Project Management
- Grant Writing
- CDBG Project Management
- Labor Compliance
- Planning Support
- Traffic and Transportation Planning and Engineering
- Water Resources Engineering
- Surveying, Mapping, ALTA, Right-of-way Engineering
- Emergency, Support Services

Unique Qualifications: One of the unique qualifications of Transtech is that we serve public agencies as municipal contract service providers. **We serve as Contract City Engineer, City Traffic Engineer, Map/Plan Checker, Public Works/Permit Inspector, Building Official, Building Plans Examiner, Building Inspector, Permit Technician, CIP Manager, Construction Manager, Construction Inspector, Designer, Federally Funded Project Manager and in other capacities for a number of public agencies.**

Readily Available Staff: Transtech has a large pool of well experienced in-house staff readily available to provide requested services, and respond to specific projects schedules in a timely, efficient and cost effective manner.

Innovative and Advanced Technology: Transtech has integrated many technological assets into its services to provide most efficient and cost-effective service. We provide fully automated electronic plan submittal, checking and tracking. We provide this on our company portal, as well as offer same portal to our client cities on their web sites. As a result of recent impacts of Novel Covid-19 pandemic, we have also implemented issuance of permits for certain types of projects thru complete on-line submittal and review, and without direct face-to-face interaction with applicants. We have provided toll free numbers, video conference call with applicants to discuss any questions and review plans on common screens as necessary, set-up electronic/credit card payment options, and issued permits on-line.

- **Electronic Plan Check:** Transtech provides Electronic Plan Check. [Click here](#) for a sample of our electronic plan check portal at one of our contract Cities.
- **Virtual Counter:** We offer virtual meetings with plan checkers. To explore the virtual Plan Check Counter appointment calendar at one of our contract Cities, [click here](#).

Transtech's "Customer Care" and "Methodology" Approach in delivering the services in an efficient, cost effective, and timely manner:

- Our services are founded on the principals of **Total Quality Management** for **Total Customer Care**.
- We have a **structured approach** to execute projects in an efficient manner that makes Transtech capable of providing the City with the highest quality product. Transtech has established guidelines and policies, including written manuals on quality control, project management, and design procedures for its staff and for its contract cities. These guidelines ensure a consistent approach to the execution of assignments undertaken by our organization in compliance with Client's specific procedures, standards and requirements.
- We start by **working with the applicant early on** and during plan review to help the applicant prepare a set of plans which have all the required information clearly and logically presented.
- Transtech provides all plan check **comments on electronic files**. All plan check comments are provided on scanned pdf format electronically, **as well as hard copies**. Plan review corrections are written clearly and are **fully detailed to explain the Code deficiency** (including all applicable code sections).
- To help the applicant better understand the problem, Transtech provides as much information during plan review as possible. We believe that if the applicant has a **clear understanding of the problem**, the applicant can take the necessary steps to correct the condition. This policy reduces the number of plan review rechecks required, allows the applicant to **obtain a permit much sooner**, and reduces the overall time our staff is required to spend on that particular plan. Unclear and/or cryptic corrections are never written, and all correction lists, except those written over-the-counter, are typed and printed on a laser printer.
- Our plan checkers **confer early on and respond to questions** from the applicant, etc.
- Our policy is to assist the applicant as much as possible, which helps **eliminate complicated details, reduce construction costs, and/or provide details which are easy to verify in the field**.
- All telephone calls or e-mails received are returned within same working day, or the following day. We take pride in our **"Same Day Response"** motto.
- **Responsiveness is an integral part** of Transtech's "customer friendly" service approach.
- Our Contract Principal **meets with the Client's Project Manager regularly to monitor the service quality** and address any areas for improvements.

COVID-19: Our staffing structure and organization is re-envisioned for the greatest responsiveness in a conveniently and easily accessible manner to City, residents, development community and public. We worked with our client cities to transform "in-person" services to a fully integrated virtual meetings during the recent closures of City Halls due to COVID-19. We are excited to share that the transition has been a success across the many departments and divisions we serve in Building & Safety, Engineering, Public Works, Community Development, and Planning.

Transtech Engineers, Inc. was highlighted in the recently published APWA Southern California Chapter's Insight Magazine detailing our development of virtual solutions for municipal agencies during the "new normal". You may see the 2 articles published from links below.

- **Article 1** - Article detailing Transtech's virtual solutions during the pandemic and our response to COVID, several of our client cities have already implemented with great success (starting on page 6 of magazine): <https://apwasocal.partica.online/apwa-social-insight/socal-insight-2020-issue-1/flipbook/6/>
- **Article 2** - Article detailing our virtual community engagement approach for Public Works Projects during COVID (starting on page 8 of magazine): <https://apwasocal.partica.online/apwa-social-insight/socal-insight-2020-issue-2/flipbook/8/>



Experience in Federally Funded Projects: We have extensive experience in the management and administration of federally funded projects. In the past few years, we managed over 20 federally funded projects. Our staff members have completed Caltrans Resident Engineer Academy for Federally Funded Projects. We follow guidelines and procedures of Caltrans Local Assistance Procedures Manual (LAPM).

Experience in Grants: Our team has proven track record in obtaining outside grants for its client cities. Our staff works with our client cities to find potential funding sources, and to prepare competitive applications for various programs. We have obtained extensive amount of funds for

our client cities. Additionally, after funds are awarded to a client, our experienced staff provides assistance to ensure compliance with applicable funding program requirements, including preparing necessary clearance approvals (environmental, utilities, ROW), processing E-76 authorizations, and managing project.

Quality, Cost Effective, Customer Friendly, Responsive Services: Transtech is well known in providing cost effective services, on time and within budget project delivery, with customer friendly and responsive approach.

- Our services are founded on the principals of **Total Quality Management** for **Total Customer Care and Satisfaction**.
- We are committed to providing highest quality **Customer Care** to the City, City's patrons, **responding quickly and effectively** to service requests.
- **Responsiveness** is an integral part of Transtech's "**customer friendly**" service approach. While our service is always on an "as needed" basis, our responsiveness is on "full-time" basis.
- Transtech understands the importance of being able to **expedite certain projects**, when requested, by the City. Transtech has sufficient staff and resources to expedite projects.

Dedication and commitment to serve public sector clients: Transtech is currently **providing municipal services to over 55 public agencies**. We have **extensive experience providing services to public sector clients** and working in a mixed public agency staff/consultant environment for **over 32 years**. We consider our staff as extension of City staff, and work in the same structure and hierarchy as other City staff, and coordinate and interact with various City staff members. One of the unique qualifications of Transtech is that we serve a number of public agencies as municipal contract service providers. **We serve as Contract City Engineer, City Traffic Engineer, CIP Manager, PW Director, Building Official, Building Inspector, Plans Examiner/Plan Checker, Permit Technician, Public Works Inspector, Construction Manager, Construction Inspector, Designer, Federally Funded Project Manager and in other capacities for a number of public agencies.**

Community and Local Business Support: Transtech is an active supporter of Cities and Local Businesses where we serve. During Covid-19 Pandemic, we have arranged delivery of lunches to local police and fire departments in appreciation of front lone workers and made all purchases from local restaurants.

Community Benefit Enhancement: Supporting civic and community activities demonstrates Transtech's commitment to the progress, health, and well-being of the communities we serve. This is something that we take pride in as a company. In services and partnership with our client cities, we have a proven record of active engagement in City and Community events. This could include involvement or presence at City programs or events, supporting local businesses through the chamber, youth events, hosting workshops, sports, scholarship opportunities, community service, managing homelessness challenges, public safety, crime prevention, or any other community benefit that the City wishes us to be a part of. Our goal is not just to serve as an engineering consultant which is what we are best at, but also in being an active partner with our clients, to further enhance the City's reputation as an ideal community to live, invest, work, and play in. We are deeply committed to maintaining our partnership with our valued customers, its community, and remain open and enthusiastic to receiving input on how to best serve the City's needs today and in the future to further enhance the City's reputation as an ideal community to live, invest, work, and play in.

Transtech Project Examples: Transtech has managed some of the largest Local Agency Roadway Improvement Projects in the region:



Washington Boulevard Widening and Reconstruction Project (\$40M): Transtech provided CM/CI/Resident Engineer, Inspector, Office Engineer Services. The project included widening and reconstruction of 2.7 miles of Roadway, Traffic Signals, Street Lighting, Landscape, Improvements at I-5 & at 710 Freeways ramps. The project was federally funded and was managed in compliance with Caltrans Local Assistance Procedures Manual. The project was also a Caltrans Oversight Project.

AWARD: This project was recognized as one of the projects of the year as part of the 2017 American Public Works Association (APWA) BEST Award, in the category of Transportation Projects.



Rosemead Boulevard Improvements Project (\$20M): Located in the City of Temple City, this was a Federally Funded project. Funding included METRO Measure R & Prop C Funds. Transtech provided Project, Program, Construction Management, Resident Engineer, Inspection, Federal Compliance, Labor Compliance & Office Engineer Services. The project included protected bike lanes, widening & reconstruction of 2 miles of roadway.

AWARD: The project has achieved numerous awards including a 2013 Planning Excellence in Implementation Award from the American Planning Association, the 2014 Quality of Life Merit Award from the American Society of Landscape Architects, the 2014 Merit Award for Urban Design from the California Council of the AIA & was voted one of the “best 10 new bike lanes of 2014” from the PeopleforBikes organization.



Atlantic Boulevard Corridor Improvement Project (\$20M): This was a Federally Funded project in the City of Commerce. Transtech provided turnkey services included construction management, resident engineer, inspection, office engineer, & funds coordinator. The project was a major street reconstruction & beautification project along Atlantic Boulevard which improved mobility for pedestrians, trucks, & vehicles as well as provided corridor beautification with landscaped medians and other elements.

AWARD: This project was recognized as one of the projects of the years as part of the 2020 American Public Works Association (APWA) Project of the Year Award, in the category of Transportation Projects.



Cactus Avenue and Nason Street Improvements and 135' Span Bridge Project (\$21M): This project was part of the State Local Partnership Program SLPP Grant in the City of Moreno Valley (\$21M). Transtech provided construction management, resident engineer, inspection, & office engineer services.

AWARD: This project was recognized with a project achievement award by the Construction Management Association of America (CMAA) for Construction Management Services under the Public Works Category for \$11M-\$50M ranged projects.



City of Alhambra Civic Center Library Project (\$25M): The project involved construction of a 45,000 SF Library with multi-level underground parking garage. The project was delivered as DBB. Transtech served as Owner Representative and Program Manager from initial project planning, design development thru construction. Transtech also provided building code plan check, constructability, biddability and value engineering review. Also, during construction, Transtech provided construction management and inspection services. This project is located in Alhambra.



Mosaic Parking Structure (City Project-Project Value: \$6M): The project involved construction of a 5 story parking structure. The project was delivered as DB. Transtech served as Owner Representative and Program Manager from initial project planning, design development thru construction. Transtech also provided building code plan check, constructability, biddability and value engineering review. Also, during construction, Transtech provided construction management and inspection services. This project is located in Alhambra.



Renaissance Plaza (\$15M): The project involved construction of a 5-story parking structure, 10 plex movie theater, retail, and plaza. The project was delivered as DBB. Transtech served as Owner Representative and Program Manager from initial project planning, design development thru construction. Transtech also provided building code plan check, constructability, biddability and value engineering review. Also, during construction, Transtech provided construction management and inspection services. This project is located in Alhambra.



Rosewood Community Center (\$25M): The project involved construction of a Community Center with Olympic regulation swimming pool for competition. The project was delivered as DBB. Transtech was retained by the City of Commerce to take over the management of this multimillion-dollar facility which was 2 years behind schedule. Within 5 months, Transtech brought the construction to substantial completion level allowing the City to start the move-in process, and 2 months after, the facility was opened for public use. This project is located in Alhambra.



City of San Bernardino Santa Fe Depot/Metrolink Parking Structure and Historic Santa Fe Depot Renovation Project (\$25M): The project involved construction Historic Santa Fe Depot Renovation for adoptive reuse of 60,000 sf Historic Santa Fe Train Depot, and later a 3-level parking structure. The project was delivered as DBB. Transtech served as Owner Representative and Program Manager from initial project planning, design development thru construction. Transtech also provided building code plan check, constructability, biddability and value engineering review. Also, during construction, Transtech provided construction management and inspection services. This project is located in San Bernardino.

Other Project Examples in Building and Safety Plan Check and Inspection:



Agency: City of Temple City, Project: Blossom Walk Residential Development (Valuation \$6M): This development includes 24-unit condominiums and 4 single family homes.

Transtech provided following services:

- Establishing conditions of approval and coordination with the Planning Staff for the entitlement of the project.
- Building Plan Check and inspection.
- Plan check for Map, Utilities, Off-site Improvements and Public Works Inspection.

Transtech serves as the City's Contract Building Official, City Engineer, City Traffic Engineer



Agency: City of South El Monte, Project: Chico Residential Development (Valuation \$15M): This development includes 13 buildings with 70 residential units.

Transtech provided following services:

- Establishing conditions of approval and coordination with the Planning Staff for the entitlement of the project.
- Building Plan Check.
- Engineering Plan Check to include plan check for Map, Utilities, Off-Site improvements and inspections.

Transtech serves as the City's Contract Building Official, City Engineer, City Traffic Engineer



Agency: City of Commerce, Project: Warehouse with Office Space Development (Valuation \$20M): This development includes one-story of warehouse with mezzanines for office use of 114,898 square feet of total floor area in a 5.65-acre lot.

Transtech provided following services:

- Establishing conditions of approval and coordination with the Planning Staff for the entitlement of the project.
- Building Plan Check and inspection.
- Plan check for Map, Utilities, Off-site Improvements and Public Works Inspection.

Transtech serves as the City's Contract Building Official, City Engineer, City Traffic Engineer



Agency: City of Alhambra, Project: Main Street Collection (Valuation \$23M): This development includes 4-story mixed-use project with 8,200 s ft retail space, 52 condos, 9 live/work units, 19 townhomes, and 6 shopkeeper units.

Transtech provided following services:

- Establishing conditions of approval and coordination with the Planning Staff for the entitlement of the project.
- Building Plan Check.
- Engineering Plan Check to include plan check for Map, Utilities, Off-Site improvements and inspections.

Transtech serves as the City's Contract Building Official, City Engineer, City Traffic Engineer



Agency: City of West Covina, Project: Medical Center Building (valuation \$20M): This project is a new Medical Office Building of approximately 55,000 sf that will operate 24/7 providing a radiation oncology department and infusion department.

Transtech provided following services:

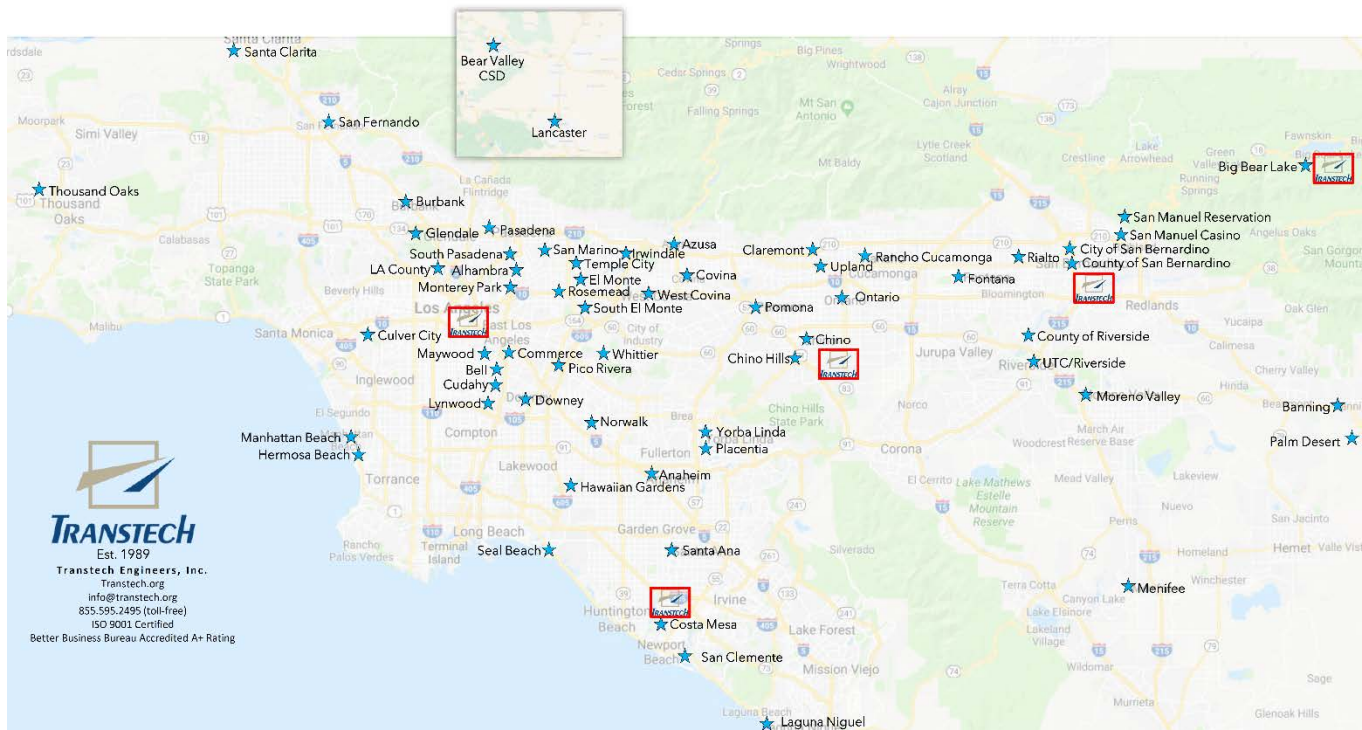
- Establishing conditions of approval and coordination with the Planning Staff for the entitlement of the project.
- Building Plan Check.
- Engineering Plan Check to include plan check for Map, Utilities, Off-Site improvements and inspections.

Transtech serves as the City's Contract Building Official, City Engineer, City Traffic Engineer



San Manuel Band of Mission Indians-Building and Safety, Plan Check, Inspection Services for Casino Expansion/Development Project (\$700M): Transtech serves as the Building Official, Plan Checker and Inspector for the Tribe. Currently we are providing Plan Check and Inspection services for Casino's expansion program, which includes casino renovation, hotel, entertainment center, parking structure, pedestrian bridges, alignment of entry and exit roads, and various other improvements.

Transtech is currently providing municipal services to over 55 agencies:



City of Rosemead

- ✓ **City Engineering Services:** City Engineering, Traffic Engineering, Design, Construction Management, CIP Management, PW Inspection, Plan Check, Fed Proj Management

City of Temple City

- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection, Permit Technician
- ✓ **City Engineering Services:** City Eng, Traffic Eng, Design, CIP and Construction Management, PW Insp, Fed Proj Management

City of Alhambra

- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection, Permit Technician
- ✓ **City Engineering Services:** City Eng, Traffic Eng, Design, CIP and Construction Management, PW Insp, Fed Proj Management

City of South El Monte

- ✓ **Building & Safety Services:** Building Official, Plan Review, As-needed Inspection, As-Needed Permit Technician
- ✓ **City Engineering Services:** City Eng, Traffic Eng, Design, CIP and Construction Management, PW Insp, Fed Proj Management

City of Commerce

- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection, Permit Tech
- ✓ **City Engineering Services:** City Eng, Traffic Eng, Design, CIP and Construction Management, PW Insp, Fed Proj Management

City of Cudahy

- ✓ **Building & Safety Services:** Plan Review Services
- ✓ **Engineering Services:** Traffic Eng, Design, CIP and Construction Management, PW Insp, Fed Funded Proj Management

City of South Pasadena

- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection, Permit Tech

City of Seal Beach

- ✓ **Building & Safety Services:** Building Official, Plan Review, As-needed Inspection

City of Azusa

- ✓ **Building & Safety Services:** Building Plan Review, As-needed Insp

City of San Fernando

- ✓ **Building Inspection Services.**

San Manuel Indian Reservation

- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection

San Manuel Casino

- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection

City of Maywood

- ✓ **City Engineering Services:** City Eng, Traffic Eng, Design, CIP and Construction Management, PW Insp, Fed Proj Management

City of Placentia

- ✓ **Development/Public Works Plan Check:** Development/Public Works Plan Check

City of San Clemente

- ✓ **On-call Services:** Development/Public Works Plan Check

City of West Covina

- ✓ **Engineering Services:** City Eng, Traffic Eng, Design, CIP and Construction Management, PW PC, Fed Proj Management
- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection, Permit Technician

City of Big Bear Lake

- ✓ **Building & Safety Services:** Building Plan Review
- ✓ **City Engineering Services:** City Eng, Traffic Eng, Design, CIP and Construction Management, PW PC/Insp, Fed Proj Management

City of Bell

- ✓ **Building & Safety Services:** Building Official, Plan Review, Inspection, Permit Technician

City of Hawaiian Gardens

- ✓ **Building and Safety Services:** Building Official, Plan Review, Inspection, Permit Technician

City of Downey

- ✓ **Building & Safety Services:** Plan Review, Inspection

City of Moreno Valley

- ✓ **Engineering:** Design and Project Management
- ✓ **Building & Safety Services:** Plan Review, Inspection

UTC Corporation/City of Riverside

- ✓ **Building & Safety Services:** Plan Review, Inspection, and Support

City of Monterey Park

- ✓ **Building & Safety Services:** Building Official, plan check and as-needed inspection
- ✓ **Engineering Services:** Engineering Support, Traffic Engineering, CIP Management, PW Plan Check

City of El Monte

- ✓ **On-call Services:** Engineering Support, Traffic Engineering, Construction Management, PW Plan Check

County of Los Angeles

- ✓ **Building & Safety Services:** Plan Review, Inspection

City of Chino

- ✓ **CIP Management Services:** Transtech is City's Contract CIP Manager for major Public Works Projects.

City of Ontario

- ✓ **CIP Management Services:** Transtech is City's Contract CIP Manager for major Public Works Projects.

County of Riverside

- ✓ **Building & Safety Services:** Plan Review, Inspection

City of Lynwood

- ✓ **On-call Services:** Engineering, Construction Management

City of Beaumont

- ✓ **Engineering Services:** Engineering Support Staff Augmentation

City of Rialto

- ✓ **On-call Services:** Construction Management and Inspection Services.

City of Irwindale

- ✓ **On-call Services:** Construction Management and Inspection Services.

City of Menifee

- ✓ **On-call Services:** Engineering Services

City of Culver City

- ✓ **On-call Engineering Services:** Eng Services

City of Fontana

- ✓ **On-call Services:** Eng and Construction Management Services

City of Santa Ana

- ✓ **On-call Services:** Eng and Tech Support Services

City of Covina

- ✓ **On-call Services:** Eng and Construction Management Services

City of Norwalk

- ✓ **Building & Safety Services:** Plan Review

City of San Marino

- ✓ **City Traffic Engineering Services:** City Traffic Engineering

City of Rancho Cucamonga

- ✓ **On-call Services:** Development/Public Works Plan Check

City of Hermosa Beach

- ✓ **Plan Check Services:** Dev Plan Check

City of Banning

- ✓ **Public Works Plan Check:** PW Plan Check

City of Hemet

- ✓ **On-call Building & Safety Services:** Plan Review, Inspection

Riverside County Economic Development Agency

- ✓ **On-call Services:** Eng, Building Evaluations, & Surveying

San Bernardino County Housing Authority

- ✓ **On-call Services:** As-Needed Eng, Building & Safety Support

City of Anaheim

- ✓ **Engineering Services:** Engineering Services

City of Yorba Linda

- ✓ Traffic Engineering

City of Lancaster

- ✓ **Traffic Engineering Services:** On-call City Traffic Engineering

Bear Valley Community Services District

- ✓ **District Engineering Services:** Engineering, Capital Improvement Project Management Services

City of Palm Desert

- ✓ **City Traffic Engineering Services:** City Traffic Engineering

Transtech Team Licenses and Certificates in Diversified Fields:

- Professional Licensed Engineer (PE, SE, ME, EE)
- Professional Licensed Traffic Engineer (TE)
- Professional Licensed Land Surveyor (PLS)
- Professional Transportation Planner (PTP)
- Licensed General Contractor A and B
- Qualified Storm Water Pollution Prevention Plan Developer (QSD)
- Qualified Storm Water Pollution Prevention Plan Practitioner (QSP)
- General Permit Qualified Industrial Stormwater Practitioner (QISP)
- ICC Certified Building Code Official
- ICC Certified Sustainability Professional
- ICC Certified Building, Electrical, Mechanical & Plumbing Electrical Plans Examiner
- ICC Certified Commercial Building, Electrical, Mechanical & Plumbing Inspector
- ICC Certified Residential Building, Electrical, Mechanical & Plumbing Inspector
- ICC Certified Combination Inspector
- ICC Certified Fire Plans Examiner
- ICC Certified Permit Technician
- ICC Certified CalGreen - CA Green Building Plan Examiner
- ICC Certified CalGreen - CA Green Building Inspector
- ICC Certified CA Residential Mechanical Inspector
- ICC Certified Plumbing Inspector UPC ICC Certified CA Commercial and Res Plumbing Inspector
- ICC Certified Accessibility Plans Examiner
- ICC Certified Accessibility Inspector
- CASp, California Access Specialist
- IAPMO Certified CA Residential Mechanical Inspector

Our team members are involved in many local and national ICC and CALBO committees, and are involved in the development of local and national guidelines and codes:

- Chair; ICC Sustainability Membership Council
- Chair; ICC LA Chapter Inspection Committee
- Commissioner; ICC Codes & Standards Council
- Commissioner; CALBO Green Committee
- Commissioner; ICC/CALBO CA Exam Committee
- Commissioner; CALBO Outreach/Communications Committee
- ICC Los Angeles Basin Chapter Board of Directors
- ICC Building Officials Membership Governing Council
- ICC Code Development Committee Vice Chair
- ICC Technology/Web Advisory Group
- IAS Accreditation Committee
- ICC LA Chapter Accessibility Committee
- Commissioner; CALBO State Licensing Boards Committee



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3H

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Public Works Director/City Engineer
SUBJECT: Task Order to Public Works On-Call Agreement with Hampton Tedder Electric Company for Urgent Repairs to Underground Duct Bank

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute a Task Order, in a form approved by the City Attorney, with Hampton Tedder Electric Company for an amount not to exceed \$163,000 for emergency repairs to the Underground Duct Bank at the Delta Plant Facility;
2. Appropriating \$163,000 in City Water Operations funds for the project; and
3. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed work involves minor alterations to existing public facilities and therefore is Class 1 Categorically Exempt pursuant to the California Environmental Quality Act (CEQA).

EXECUTIVE SUMMARY:

On November 4, 2020, the City Council authorized an On-Call agreement with Hampton Tedder Electric Company for on-call electrical services.

Staff is requesting approval of a Task Order to this Agreement for emergency repairs to the underground duct bank at a cost not to exceed \$163,000.

BACKGROUND:

After a malfunction of the booster pumps at the City's Delta Plant Facility, an inspection of the utility lines to the booster pumps revealed that the wiring fused together due to the age of the system, which is over 50 years old: the risk of electrical malfunctions or fire outbreak is high. Wiring that is more than 30 years old needs to be updated to meet modern standards. The proposed work includes the installation of a new underground duct bank and a 5 kV cable run from the main switchgear to the booster pumps' locations.

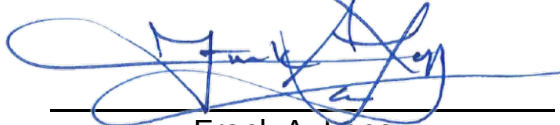
Hampton Tedder Electric Company was awarded a contract on November 4, 2020 for on-call electrical services. The term of the contract was for one year with automatic annual

renewals through November 2023. The proposed work is \$163,000 which exceeds the City Manager's signature authority.

FISCAL IMPACT:

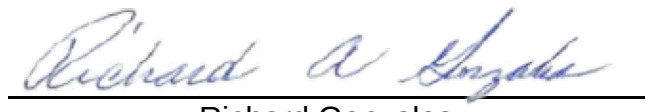
Staff is requesting an appropriation of \$163,000 from city water operations funds (401) for the Booster Pumps Underground Duct Bank project.

Respectfully submitted by:



Frank A. Lopez
Director of Public Works/
City Engineer/City Planner

Prepared by:



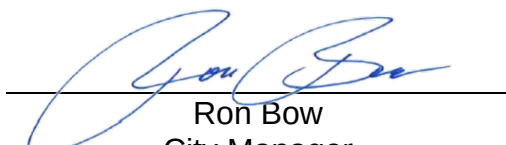
Richard Gonzales
Water Utility Manager

Reviewed by:



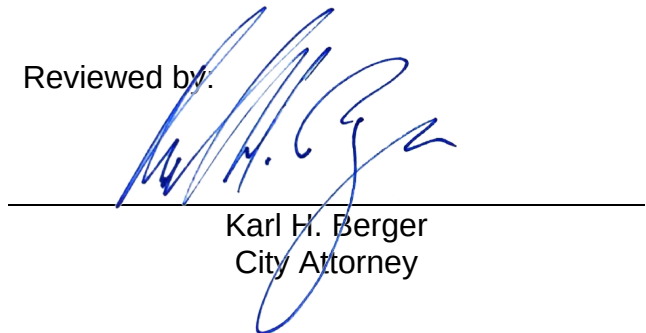
Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item No. 3I

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Director of Public Works / City Engineer
SUBJECT: Professional Services Agreement - LaBelle Marvin, Inc. for Pavement Study Services

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute a three-year agreement with Labelle Marvin Inc., in a form approved by the City Attorney, for an amount not to exceed \$280,000 (including 10% contingency) to provide testing, analysis, and pavement rehabilitation design for street segments in Years 1-3 Street Resurfacing and Slurry Seal projects funded by the recent street bonds;
2. Appropriating \$280,000 from the Sales Tax Revenue Bonds; and
3. Taking such additional, related action that may be desirable.

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).

EXECUTIVE SUMMARY:

The City Council directed staff, at the July 7, 2021 meeting, to provide a financing mechanism to fund expediting the implementation of the City's Pavement Management Program (PMP) in an effort improve the City's overall roadway condition. The result of this effort was the issuance of Sales Tax Revenue Bonds, Series 2021 (Bonds) by the Monterey Park Financing Authority. Proceeds from the Bonds will be used for roadway rehabilitation and must be expended within three years of issuance. To move forward quickly, Public Works staff recommends executing the professional services agreement with LaBelle Marvin, Inc., to begin roadway testing and analysis to develop the appropriate pavement resurfacing design.

BACKGROUND:

LaBelle Marvin will test, analyze, and develop pavement rehabilitation design for approximately 346 roadway segments. Pavement coring and soil boring will be used to determine pavement thickness as well as show the aggregate base and subgrade material strength - samples are analyzed at a certified CALTRANS and AASHTO accredited laboratory. Additionally, the consultant will use Ground Penetrating Radar (GPR) scanning, which helps keep costs down and minimizes traffic impacts on residents. GPR is used to document existing asphalt concrete pavement structural sections within the upper 2 feet of the roadway without disruption to traffic and utilities. Using a combination of testing and analysis methods helps the consultant to determine

the best resurfacing treatment in order to provide a long pavement life while keeping budget in mind.

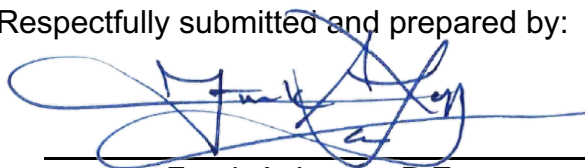
A final pavement structural investigation report will be prepared by LaBelle Marvin and submitted to the City for review. The report will include all data developed during the investigation with recommended design structural replacement sections, field and lab test data and will be included as part of the construction bid package. Pavement studies will be performed prior to each year's resurfacing/slurry project and it will take approximately 3-4 months to perform.

Labelle Marvin, Inc. has completed pavement study services for the City for the past two Street Resurfacing projects which provided cost effective resurfacing recommendations and accurate information that helped avoid excessive change orders due to unforeseen conditions.

FISCAL IMPACT:

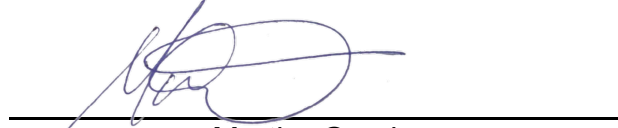
An appropriation of \$280,000 from the Sales Tax Revenue Bonds is required to fund this project and would be assigned the Capital Improvement Project (CIP) No. 96027.

Respectfully submitted and prepared by:



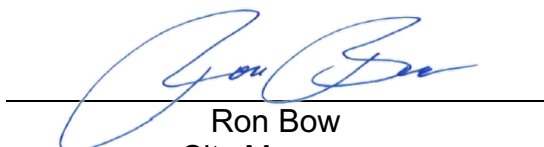
Frank A. Lopez, P.E.
Director of Public Works/
City Engineer

Reviewed by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Labelle Marvin, Inc. Proposal

ATTACHMENT 1

Proposal

November 10, 2021

Mr. Anthony Bendezu
Contract Project Manager
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

Subject: Year 1-3 Street Resurfacing and Slurry Seal Projects | ~346 Roadway Segments

The City of Monterey Park Public Works Department, Engineering Division is currently considering street improvements for the next 3 street resurfacing and slurry seal projects, known as Year 1, 2 and 3. It is LaBelle Marvin, Inc.'s, pleasure to respond to the City's recent request to provide necessary pavement engineering services in the form of testing, analysis and rehabilitation design for all roadway segments identified hereon. These services would be provided in accordance to the City's request, for verification of the probable improvement strategies in conjunction with developing, where feasible, cost effective design alternatives for street resurfacing and rehabilitation, as conditions dictate.

Providing the City with accurate information and alternative recommendations for the identified streets for "street resurfacing" ensures selection of cost effective long term solutions meeting informed budgetary criteria. Measurement of existing structural conditions to supplement obvious visual conditions is proposed through use of a materials investigation by pavement coring method, supplemented by as-built asphalt concrete thickness scanning by Ground Penetrating Radar (GPR).

The proposed investigation has been developed based on current information relative to street types, use and condition. While the majority of residential streets are all exhibiting pavement distresses of varying levels, understanding the unique environment and site conditions on each roadway segment through the proposed investigation is recommended.

Visual interpretation of site conditions combined with select testing will provide cost effective depiction of structural needs. The recommended strategy is cost effective for the City while maintaining an enhanced level of information for rational design of roadway improvements.

The proposed materials investigation, by pavement coring, has been included to define subsurface soil strengths, moisture contents, probable performances during any new construction, and the development of a new structural section design with improvement recommendations. A balanced number of core locations have been proposed to reduce risks during design and construction while minimizing investigation costs for the City. A reduction in the number of core locations is proposed to provide the City with an additional cost savings through use of Ground Penetrating Radar (GPR). The task of utilizing Ground Penetrating Radar (GPR) thickness scanning equipment enables a quick and simple technique to gather pavement measurements, on a nearly continual basis providing more data in the field to supplement pavement cores information. LaBelle Marvin's GPR scanning equipment will quickly obtain pavement thicknesses, while still maintaining a high level of thickness information throughout the roadway segments.

All testing and engineering services proposed herein shall provide current structural needs and reinforcement requirements based upon the California Highway Design Manual for Flexible Pavement and Roadway Rehabilitation.

Streets included in this materials investigation, scheduled for “Resurfacing” are included on City provided exhibits (See Attached), including Year 1, 2 and 3 Street Resurfacing.

Streets scheduled by the City for “Slurry Sealing” shall be reviewed by visual only for purpose of verifying appropriate improvement method. Where further testing is warranted, additional testing shall be recommended within the proposed report.

SCOPE OF SERVICES

1.01 PAVEMENT CORING AND SOIL BORING

A balanced number of pavement coring of the in-situ roadway materials shall be performed to determine pavement thicknesses and to obtain samples of the asphalt concrete, aggregate base (if present), and subgrade materials for further analysis.

- a. A balanced number of (251) total pavement cores and subsurface sampling locations will be performed determine the thickness of the existing structural section including but not limited to asphalt concrete layer(s), buried Portland cement concrete layer(s) if any, and aggregate base layer, if any. Borings extend to a maximum four (4') foot depth from finish surface. Sample locations will be backfilled and patched with asphalt concrete, per City requirements.
 - a. Year 1: 66 Cores
 - b. Year 2: 82 Cores
 - c. Year 3: 81 Cores
229 Cores
+21 Contingency Cores for Thickness Only Verification*
250 Cores
- b. Pavement cores, aggregate base (where present) and subsurface soils shall be labeled and transport back to our certified CALTRANS and AASHTO accredited materials laboratory for further analysis.
- c. *Additional Core Contingency: The City has expressed concern relative to thin pavements encountered along the parking lanes, based on previous street improvement projects. Following the initial investigation, where further testing along the parking lanes requires additional as-built thickness verification only, an additional 21 cores are budgeted (~10% contingency).

1.02 GROUND PENETRATING RADAR (GPR) AC THICKNESS SCANNING

Ground Penetrating Radar (GPR), scanned along the existing travel lanes and parking lanes, where accessible, on streets identified for Street Resurfacing shall be performed to document the existing asphalt concrete pavement structure within the upper 2 feet. The data will be mapped by depth and location. Ground Penetrating Radar measures the in-situ asphalt concrete pavement layer, up to 24" depth in a continuous path without disruption to traffic, conflicts with buried utilities, eliminates encroachment permits, and is a fast and safe method of measuring the pavement thickness over 3-5 times per linear foot.

This task shall provide additional asphalt concrete thickness information for all subject streets. The measured pavement thickness shall be mapped by depth and location and provided onto aerial imagery. Results of GPR results can be provided within 1-2 days following testing.

1.03 LABORATORY MATERIALS TESTING

Subgrade soil samples taken in the field will be identified, labeled and measured during the sampling process. Data developed during the laboratory testing will be utilized to project probable field support conditions during construction and highlight where appropriate special care may be required during roadway preparation.

Evaluation of the present pavement thicknesses utilizing component analysis with R-value data will be combined with future traffic estimates (Traffic Index provided by Client) for design and development of suitable, alternative structural replacement sections.

Laboratory tests included within this investigation are as follows:

- a. 229 Moisture Content Tests: Subgrade soil samples taken in the field will be visually classified and the in-situ moisture content (CA 226) will be determined per location.
- b. 22 R-Value Tests: Representative sample(s) will be selected and tested for R-Value (soil strength) determinations (CA 301) on the subgrade.

1.04 VISUAL SITE CONDITION EVALUATIONS

The Registered Civil Engineer shall perform a site evaluation of all select street segments. Pavement conditions shall be recorded for the purposes of compiling the recommendation plan(s) and report. Compare field conditions with thickness data obtained during core sampling and GPR testing. Compare field conditions with component analysis based on representative laboratory subgrade strength testing.

1.05 STRUCTURAL DESIGN REHABILITATION ALTERNATIVES

A Registered Civil Engineer shall supervise all operations and incorporate results of materials testing with observed pavement conditions. Engineered recommendations for alternate methods of pavement rehabilitation and reconstruction shall be based upon the California Highway Design Manual for Flexible Pavement and Roadway Rehabilitation.

1.06 FINAL PAVEMENT EVALUATION REPORT

A Registered Civil Engineer will prepare the final pavement structural investigation report. The deliverables shall include all data developed during the investigation with design structural replacement sections, field and laboratory test data. All services will be supervised by the Civil Engineer specializing in the evaluation and design of pavement systems and Registered in the State of California.

Should this investigation show need for further analysis and/or testing, such recommended services shall be discussed thoroughly within the final report.

The Total Fee for above Tasks:

Investigation and Reporting of “Resurfacing Streets”	\$206,972.40
Visual Evaluation and Reporting of “Slurry Seals”	<u>\$47,656.00</u>
Total Cost Fee	\$254,628.40

Notes/Provisions

- 1) *Field testing costs are based on prevailing wage business work hours.*
- 2) *Services beyond those outlined shall be provided upon request and approval and billed in accordance with our current Schedule of Fees.*

The opportunity to present this proposal is sincerely appreciated. Should you have any questions kindly telephone.

Sincerely,


Griffin Marvin
Director of Operations

LaBelle Marvin, Inc.

PROFESSIONAL PAVEMENT ENGINEERING
2700 South Grand Avenue
Santa Ana, CA 92705

CITY OF MONTEREY (2021)**TOTAL FEE FOR YEAR 1, 2 AND 3 STREET RESURFACING ONLY**

Date: November 10, 2021 (Prevailing Wage Rates Applied)

LABELLE MARVIN, INC. - 2021 SCHEDULE OF FEES (Effective 9.1.21)**A. PROFESSIONAL ENGINEERING SERVICES****1. ENGINEERING STAFF**

Key Personnel	Name	Rate	YEAR 1		YEAR 2		YEAR 3	
			Hours/Units	Total	Hours/Units	Total	Hours/Units	Total
Principal Engineer	Steven Marvin	\$250.00/hr	74.0	\$18,500	94.0	\$23,500	92.0	\$23,000
Project Engineer		\$190.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
Engineering Aide	Griffin Marvin	\$190.00/hr	46.0	\$8,740	46.0	\$8,740	46.0	\$8,740
Report Preparation		\$85.00/hr	16.0	\$1,360	20.0	\$1,700	20.0	\$1,700
Field Technicians		\$130.00/hr PW	106.0	\$13,780	118.0	\$15,340	118.0	\$15,340

2. SPECIALITY SERVICES

FWD Data Analyst	\$190.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
Ground Penetrating Radar Specialist	\$190.00/hr	18.0	\$3,420	26.0	\$4,940	26.0	\$4,940
Profilograph Data Analyst	\$160.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
GIS Specialist	\$190.00/hr	0.0	\$0	0.0	\$0	0.0	\$0

B. FIELD SAMPLING AND TESTING SERVICES**4. FALLING WEIGHT DEFLECTION TESTING AND GROUND PENETRATING RADAR**

FWD Equipment w/ Technician	\$3,850.00/day	0.0	\$0	0.0	\$0	0.0	\$0
GPR Equipment w/ Technician	\$3,850.00/day	1.5	\$5,775	1.5	\$5,775	1.5	\$5,775
Mobilization	\$220.00/hr	1.0	\$220	1.0	\$220	1.0	\$220

5. PAVEMENT CORING / FORENSIC TESTING

Coring Truck and Equipment Charge	\$90.00/hr	32.0	\$2,880	36.0	\$3,240	36.0	\$3,240
Mobilization	\$220.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
AC Pavement Coring (Disposables)	\$9.00/inch	292.0	\$2,628	356.0	\$3,204	352.0	\$3,168
PCC Pavement Coring	\$12.00/inch	0.0	\$0	0.0	\$0	0.0	\$0
Core Trimming - Per Cut	\$30.00/cut	0.0	\$0	0.0	\$0	0.0	\$0

6. PROFESSIONAL TRAFFIC CONTROL SERVICES (MUTCD)

Shadow Vehicle w/ Tech (Deflection Testing)	\$1,800.00/day	0.0	\$0	0.0	\$0	0.0	\$0
Temporary Lane Closures w/ 2 Tech.'s (Coring)	\$2,500.00/day	0.0	\$0	0.0	\$0	0.0	\$0

C. LABORATORY TESTING**7. SOILS, AGGREGATES AND AGGREGATE BASE**

Sieve Analysis, Coarse	\$100.00	0.0	\$0	0.0	\$0	0.0	\$0
Sieve Analysis, Fine (wash)	\$120.00	0.0	\$0	0.0	\$0	0.0	\$0
Specific Gravity, Bulk SSD, Coarse	\$110.00	0.0	\$0	0.0	\$0	0.0	\$0
Specific Gravity, Fine	\$210.00	0.0	\$0	0.0	\$0	0.0	\$0
Absorption, Coarse	\$100.00	0.0	\$0	0.0	\$0	0.0	\$0
Absorption, Fine	\$145.00	0.0	\$0	0.0	\$0	0.0	\$0
Sand Equivalent (Ave. 3)	\$120.00	0.0	\$0	0.0	\$0	0.0	\$0
Durability Factor, Coarse or Fine	\$175.00	0.0	\$0	0.0	\$0	0.0	\$0
Cleanliness Value	\$175.00	0.0	\$0	0.0	\$0	0.0	\$0
Los Angeles Rattler	\$365.00	0.0	\$0	0.0	\$0	0.0	\$0
Unit Weight	\$110.00	0.0	\$0	0.0	\$0	0.0	\$0
Hydrometer Analysis	\$220.00	0.0	\$0	0.0	\$0	0.0	\$0
Maximum Density and Optimum Moisture	\$230.00	0.0	\$0	0.0	\$0	0.0	\$0
R-Value	\$275.00	6.0	\$1,650	8.0	\$2,200	9.0	\$2,475
R-Value (Lime Treated)	\$365.00	0.0	\$0	0.0	\$0	0.0	\$0
California Bearing Ratio (CBR)	\$550.00	0.0	\$0	0.0	\$0	0.0	\$0
California Bearing Ratio (CBR) - 1 Point	\$250.00	0.0	\$0	0.0	\$0	0.0	\$0
California Bearing Ratio (CBR) - Lime Treated	\$660.00	0.0	\$0	0.0	\$0	0.0	\$0
pH - Per Determination	\$130.00	0.0	\$0	0.0	\$0	0.0	\$0
pH - Eades & Grimm	\$250.00	0.0	\$0	0.0	\$0	0.0	\$0
Unconfined Compression	\$95.00	0.0	\$0	0.0	\$0	0.0	\$0
Crushed Particle	\$150.00	0.0	\$0	0.0	\$0	0.0	\$0
Flat & Elongated Particle	\$240.00	0.0	\$0	0.0	\$0	0.0	\$0
Angularity	\$210.00	0.0	\$0	0.0	\$0	0.0	\$0
Moisture Content	\$45.00	66.0	\$2,970	82.0	\$3,690	81.0	\$3,645
Subgrade Density (Drive Tube)	\$110.00	0.0	\$0	0.0	\$0	0.0	\$0

D. ADDITIONAL EXPENSES

8. AIRFARE / PER DIEM							
Per Diem	\$250.00	0.0	\$0	0.0	\$0	0.0	\$0
Mileage	\$0.65	132.0	\$85.80	132.0	\$85.80	132.0	\$85.80

	YEAR 1	YEAR 2	YEAR 3
Section A - D TOTAL	\$62,008.80	\$72,634.80	\$72,328.80

PW - Prevailing Wage Rates Applied to Field Technicians.

Work to be performed during normal weekday hours (M-F)

TOTAL FEE FOR YEAR 1, 2 AND 3 STREET RESURFACING ONLY \$206,972.40

LaBelle Marvin, Inc.PROFESSIONAL PAVEMENT ENGINEERING
2700 South Grand Avenue
Santa Ana, CA 92705CITY OF MONTEREY (2021)
TOTAL FEE FOR YEAR 1, 2 AND 3 "SLURRY SEAL" ONLY

Date: October 8, 2021

LABELLE MARVIN, INC. - 2021 SCHEDULE OF FEES (Effective 9.1.21)**A. PROFESSIONAL ENGINEERING SERVICES****1. ENGINEERING STAFF**

Key Personnel	Name	Rate	YEAR 1		YEAR 2		YEAR 3	
			Hours/Units	Total	Hours/Units	Total	Hours/Units	Total
Principal Engineer	Steven Marvin	\$250.00/hr	26.0	\$6,500	34.0	\$8,500	46.0	\$11,500
Project Engineer		\$190.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
Engineering Aide	Griffin Marvin	\$190.00/hr	10.0	\$1,900	16.0	\$3,040	16.0	\$3,040
Report Preparation		\$85.00/hr	10.0	\$850	12.0	\$1,020	12.0	\$1,020
Field Technicians	Don Linstrom / Kevin Huffer	\$95.00/hr	0.0	\$0	0.0	\$0	0.0	\$0

2. SPECIALITY SERVICES

FWD Data Analyst	\$190.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
Ground Penetrating Radar Specialist	\$190.00/hr	14.0	\$2,660	20.0	\$3,800	20.0	\$3,800
Profilograph Data Analyst	\$160.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
GIS Specialist	\$190.00/hr	0.0	\$0	0.0	\$0	0.0	\$0

B. FIELD SAMPLING AND TESTING SERVICES**4. FALLING WEIGHT DEFLECTION TESTING AND GROUND PENETRATING RADAR**

FWD Equipment w/ Technician	\$3,850.00/day	0.0	\$0	0.0	\$0	0.0	\$0
GPR Equipment w/ Technician	\$3,850.00/day	0.0	\$0	0.0	\$0	0.0	\$0
Mobilization	\$220.00/hr	0.0	\$0	0.0	\$0	0.0	\$0

5. PAVEMENT CORING / FORENSIC TESTING

Coring Truck and Equipment Charge	\$90.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
Mobilization	\$220.00/hr	0.0	\$0	0.0	\$0	0.0	\$0
AC Pavement Coring (Disposables)	\$9.00/inch	0.0	\$0	0.0	\$0	0.0	\$0
PCC Pavement Coring	\$12.00/inch	0.0	\$0	0.0	\$0	0.0	\$0
Core Trimming - Per Cut	\$30.00/cut	0.0	\$0	0.0	\$0	0.0	\$0

6. PROFESSIONAL TRAFFIC CONTROL SERVICES (MUTCD)

Shadow Vehicle w/ Tech (Deflection Testing)	\$1,800.00/day	0.0	\$0	0.0	\$0	0.0	\$0
Temporary Lane Closures w/ 2 Tech.'s (Coring)	\$2,500.00/day	0.0	\$0	0.0	\$0	0.0	\$0

C. LABORATORY TESTING**7. SOILS, AGGREGATES AND AGGREGATE BASE**

Sieve Analysis, Coarse	\$100.00	0.0	\$0	0.0	\$0	0.0	\$0
Sieve Analysis, Fine (wash)	\$120.00	0.0	\$0	0.0	\$0	0.0	\$0
Specific Gravity, Bulk SSD, Coarse	\$110.00	0.0	\$0	0.0	\$0	0.0	\$0
Specific Gravity, Fine	\$210.00	0.0	\$0	0.0	\$0	0.0	\$0
Absorption, Coarse	\$100.00	0.0	\$0	0.0	\$0	0.0	\$0
Absorption, Fine	\$145.00	0.0	\$0	0.0	\$0	0.0	\$0
Sand Equivalent (Ave. 3)	\$120.00	0.0	\$0	0.0	\$0	0.0	\$0
Durability Factor, Coarse or Fine	\$175.00	0.0	\$0	0.0	\$0	0.0	\$0
Cleanliness Value	\$175.00	0.0	\$0	0.0	\$0	0.0	\$0
Los Angeles Rattler	\$365.00	0.0	\$0	0.0	\$0	0.0	\$0
Unit Weight	\$110.00	0.0	\$0	0.0	\$0	0.0	\$0
Hydrometer Analysis	\$220.00	0.0	\$0	0.0	\$0	0.0	\$0
Maximum Density and Optimum Moisture	\$230.00	0.0	\$0	0.0	\$0	0.0	\$0
R-Value	\$275.00	0.0	\$0	0.0	\$0	0.0	\$0
R-Value (Lime Treated)	\$365.00	0.0	\$0	0.0	\$0	0.0	\$0
California Bearing Ratio (CBR)	\$550.00	0.0	\$0	0.0	\$0	0.0	\$0
California Bearing Ratio (CBR) - 1 Point	\$250.00	0.0	\$0	0.0	\$0	0.0	\$0
California Bearing Ratio (CBR) - Lime Treated	\$660.00	0.0	\$0	0.0	\$0	0.0	\$0
pH - Per Determination	\$130.00	0.0	\$0	0.0	\$0	0.0	\$0
pH - Eades & Grimm	\$250.00	0.0	\$0	0.0	\$0	0.0	\$0
Unconfined Compression	\$95.00	0.0	\$0	0.0	\$0	0.0	\$0
Crushed Particle	\$150.00	0.0	\$0	0.0	\$0	0.0	\$0
Flat & Elongated Particle	\$240.00	0.0	\$0	0.0	\$0	0.0	\$0
Angularity	\$210.00	0.0	\$0	0.0	\$0	0.0	\$0
Moisture Content	\$0.00	0.0	\$0	0.0	\$0	0.0	\$0
Subgrade Density (Drive Tube)	\$110.00	0.0	\$0	0.0	\$0	0.0	\$0

D. ADDITIONAL EXPENSES

AIRFARE / PER DIEM							
Per Diem	\$250.00	0.0	\$0	0.0	\$0	0.0	\$0
Mileage	\$0.65	40.0	\$26	0.0	\$0	0.0	\$0

	YEAR 1	YEAR 2	YEAR 3
Section A - D TOTAL	\$11,936.00	\$16,360.00	\$19,360.00

Non Prevailing Wage Rates Applied.

Work to be performed during normal weekday hours (M-F)

TOTAL FEE FOR YEAR 1, 2 AND 3 STREET "SLURRY SEAL" ONLY \$47,656.00

LaBelle Marvin, Inc.

PROFESSIONAL PAVEMENT ENGINEERING
 2700 South Grand Avenue
 Santa Ana, CA 92705
 PH 714-546-3468

SCHEDULE OF FEES

Effective: September 1, 2021

LABELLE MARVIN, INC. - 2021 SCHEDULE OF FEES**A. PROFESSIONAL ENGINEERING SERVICES****1. ENGINEERING STAFF**

Key Personnel	Std. Rate	Overtime Rate	Prevailing Wage Rates	Prevailing Wage (OT)
Principal Engineer	\$250.00/hr			
Project Engineer	\$190.00/hr			
Project Manager	\$190.00/hr			
Engineering Aide	\$160.00/hr			
Report Preparation / Office Support	\$85.00/hr			

2. EXPERT WITNESS

Expert Witness	\$400.00/hr			
Deposition	\$525.00/hr			

3. SPECIALITY

FWD Data Analyst	\$190.00/hr			
Ground Penetrating Radar Specialist	\$190.00/hr			
Sr. AutoCAD Designer	\$160.00/hr			
Profilograph Data Analyst	\$160.00/hr			
GIS Specialist	\$190.00/hr			

4. TECHNICIAN STAFF

Field Technicians	\$95.00/hr	\$142.50/hr	\$130.00/hr	\$185.00/hr
Laboratory Staff	\$95.00/hr	\$142.50/hr		
Field Technicians - Nuclear Gauge	\$105.00/hr	\$157.50/hr	\$145.00/hr	\$195.00/hr

B. TESTING EQUIPMENT

Task	Std. Rate	Special Rates	Prevailing Wage Rates	Prevailing Wage (OT)
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5. TESTING EQUIPMENT

FWD Deflection Testing Equipment	\$3,850.00/day	\$2,700.00/Half Day		
Ground Penetrating Equipment	\$3,850.00/day	\$2,700.00/Half Day		
Pavement Coring Equipment	\$90.00/hr			
Nuclear Gauge Equipment	\$15.00/hr			

6. EQUIPMENT SURCHARGES

AC Coring (Disposables)	\$9.00/inch			
PCC Coring (Disposables)	\$12.00/inch			
Core Trimming - Per Cut	\$30.00/cut			

7. TRAFFIC CONTROL

Temporary Lane Closures - Local/Arterial	\$2,500.00/day		\$2,800.00/day	
Shadow Vehicle - Local/Arterial	\$1,800.00/day		\$2,100.00/day	
Traffic Control Truck (Minor Streets)	\$225.00/hr			

C. LABORATORY TESTING				
	Std. Rate		ASTM	CALTRANS
8. SOILS, AGGREGATES AND AGGREGATE BASE				
Sieve Analysis, Coarse	\$100.00		C136	202-C
Sieve Analysis, Fine (wash)	\$120.00		C136	202-C
Specific Gravity, Bulk SSD, Coarse	\$110.00		C127	206
Specific Gravity, Fine	\$210.00		128	207
Absorption, Coarse	\$100.00		C127	206
Absorption, Fine	\$145.00		C128	207
Sand Equivalent (Ave. 3)	\$120.00		D2419	217
Durability Factor, Coarse or Fine	\$175.00		D3744	229
Cleanliness Value	\$175.00			227
Los Angeles Rattler	\$365.00		C131	211
Unit Weight	\$110.00		C29	212
Plasticity Index	\$200.00		D424	204
Maximum Density and Optimum Moisture	\$230.00		D1557	216
R-Value	\$275.00		D2844	301
R-Value (Lime Treated)	\$365.00			
California Bearing Ratio (CBR)	\$550.00		D1883	
California Bearing Ratio (CBR) - 1 Point	\$250.00			
California Bearing Ratio (CBR) - Lime Treated	\$660.00			
pH - Per Determination	\$130.00		C977	
Retained Strength	\$495.00			
pH – Eades & Grimm	\$500.00			
Unconfined Compression	\$95.00			
Muffle Oven/Organic Content	\$165.00			
Sulfate Testing	\$275.00			
Crushed Particle	\$150.00			205
Flat & Elongated Particle	\$240.00		D4791	
Angularity	\$210.00			
Moisture Content	\$45.00		D2216	226
Subgrade Density (Drive Tube)	\$110.00		D2937	

C. LABORATORY TESTING (Continued)

	Std. Rate		ASTM	CALTRANS
9. SOILS, AGGREGATES AND AGGREGATE BASE				
Emulsion, Cement or Lime Stabil. Inv.	By Quote			
Investigation, Design, Spec. and QC	By Quote			
10. PORTLAND CEMENT CONCRETE				
Flexural Strength (Single Break)	\$115.00			523
Mix Design Reviews	By Quote			
Slump Test (in Field)	By Quote			
11. ASPHALT CONCRETE				
Asphalt Concrete Mix Design, Marshall Stabil	By Quote			
Hveem Stabilometer Method	By Quote			
Gyratory Maximum Density	\$230.00			
Stability Tests - Hveem (s-Value)	\$300.00		D1560 D1561	304 366
Stability Tests - Marshal Stability & Flow	\$330.00			
Stability Tests - Moisture Vapor Susceptibility	\$330.00			307
Stability Tests - Swell	\$210.00			305
Stability Tests - Combined Marshall and Retar	\$440.00			
Maximum Lab. Density - Marshall or Hveem	\$230.00			
Maximum Lab. Density - (Rice Gravity) Max. T	\$145.00		D2041	
Tensile Strength Ratio (TSR)	\$825.00			
Tensile Strength Ratio (TSR) - Freeze/Thaw	\$880.00			
Tensile Strength Ratio (TSR - CT 371)	\$1,950.00			
Binder Content - Ignition Oven	\$270.00			382
pH - on Emulsion	\$130.00			
Soundness	\$315.00		C88	
Extraction, % Asphalt (Reflux)	\$270.00		D2172	
Solvent Charge (Reflux)	\$75.00		for D2172*	
% Rubber	\$110.00			
Extraction, % Asphalt Recovery (Abson Metho	\$400.00		D2172 D1856	
Gradation of Extracted Aggregate	\$120.00		C136	202
Density and Thickness on Core Samples	\$65.00		D1188 D2726 D3549	308
Stripping (pre-mixed sample)	\$140.00		D1664	302
Permeability, VDOT	\$250.00			
Cohesion	\$265.00			
Compatability	\$125.00			
Drain Down	\$330.00			
12. ASPHALT CEMENT				
R.T.F.C	\$320.00		D2872	346
R.T.F.C. - w/ Loss on Heating	\$385.00		D2872	346
Absolute Viscosity @ 140F° (60C°), Poise	\$200.00		D2171	
Haake Viscosity (Caltrans LP 11)	\$200.00			
Kinematic Viscosity @ 275F° (135C°) or 140F	\$200.00		D2170	
Penetration @ 77F° (25C°), 100g/5 sec	\$110.00		D5	
Penetration After Treatment w/ Rejuvenating A	\$145.00			
Ductility @ 77F° (25C°), cm.	\$300.00		D113	
Flash Point, COC or Pensky-Martens	\$190.00		D92 D93	
Softening Point	\$190.00		D36	
Solubility in Trichloroethylene, %	\$220.00		D2042	
Spot Test, AASHTO T 102	\$165.00			
Specific Gravity	\$145.00		D70	

C. LABORATORY TESTING (Continued)

	Std. Rate		ASTM	CALTRANS
13. ASPHALT CEMENT				
Viscosity SSF @ 77F° (25C°), sec.	\$195.00		D244	
Viscosity SSF @ 122F° (50C°)	\$220.00			
Settlement Five or Seven Day, %	\$485.00		D244	
Demulsibility	\$145.00		D244	
Particle Charge	\$175.00		D244	343
Sieve Test, %	\$125.00		D244	
Cement Mixing Test	\$190.00		D244	
Distillation and Percent Oil Determination	\$365.00		D402_D244	
Residue by Evaporation Cook-Off or CA Meth	\$190.00			331
Wet Track Abrasion Test (WTAT)	\$135.00		D3910	
Storage Stability, One Day	\$485.00		D244	
Float Test	\$135.00		D139_D244	
Cone Penetration	\$135.00		D243_D5	
Solids Content by Muffle Oven Burn-Off AAS	\$165.00			
Resiliency	\$120.00			
Torsional Recovery	\$485.00			
Elastic Recovery	\$110.00			
Pavement Seal - Non Volatile Components	\$120.00			

D. MISC.**14. MOBILIZATION COSTS**

Per Diem	By Quote			
Mileage	\$0.65/mi			
Mobilization	\$220.00/hr			

MINIMUM HOURLY CHARGES

Show-up time and no inspection performed or failure to cancel before 3:30 p.m. on the previous working day, two hours; one to four hours, four hour minimum; four to eight hours, eight hour minimum. Hourly charges will be on a portal to portal basis.

REGULAR HOURLY CHARGES

First eight hours between 7:00 a.m. and 5:00 p.m. Monday through Friday.

OVERTIME HOURLY CHARGES

Over eight hours worked in one day (Monday through Friday), work before 7:00 a.m. and after 5:00 p.m., Sat and Sun., time and a half will be charged.

Double time and a half will be charged for work performed on holidays.

Special schedule nighttime field work between the hours of 6:00 p.m. and 6:00 a.m. will be subject to a 25% premium of the Regular Time hourly rate.

SUBSISTENCE

Where location of work demands, a subsistence will be charged on a pre-arranged rate prior to commencement of inspection and/or testing service.

OUTSIDE SERVICES AND REIMBURSABLE EXPENSES

Outside services and reimbursable expenses such as rental of special equipment, fabrication of special test apparatus Air fares and car rental will be charged at cost plus fifteen percent.

***COMPACTION TESTING**

Hourly, Daily, Weekly, or Monthly Nuclear Gauge surcharges apply

MATERIALS TESTING

Rates has been provided for your convenience. The cost of additional tests will be furnished upon request.

A preparation charge will be added to all samples submitted to our laboratory that are not ready for testing.

This preparation charge will be based on the actual time required at the Laboratory Technician's rate per hour.

**STREET RESURFACING
YEAR 1**

NO	STREET	FROM	TO	YEAR	LENGTH (FT)	AREA (SF)
1	Bleakwood Avenue	Avenida Cesar Chavez	1st Street	1	1,200	30,758
2	Avenida Cesar Chavez	Bleakwood Avenue	End	1	653	16,978
3	Avenida Cesar Chavez	Vancouver Avenue	Westcott Avenue	1	1,003	25,922
4	Avenida Cesar Chavez	Schoolside Avenue	Collegian Avenue	1	1,176	22,889
5	Chalet Terrace	Crest Vista Drive	End	1	224	7,758
6	College View Lane	College View Drive	End	1	125	4,375
7	Collegian Avenue	Floral Drive	South End	1	2,278	56,925
8	Crest Haven Way	Crest Vista Drive	End	1	675	22,635
9	Crest Vista Drive	Ridgecrest Street	Crest Way	1	2,699	124,154
10	Dell Drive	Wandering Drive	Hillvale Drive	1	1,340	46,160
11	Dorner Drive	Schoolside Avenue	Westcott Avenue	1	691	23,290
12	Dorner Drive	Collegian Avenue	1st Street	1	1,157	32,523
13	Dorner Drive	Roscommon Avenue	Bleakwood Avenue	1	185	5,920
14	Dover Way	Crest Vista Drive	End	1	336	10,782
15	East Crest Way	Ridgeside Drive	End	1	547	16,479
16	Fulton Avenue	Riggin Street	Kempton Avenue (S)	1	4,489	143,648
17	Gladmar Street	Collegian Avenue	Sherbrook Avenue	1	595	19,960
18	Glenview Terrace	Crest Vista Drive	Sunrise Drive	1	731	22,661
19	Grand Vista Place	Grand Vista Way	End	1	218	7,596
20	Grand Vista Way	Crest Vista Drive	End	1	401	12,537
21	Hillside Street	Floral Drive	Brightwood Drive	1	401	18,847
22	Hillside Street	Ridgecrest Street	Longhill Drive	1	986	46,342
23	Hillvale Drive	Dell Drive	End	1	668	21,963
24	Longhill Drive	Highland Drive	Hillside Street	1	1,046	32,426
25	Lunar Drive	Crest Vista Drive	Brightwood Street	1	885	27,435
26	Moonbeam Drive	Sunrise Drive	Crest Vista Drive	1	785	24,335
27	North Ridge Place	Star Ridge Drive	End	1	262	8,784
28	Ridgecrest Street	Hillside Street	Highland Drive	1	716	26,748
29	Ridgecrest Street	Floral Drive	Brightwood Street	1	437	16,169
30	Ridgecrest Way	Ridgecrest Street	End	1	266	8,892
31	Ridgeside Circle	Ridgeside Drive	End	1	91	4,640
32	Ridgeside Drive	Wandering Drive	Crest Vista Drive	1	3,227	100,037
33	Rodman Circle	Crest Vista Drive	End	1	668	25,432
34	Rolling Hill Drive	Crest Vista Drive	Brightwood Street	1	1,178	36,518
35	Roscommon Avenue	Avenida Cesar Chavez (Frontage)	1st Street	1	1,278	33,072
36	Schoolside Avenue	Avenida Cesar Chavez	1st Street	1	955	32,334
37	Shady Crest Lane	Brightwood Street	End	1	369	11,673
38	Sherbrook Avenue	1st Street	Gladmar Street	1	390	12,276
39	Solar Drive	Highland Drive	Brightwood Street	1	992	30,752
40	Star Ridge Drive	Highland Drive	Hillside Street	1	707	21,917
41	Sunny Slope Place	Sunnyslope Drive	End	1	158	5,976
42	Sunnyhill Drive	Sunnyslope Drive	End	1	922	28,582
43	Sunnyslope Drive	Highland Drive	Brightwood Street	1	1,183	36,673
44	Sunrise Drive	El Repetto Drive	College View Drive	1	2,248	74,908
45	Sunrise Place	Sunrise Drive	End	1	182	6,624
46	Valley Vista Drive	Solar Drive	Floral Drive	1	1,024	31,744

47	Vancouver Avenue	Dorner Drive	Avenida Cesar Chavez	1	200	7,385
48	Wandering Drive	Dell Drive	Brightwood Street	1	2,014	63,689
49	West Crest Way	Crest Vista Drive	End	1	791	26,231
50	Westcott Avenue	Avenida Cesar Chavez	South End	1	1,019	29,248
51	Windover Way	Crest Vista Drive	End	1	305	11,165
YEAR 1 TOTAL					47,076	1,516,767

SLURRY SEAL**YEAR 1**

NO	STREET	FROM	TO	YEAR	LENGTH (FT)	AREA (FEET)
1	Bleakwood Avenue	Floral Drive	Cesar E Chavez Ave	1	1,274	41,175
2	Bluffhill Drive	Pebbledon Street	End	1	352	12,622
3	College View Drive	Floral Drive	Crest Vista Drive	1	1,262	46,694
4	College View Drive	Crest Vista Drive	Valley Vista Drive	1	1,236	45,732
5	College View Drive	Hillside Street	Ridgecrest Street	1	2,037	75,369
6	College View Drive	Valley Vista Drive	Hillside Street	1	1,028	38,036
7	Collegian Avenue	Floral Avenue	Avenida Cesar Chavez	1	1,058	14,812
8	Collegian Avenue	Floral Drive	Cesar E Chavez Ave	1	1,058	18,159
9	Crest Vista Drive	College View Drive	Brightwood Street	1	234	10,998
10	Crest Vista Drive	Floral Drive	College View Drive	1	125	5,875
11	Crest Vista Drive	Brightwood Street	Glenview Terrace	1	468	21,528
12	Crest Vista Drive	Glenview Terrace	Wandering Drive	1	333	15,318
13	Dorner Drive	Bleakwood Avenue	Vancouver Avenue	1	546	17,472
14	Dorner Drive	Westcott Avenue	Roscommon Avenue	1	253	8,096
15	Highland Drive	Ridgecrest Street	Rolling Hill Drive	1	1,439	44,609
16	Hillside Street	Longhill Drive	Brightwood Street	1	1,142	53,674
17	Karl Burnum Way	Ridgeside Drive	End	1	105	2,835
18	Longhill Drive	Pebbledon Street	Hillside Street	1	1,512	46,872
19	Longhill Way	Ridgecrest Street	End (South)	1	473	15,635
20	Pebble Hurst Street	Pebble Court	Brightwood Street	1	728	23,823
21	Pebbledon Street	Brightwood Street	Longhill Drive	1	1,435	44,485
22	Ridgecrest Street	Brightwood Street	Longhill Way	1	2,457	100,909
23	Rock View Street	Bluffhill Drive	Brightwood Street	1	959	29,729
24	Rockhaven Street	Rockview Court	Brightwood Street	1	657	21,622
25	Rockview Court	Rockhaven Street	Rock View Street	1	303	10,648
26	Sherbrook Avenue	1st Street	South End	1	365	13,054
27	Stone Gate Street	Brightwood Street	Stone Court	1	728	22,568
28	Stonewell Street	Brightwood Street	Stone Court	1	764	23,684
29	Vancouver Avenue	1st Street	Dorner Drive	1	1,048	26,885
YEAR 1 TOTAL					25,379	852,918

**STREET RESURFACING
YEAR 2**

NO	STREET	FROM	TO	YEAR	LENGTH (FT)	AREA (SF)
1	1st Street	Atlantic Boulevard	City Limits (West)	2	2,893	155,807
2	Ackley Street	Arroyo Drive	End	2	163	5,280
3	Adams Way	Van Buren Drive	End	2	293	10,071
4	Arroyo Drive	Ackley Street	End	2	116	4,105
5	Baltimore Avenue	Hellman Avenue	Emerson Avenue	2	1,239	45,843
6	Bluestone Lane	Arroyo Drive	End	2	462	11,638
7	Browning Place	Tegner Drive	End	2	698	31,861
8	Cecil Street	Graves Avenue	Garfield Avenue	2	1,241	40,953
9	Chandler Avenue	Hellman Avenue	Emerson Avenue	2	1,274	47,138
10	Coriolanus Drive	Alisar Avenue	End	2	215	6,060
11	Craighurst Terrace	Graves Avenue	End	2	394	12,652
12	Diane Way	Cecil Street	End	2	287	9,656
13	Elmgate Street	Garfield Avenue	Wilcox Avenue	2	322	10,948
14	Elmgate Street	Almora Street	Grandridge Avenue	2	1,191	40,416
15	Everett Avenue	Peach Street	Graves Avenue	2	1,059	41,301
16	Everett Avenue	Garvey Avenue	Edgley Drive	2	619	22,284
17	Garcelon Avenue	Garfield Avenue	Ynez Avenue	2	1,884	67,824
18	Graves Avenue	Grandridge Avenue	El Mercado Avenue	2	2,472	74,160
19	Hammel Street	Riggin Street E	Riggin Street (W)	2	1,267	40,060
20	Hampton Avenue	Ynez Avenue	Baltimore Avenue	2	1,425	51,300
21	Hendron Way	Kempton Avenue	End	2	297	9,207
22	Huntington Avenue	Hellman Avenue	Emerson Avenue	2	1,313	52,520
23	Huntington Avenue	Emerson Avenue	Garvey Avenue	2	1,350	48,600
24	Lamont Drive	Cecil Street	End	2	608	18,126
25	Langley Way	Lincoln Avenue	End (South)	2	741	23,837
26	Lincoln Avenue	Newmark Avenue	Graves Avenue	2	1,539	50,838
27	Mabel Avenue	Orange Avenue	End	2	970	36,362
28	McPherrin Avenue	Graves Avenue	Harding Avenue	2	236	8,496
29	Milam Place	Wilcox Avenue	End	2	441	13,353
30	Moore Avenue	Emerson Avenue	Hellman Avenue	2	1,274	50,960
31	Nicholson Avenue	Newmark Avenue	Garvey Avenue	2	947	34,092
32	Orange Avenue	Metro Drive	Emerson Avenue	1	5,726	210,804
33	Park Avenue	Mc Pherrin Avenue	Ynez Avenue	2	565	17,818
34	Peach Street	Alhambra Avenue	End	2	547	20,786
35	Pomelo Avenue	Graves Avenue	Mooney Drive	2	218	6,540
36	Pomelo Avenue	Newmark Avenue	Graves Avenue	2	1,674	60,264
37	Robinlinda Lane	Arroyo Drive	End	2	537	15,749
38	Roselyn Place	Garfield Avenue	Ramona Avenue	2	819	17,199
39	Roselyn Way	Roselyn Place	End	2	294	5,880
40	Rural Drive	Edgley Drive	Garvey Avenue	2	619	22,903
41	Russell Avenue	Newmark Avenue	Garvey Avenue	2	983	36,371
42	Russell Avenue	Graves Avenue	Newmark Avenue	2	1,638	57,330
43	Sefton Avenue	Graves Avenue	Newmark Avenue	2	1,596	57,456
44	Sefton Avenue	Edgley Drive	Garvey Avenue	2	619	22,903
45	Sierra Vista Avenue	Edgley Drive	Garvey Avenue	2	655	24,235
46	Tegner Drive	Orange Avenue	City Limit	2	1,145	42,365
47	Wilcox Avenue	Pomona Boulevard	El Repetto Drive	2	5,004	174,658
48	Wilcox Avenue	Langley Way	Fulton Avenue	2	398	12,736

49	Wilcox Avenue	Andrix Street	Aldergate Street	2	767	26,078
50	Wilcox Avenue	Keller Street	El Repetto Drive	2	411	13,152
51	Wilcox Avenue	Arlight Street	Andrix Street	2	331	11,254
52	Villa Montes Avenue	Graves Avenue	End	2	1,017	33,237
53	Ynez Avenue	Graves Avenue	Harding Avenue	2	455	16,835
54	Ynez Avenue	Harding Avenue	Newmark Avenue	2	1,261	46,657
YEAR 2 TOTAL					56,509	2,028,958

**SLURRY SEAL
YEAR 2**

NO	STREET	FROM	TO	YEAR	LENGTH (FT)	AREA (FEET)
1	Agate Wy	Bloom Dr	End	2	210	6,510
2	Aldergate St	Wilcox Ave	End	2	879	32,649
3	Alisar Ave	Ackley St	End	2	475	13,250
4	Arroyo Dr	Ackley St	Potrero Grande Dr	2	1,475	47,200
5	Avondale Avenue	Baltimore Avenue	Huntington Avenue	2	485	17,945
6	Avondale Avenue	Huntington Avenue	McPherrin Avenue	2	454	16,798
7	Avondale Avenue	McPherrin Avenue	Ynez Avenue	2	485	17,945
8	Avondale Avenue	Garfield Avenue	Baltimore Avenue	2	454	16,798
9	Baltimore Avenue	Garvey Avenue	Avondale Avenue	2	474	17,538
10	Baltimore Avenue	Garcelon Avenue	Emerson Avenue	2	509	18,833
11	Baltimore Avenue	Avondale Avenue	Garcelon Avenue	2	400	14,800
12	Bataan Pl	Aztec Way	End	2	621	26,436
13	Bloom Dr	Coral View St (W)	Mancha Way	2	541	16,771
14	Bloom Dr	Mancha Way	Coral View St (E)	2	975	30,225
15	Cecil Street	Lincoln Avenue	Graves Avenue	2	787	22,823
16	Chandler Avenue	Emerson Avenue	Garvey Avenue	2	1,347	49,839
17	Chandler Avenue	Garvey Avenue	Newmark Avenue	2	983	35,388
18	Edgley Drive	Nicholson Avenue	Alhambra Avenue	2	669	10,704
19	Edgley Drive	Sefton Avenue	Rural Drive	2	333	12,596
20	Edgley Drive	Alhambra Avenue	Sefton Avenue	2	670	25,460
21	Elmgate St	Grandridge Ave	Brockwell Ave	2	454	15,436
22	Elmgate St	Brockwell Ave	Graylock Ave	2	242	8,228
23	Elmgate St	Graylock Ave	Fernbank Ave	2	215	7,310
24	Elmgate St	Fernbank Ave	Isabella Ave	2	333	10,914
25	Elmgate St	Isabella Ave	Garfield Ave	2	333	10,812
26	Fulton Ave	Markland Dr	Riggin St	2	407	12,617
27	Hathaway Avenue	Hellman Avenue	City Limit	2	619	22,903
28	Hilliard Avenue	Baltimore Avenue	Huntington Avenue	2	454	16,344
29	Hilliard Avenue	McPherrin Avenue	Ynez Avenue	2	485	17,460
30	Hilliard Avenue	Huntington Avenue	McPherrin Avenue	2	485	17,460
31	Holly Oak Dr	Holly Oak Pl	Palm Ave	2	679	21,049
32	Holly Oak Dr	Ackley St	Holly Oak Pl	2	921	28,551
33	Holly Oak Dr	Pepper St	Ackley St	2	692	21,627
34	Huntington Avenue	Grandridge Avenue	Harding Avenue	2	441	13,230
35	Iris Wy	Fulton Ave	Clover Dr	2	380	11,400
36	Iris Wy	Clover Dr	End	2	141	4,230
37	Kempton Ave	Coral View St	End	2	431	13,361
38	Kempton Ave	Keller St	Kempton Pl	2	268	8,308
39	Kempton Ave	Kempton Pl	Coral View St	2	604	18,724
40	Kempton Ave	Fulton Ave (S)	Trumbower Ave	2	187	5,797
41	Kempton Pl	Kempton Ave	End	2	175	5,625
42	Lincoln Avenue	Emerson Avenue	Garvey Avenue	2	1,383	51,171
43	Lincoln Avenue	Garvey Avenue	Newmark Avenue	2	946	27,434
44	Lupine Ave	Coral View St	Heather Dr	2	792	24,552
45	Mancha Wy	Heather Dr	Bloom Dr	2	399	11,241
46	Mancha Wy	Bloom Dr	Coral View St	2	628	19,468
47	Maplegate St	Aldergate St	End	2	266	9,044
48	McPherrin Avenue	Garvey Avenue	Avondale Avenue	2	473	17,501
49	Metro Dr	Orange Ave	Aztec Wy	2	227	8,172
50	Mooney Dr	Russell Ave	Sefton Ave	2	1,275	35,700
51	Moore Avenue	Garvey Avenue	Emerson Avenue	2	1,347	53,880

52	Oakgate St	Wilcox Ave	Aldergate St	2	844	30,384
53	Palm Ave	Ackley St	Hollyoak Dr	2	559	17,329
54	Pepper St	Orange Ave	Ash Dr	2	551	20,387
55	Pepper St	Ash Dr	Hollyoak Dr	2	242	9,129
56	Polk Wy	Van Buren Dr	End	2	329	10,143
57	Ransom Wy	Russell Ave	End	2	312	9,374
58	Susan Way	Lincoln Avenue	End	2	293	10,548
59	Teresa Ave	Kays Ave	City Limits (E)	2	219	5,913
60	Vercoe Pl	Wilcox Ave	End	2	329	11,533
61	Whitehurst Dr	Mancha Wy	End	2	266	9,146
62	Whitmore Street	New Avenue	City Limit	2	395	12,640
63	Ynez Avenue	Newmark Avenue	Garvey Avenue	2	983	36,149
64	Ynez Avenue	Garvey Avenue	Avondale Avenue	2	474	17,538
65	Ynez Avenue	Avondale Avenue	Emerson Avenue	2	874	32,338
66	Ynez Avenue	Hillard Avenue	Hellman Avenue	2	874	32,338
67	Ynez Avenue	Emerson Avenue	Hillard Avenue	2	437	16,169
YEAR 2 TOTAL					37,889	1,281,115

STREET RESURFACING YEAR 3						
NO	STREET	FROM	TO	YEAR	LENGTH (FT)	AREA (SF)
1	Abajo Drive	Vagabond Road	Cereza Drive	3	2,919	90,489
2	Adobe Place	Loma Verde Street	Atlantic Boulevard	3	512	16,384
3	Aliso Street	Avion Drive	End	3	210	7,222
4	Arboles Street	Abajo Drive	End	3	187	6,601
5	Arriba Drive	Sombrero Drive	Cereza Drive	3	4,154	128,774
6	Atlantic Boulevard (Frontage)	El Repetto Drive	End	3	514	12,850
7	Atlantic Boulevard (Frontage)	Brightwood Avenue	El Repetto Drive	3	1,509	47,225
8	Avion Drive	Sombrero Drive	Verde Vista Drive	3	1,238	38,066
9	Barnum Way	Ridgecrest Street	Vagabond Road	3	3,228	116,208
10	Bonita Terrace	Arriba Drive	End	3	196	7,249
11	Cadiz Street	Jade Tree Drive	De La Fuente Street	3	1,502	54,677
12	Cadiz Street	Atlantic Boulevard	Ynez Avenue	3	390	14,040
13	Campanita Court	Garvey Avenue	End	3	305	12,678
14	Campo Street	Avion Drive	End	3	189	6,655
15	Casitas Street	Abajo Drive	End	3	408	14,068
16	Centre Plaza Drive	Ramona Boulevard	Turnaround	3	857	24,693
17	Cereza Drive	Abajo Drive	End	3	189	6,520
18	Colina Terrace	Arriba Drive	End	3	160	6,196
19	Copa Way	Arriba Drive	End	3	99	4,547
20	Crest Vista Drive	Ridgecrest Street	Jade Tree Drive	3	580	27,260
21	Davidson Drive	Monterey Pass Road	Corporate Center Drive	3	1,103	66,180
22	Del La Fuente Street	Harding Avenue	Cadiz Street	3	1,581	44,268
23	Donner Place	Ridgecrest Street	End	3	97	4,880
24	El Mercado Avenue	Atlantic Boulevard	Cadiz Street	3	2,449	127,348
25	El Portal Place	Atlantic Boulevard	El Mercado Avenue	3	397	10,322
26	El Repetto Drive	Atlantic Boulevard	Dell Drive	3	1,094	39,878
27	Elevado Terrace	Arriba Drive	End	3	163	6,250
28	Feliz Street	Verde Vista Drive	End	3	212	8,276
29	Fotini Place	Triana Street	Triana Place	3	421	19,787
30	Granada Drive	Abajo Drive	End	3	79	2,614
31	Harding Avenue	De La Fuente Street	Atlantic Boulevard	3	363	13,068
32	Hermosa Vista Street	Kingsford Street	Cadiz Street	3	1,382	33,168
33	Jade Tree Drive	Cadiz Street	Montechico Drive	3	955	33,830
34	Knoll Drive	Fremont Avenue	Electric Avenue	3	955	16,235
35	Loma Verde Street	El Mercado Avenue	Ynez Avenue	3	380	15,200
36	Mabel Avenue	Marguerita Avenue	Atlantic Boulevard	3	1,146	32,152
37	Montechico Drive	Jade Tree Drive	Newmark Avenue	3	853	17,060
38	Monterey Pass Road	Floral Drive	Fremont Avenue	3	8,023	531,638
39	Monterey Pass Road	Newmark Avenue	Pavement Change 185' Mabel Avenue	3	926	52,045
40	Monterey Pass Road	Garvey Avenue	Monterey Pass Road	3	732	21,960
41	Nachi Way	Crest Vista Drive	End	3	175	7,660
42	Newmark Avenue	Electric Avenue	Montechico Drive	3	1,245	28,899
43	Pueblo Drive	Arriba Drive	End	3	384	12,325
44	Ridgecrest Street	Ridgecrest Street	CulDeSac	3	72	3,905

45	Ridgecrest Street	Highland Drive	Barnum Way	3	3,213	116,632
46	Ridgecrest Street	Barnum Way	Crest Vista Drive	3	294	10,878
47	Sevilla Street	Atlantic Boulevard	Ynez Avenue	3	305	11,285
48	Sierra Alta Way	Celco Alta Drive	End	3	275	9,382
49	Sombrero Drive	Casuda Canyon Drive	End	3	1,859	58,378
50	Summit Place	Ridgecrest Street	End	3	85	4,400
51	Topacio Drive	Arriba Drive	End	3	85	3,595
52	Triana Place	Ynez Avenue	El Mercado Avenue	3	522	16,704
53	Vagabond Road	Ridgecrest Street	Monterey Pass Road	3	1,361	42,191
54	Ynez Avenue	Loma Verde Street	Sevilla Street	3	1,657	60,494
YEAR 3 TOTAL					54,189	2,125,289

**SLURRY SEAL
YEAR 3**

NO	STREET	FROM	TO	YEAR	LENGTH (FT)	AREA (FEET)
1	Ackley St	Palm Ave	Ash Dr	3	801	29,637
2	Ackley St	Ash Dr	Hollyoak Dr	3	242	8,954
3	Ackley St	Hollyoak Dr	Alisar Ave	3	303	11,211
4	Ackley St	Alisar Ave	Arroyo Dr	3	1,244	39,616
5	Alamo Drive	Ladera Street	End	3	140	4,340
6	Alamo Drive	Barranca Drive	Grandeza Street	3	760	23,560
7	Alamo Drive	Grandeza Street	Ladera Street	3	272	8,432
8	Alzado Street	Alamo Drive	Casuda Canyon Drive	3	946	29,326
9	Arlight St	Bradshawe Ave	Hendricks Ave	3	545	16,350
10	Barranca Drive	Cerco Alta Drive	Casuda Canyon Drive	3	426	15,540
11	Bradshawe Ave	Brightwood St	McPherrin Ave	3	1,119	30,213
12	Branham Street	Newmark Avenue	Electric Avenue	3	1,346	41,726
13	Brightwood St	Bradshawe Ave	Atlantic Blvd	3	1,256	41,448
14	Brightwood St	Grandridge Ave	McPherrin Ave	3	616	22,792
15	Brightwood St	McPherrin Ave	Bradshawe Ave	3	283	10,471
16	Campanita Court	Garvey Avenue	End	3	305	12,678
17	Casuda Canyon Drive	Garvey Avenue	Sombrero Drive	3	801	37,647
18	Casuda Canyon Drive	Alzado Street	Ladera Street	3	812	38,164
19	Casuda Canyon Drive	Sombrero Drive	Verde Vista	3	343	16,121
20	Casuda Canyon Drive	Barranca Drive (S)	Alzado Street	3	965	45,355
21	Casuda canyon Drive	Verde Vista Drive	Barranca Drive (S)	3	770	36,190
22	Cerco Alta Drive	Barranca Drive (N)	Barranca Drive (S)	3	1,239	38,285
23	Cerco Alta Drive	Barranca Drive (S)	End	3	275	9,274
24	Copa Way	Casuda Canyon Drive	Arriba Drive	3	1,032	31,992
25	Cumbre Street	Alamo Drive	Casuda Canyon Drive	3	1,019	31,589
26	De La Fuente Street	Sevilla Street	Holladay Way	3	641	23,717
27	De La Fuente Street	Newmark Avenue	Harding Avenue	3	1,291	25,820
28	Durango Drive	Barranca Drive	End	3	409	12,892
29	El Portal Place	El Mercado Avenue	Kingsford Street	3	1,252	33,720
30	El Repetto Dr	Garfield Ave	Isabella Ave	3	988	36,556
31	Electric Avenue	Garvey Avenue	Branham Street	3	1,422	38,394
32	Floral Dr	Isabella Ave	Garfield Ave	3	353	12,002
33	Floral Dr	Graylock Ave	Isabella Ave	3	245	9,065
34	Fremont Avenue	Monterey Pass Road	Newmark Avenue	3	615	16,605
35	Gerhart Ave	Gleason St	Fernfield Dr	3	291	14,259
36	Gerhart Ave	Markland Dr	Gleason St	3	293	14,357
37	Gerhart Ave	Fernfield Dr	Pomona Blvd	3	329	16,121
38	Gerhart Ave	Riggin St	Markland Dr	3	257	12,299
39	Gerhart Ave	Hammel St	Riggin St	3	291	10,476
40	Gleason St	Bradshawe Ave	Gerhart Ave	3	970	32,980
41	Gleason St	Hendricks Ave	Bradshawe Ave	3	576	19,448
42	Gleason St	Sadler Ave	Hillview Ave	3	151	5,220
43	Grandeza Stret	Alamo Drive	Casuda Canyon Drive	3	1,093	33,883
44	Grandridge Ave	McPherrin Ave	Elmgate St	3	768	29,184
45	Grandridge Ave	Brockwell Ave	Floral Dr	3	303	11,211
46	Grandridge Ave	Elmgate St	Andrix St	3	552	20,424
47	Grandridge Ave	Cielito Ave	McPherrin Ave	3	184	6,992
48	Grandridge Ave	Andrix St	Brockwell Ave	3	270	9,990
49	Harding Avenue	Kingsford Street	De La Fuente Street	3	305	10,980
50	Harding Avenue	Atlantic Boulevard	El Mercado Avenue	3	182	8,372
51	Hendricks Ave	Floral Dr	Riggin St	3	546	18,018

52	Hendricks Ave	Arlight St	Floral Dr	3	291	9,603
53	Hendricks Ave	McPherrin Ave	Almora St	3	255	8,415
54	Hillview Ave	Riggin St	Sadler Ave	3	275	9,900
55	Hillview Ave	Sadler Ave	Zaring St	3	352	12,672
56	Hillview Ave	Zaring St	Fernfield Dr	3	633	22,788
57	Isabella Ave	Floral Dr	Riggin St	3	596	22,052
58	Isabella Ave	Riggin St	Gleason St	3	622	23,014
59	Knoll Drive	Fremont Avenue	Electric Avenue	3	955	16,235
60	Ladera Street	Alamo Drive	Casuda Canyon Drive	3	1,130	41,810
61	Loma Verde St	Pluma Wy	Brightwood St	3	421	13,893
62	Mabel Avenue	Monterey Pass Road	Fremont Avenue	3	546	14,742
63	Mabel Avenue	Fremont Avenue	Electric Avenue	3	789	21,303
64	McPherrin Ave	Brightwood St	Grandridge Ave	3	514	16,962
65	Mesa Way	Verde Vista Drive	End	3	220	7,789
66	Monterey Pass Road	Garvey Avenue	Monterey Pass Road	3	42	1,260
67	Newlee Street	Electric Avenue	Mabel Avenue	3	419	11,313
68	Newmark Avenue	Fremont Avenue	Electric Avenue	3	788	21,276
69	Newmark Avenue	Monterey Pass Road	Fremont Avenue	3	723	19,521
70	Newmark Avenue	Montechico Drive	Kingsford Street	3	116	6,264
71	Pat Carroll Way	Casuda Canyon Drive	Casuda Canyon Drive	3	1,575	54,000
72	Pavo Real Ave	McPherrin Ave	End	3	125	3,500
73	Pavo Real Ave	El Repetto Dr	Grandridge Ave	3	343	10,633
74	Pelon Wy	Isabella Ave	End	3	791	26,231
75	Piedra Wy	El Repetto Dr	End	3	291	9,858
76	Poco Wy	El Repetto Dr	End	3	219	7,842
77	Sadler Ave	Gleason St	Fernfield Dr	3	297	10,692
78	Sadler Ave	Zaring St	Gleason St	3	192	6,912
79	Sadler Ave	Hillview Ave	Zaring St	3	244	8,784
80	Sevilla Street	De La Fuente Street	Atlantic Boulevard	3	473	15,609
81	Tedford Way	Williams Street	End	3	182	6,806
82	Tedford Way	Branham Street	Williams Street	3	255	7,905
83	Vagabond Road	Monterey Pass Road	Abajo Drive	3	597	18,507
84	Verde Vista Drive	Barranca drive	Casuda Canyon Drive	3	838	25,978
85	Verde Vista Drive	Ladera Street	Barranca Drive	3	1,002	30,814
86	Whitney Place	Williams Street	End	3	182	6,806
87	Williams Street	Branham Street	Tedford Way	3	782	21,896
88	Williams Street	Tedford Way	End	3	360	11,790
89	Ynez Avenue	Adobe Place	El Repetto Drive	3	934	29,888
90	Zaring St	Hillview Ave	End	3	188	6,768
91	Zaring St	Sadler Ave	Hillview Ave	3	163	5,868
YEAR 3 TOTAL					52,157	1,741,795



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Public Hearing
Agenda Item No. 4A

TO: The Honorable Mayor and City Council
FROM: Vincent D. Chang, City Clerk
SUBJECT: Public Hearing to receive testimony regarding redrawing council district boundaries pursuant to Elections Code § 21601.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Conducting a Public Hearing to receive testimony on redrawing of council district boundaries pursuant to Elections Code § 21601;
2. Providing direction to the City's demographer regarding redrawing of council district boundaries pursuant to Elections Code § 21601; and
3. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

In 2019, the City transitioned to district-based elections. In accordance with the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions (FAIR MAPS) Act (Elections Code § 21601-21609), following the federal decennial census every ten years, districts boundaries must be redrawn so that each district is substantially equal in population. It is important in ensuring that each City Councilmember represents about the same number of constituents. The maps must meet certain requirements and has a total deviation of less than 10% difference.

At the second public hearing on October 20, 2021, National Demographics Corporation (NDC) presented the findings from the "Still Balance Analysis" using the 2020 Census adjusted data and concluded that the existing district map meets the FAIR MAPS Act criteria with a deviation of 2.84%.

The City Council received and filed public comments, took action to move forward with the existing map (Option A), and scheduled the third public hearing for November 17, 2021; fourth public hearing and introduction of an ordinance to adopt final map for December 1, 2021; and scheduled December 15, 2021 for adoption of the ordinance and the final map (Note: typographical error on the October 20, 2021 staff report referenced the incorrect date for the adoption of the ordinance on December 22, 2021).

The City Council held the first public hearing on July 21, 2021, second public hearing on October 20, 2021, and the third public meeting being held tonight.

BACKGROUND:

Following each decennial federal census, the City Council must adopt boundaries for all council districts so that the districts will be substantially equal in population. According to the FAIR MAPS Act, districts must meet the following requirements:

District Map Criteria

- Comply with federal requirements of equal population and the Voting Rights Act
- Areas that are geographically contiguous (connected).
- Keeping the geographic integrity by minimizing division of community interest of social and economic interests.
- Areas easily identifiable bonded by natural and artificial barriers, streets, and boundaries.
- Encourages geographical compactness where nearby areas of population are not bypassed in favor of more distant populations.
- Do not favor or discriminate against a political party.

Public Hearings

- Hold a minimum of four public hearings, one pre-draft maps hearing, two post-draft maps hearings, and one additional pre/post-draft maps hearing.
- Post-draft maps hearings must be held after a 21-day (waiting period) following the release of the State-Adjusted census data.
- Hearings must start at a fixed time or after completion of previous agenda item.
- At least one hearing must be held after 6:00 p.m. or on the weekend.

Notices

- Dedicated webpage (www.MontereyPark.ca.gov/Redistricting2021) with explanation of redistricting and public comment process, calendar of hearings, notices and agendas, recordings or written summaries, draft maps considered by the City Council, and adopted map.
- Notices contain date, time and location of hearings and must be posted online five days in advance.
- All materials related to the redistricting must be kept online until 2031.

Outreach

- Encourage public participation including a good faith effort to provide information to local media, provide information through “good government, civil rights, civic engagement, and community groups or organizations.”
- Interested persons may subscribe to receive notices about public meetings.

- Post information on redistricting and comment process online including applicable non-English languages in accordance with the Secretary of State's determination of Chinese and Spanish as the required languages.

Translation

- Provide information on redistricting and comment process in applicable non-English languages in accordance with the Secretary of State's determination.
- Requires providing live translation, if the request was made 72 hours in advance or 48 hours if the notice was posted five days before the hearings.

Timeline for Submittal of Adopted Map

- 205 days before the next regular election. Los Angeles County's deadline for submittal of final map for November 8, 2022, election is May 12, 2022.

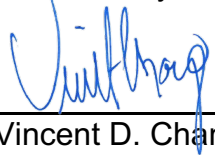
Next Steps and Tentative Timelines

- Schedule the fourth public hearing for December 1, 2021 to receive public comments and introduce first reading of an ordinance for adoption of the final map. Final map must be posted on the City's website seven days prior to adoption.

FISCAL IMPACT:

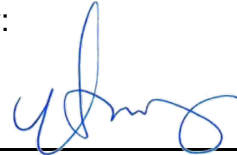
The costs of redistricting process of \$55,000 have been appropriated in the FY 21-22 budget.

Respectfully submitted by:



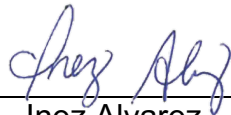
Vincent D. Chang
City Clerk

Prepared by:



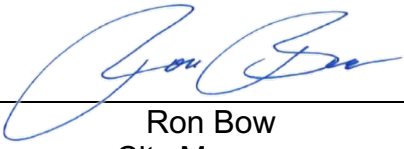
Cindy H. Trang
Deputy City Clerk

Reviewed by:



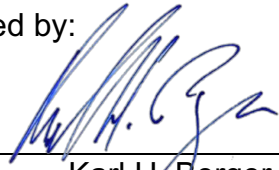
Inez Alvarez
Assistant City Manager

Reviewed by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. 2020 Adjusted Census Data
2. Summary Public Comments from the October 20, 2021, Council Meeting

ATTACHMENT 1
2020 Adjusted Census Data

Monterey Park - Current Districts (2020 Adjusted)							
District		1	2	3	4	5	Total
2020	2020 Census (Raw)	12,412	12,116	12,084	12,432	12,211	61,255
	Deviation from ideal	161	-135	-167	181	-40	348
	% Deviation	1.31%	-1.10%	-1.36%	1.48%	-0.33%	2.84%
2020 Total Pop	% Hisp	18%	24%	56%	16%	24%	28%
	% NH White	3%	6%	3%	3%	4%	4%
	% NH Black	1%	1%	1%	1%	1%	1%
	% Asian-American	77%	68%	39%	79%	71%	67%
	Total	7,846	8,287	8,647	6,562	7,508	38,850
Citizen Voting Age Pop	% Hisp	17%	22%	53%	28%	23%	29%
	% NH White	5%	8%	4%	4%	6%	5%
	% NH Black	0%	1%	0%	1%	0%	1%
	% Asian/Pac.Isl.	78%	69%	43%	67%	70%	65%
	Total	6,511	7,206	7,023	5,211	6,330	32,281
Voter Registration (Nov 2020)	% Latino est.	21%	24%	59%	22%	27%	31%
	% Spanish-Surnamed	19%	22%	54%	20%	25%	29%
	% Asian-Surnamed	59%	54%	26%	57%	52%	49%
	% Filipino-Surnamed	1%	1%	1%	2%	2%	1%
	% NH White est.	17%	19%	12%	16%	16%	16%
	% NH Black	1%	2%	0%	2%	2%	2%
	Total	2,765	3,414	3,358	2,006	2,991	14,534
Voter Turnout (Nov 2018)	% Latino est.	23%	25%	63%	29%	32%	35%
	% Spanish-Surnamed	22%	24%	58%	27%	30%	33%
	% Asian-Surnamed	52%	51%	23%	47%	46%	43%
	% Filipino-Surnamed	1%	1%	1%	2%	2%	1%
	% NH White est.	21%	20%	11%	19%	17%	17%
	% NH Black	1%	2%	1%	2%	2%	1%
	Total	4,523	5,379	5,184	3,516	4,649	23,251
Voter Turnout (Nov 2020)	% Latino est.	22%	24%	60%	24%	28%	32%
	% Spanish-Surnamed	20%	22%	55%	22%	26%	30%
	% Asian-Surnamed	56%	53%	26%	54%	50%	47%
	% Filipino-Surnamed	1%	1%	1%	2%	2%	1%
	% NH White est.	19%	19%	12%	17%	17%	17%
	% NH Black est.	1%	2%	0%	2%	2%	1%
	Total	12,582	11,760	12,693	12,118	11,329	60,482
ACS Pop. Est.	Total	12,582	11,760	12,693	12,118	11,329	60,482
Age	age0-19	18%	18%	21%	20%	18%	19%
	age20-60	51%	54%	52%	54%	50%	52%
	age60plus	31%	29%	27%	27%	32%	29%
Immigration	immigrants	61%	48%	41%	63%	55%	53%
	naturalized	63%	68%	74%	57%	62%	64%
Language spoken at home	english	23%	31%	28%	21%	22%	25%
	spanish	11%	17%	39%	13%	17%	19%
	asian-lang	65%	51%	32%	64%	60%	54%
	other lang	1%	1%	1%	2%	2%	1%
Language Fluency	Speaks Eng. "Less than Very Well"	45%	34%	27%	51%	42%	40%
Education (among those age 25+)	hs-grad	34%	39%	45%	43%	36%	39%
	bachelor	24%	27%	20%	18%	22%	22%
	graduatedegree	12%	11%	8%	7%	9%	9%
Child in Household	child-under18	26%	26%	31%	32%	27%	29%
Pct of Pop. Age 16+	employed	54%	60%	58%	55%	58%	57%
Household Income	income 0-25k	24%	19%	17%	25%	18%	21%
	income 25-50k	18%	18%	21%	23%	25%	21%
	income 50-75k	16%	18%	17%	16%	16%	17%
	income 75-200k	34%	34%	38%	29%	28%	33%
	income 200k-plus	8%	11%	7%	6%	13%	9%
Housing Stats	single family	62%	69%	75%	54%	73%	67%
	multi-family	38%	31%	25%	46%	27%	33%
	rented	52%	40%	40%	63%	45%	48%
	owned	48%	60%	60%	37%	55%	52%
Total population data from the California adjustment to the 2020 Decennial Census. Surname-based Voter Registration and Turnout data from the California Statewide Database. Latino voter registration and turnout data are Spanish-surname counts adjusted using Census Population Department undercount estimates. NH White and NH Black registration and turnout counts estimated by NDC. Citizen Voting Age Pop., Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data.							

ATTACHMENT 2

Summary Public Comments from the October 20, 2021, Council Meeting

October 20, 2021 Public Hearing #2

Bill Lam, resident and a student at CSUN, said he is in favor of Option B to let the people draw the redistricting map using the public participation kit based on the 2020 census data on what the new lines would look like in the next decade.



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: Public Hearing
Agenda Item No. 4B

TO: The Honorable Mayor and City Council
FROM: Joseph Torres, Economic Development Manager
SUBJECT: Continuation of Public Hearing regarding consideration of a resolution of the City Council of the City of Monterey Park, California confirming the 2021 Annual Report and the levy of assessments for Downtown Business Improvement District No. 1 for program year 2022.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Continuing the public hearing originally scheduled for November 17, 2021, to December 1, 2021;
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On October 20, 2021, the City Council set the date for a public hearing regarding the assessment of businesses within Business Improvement District No. 1. BID Assessment revenues will fund promotional activities and special events to benefit downtown businesses. Council adopted Resolution No. 12274 but requested to amend the 2021 Annual Report. At this time, staff needs additional time to revise the 2021 Annual Report and is requesting that the item be continued to December 1, 2021.

Respectfully submitted by:

A handwritten signature in blue ink, appearing to read "J. Torres", is written over a horizontal line.

Joseph Torres
Economic Development Manager

Prepared by:

A handwritten signature in blue ink, appearing to read "Karen Ko", is written over a horizontal line.

Karen Ko
Economic Development Specialist

Approved by:

A handwritten signature in blue ink, appearing to read "Ron Bow", is written over a horizontal line.

Ron Bow
City Manager

Reviewed by:

A handwritten signature in blue ink, appearing to read "Karl H. Berger", is written over a horizontal line.

Karl H. Berger
City Attorney



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: New Business
Agenda Item No. 5A

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Director of Public Works /City Engineer
SUBJECT: Ordinance Requiring Reduction of Organic Waste Disposal and Participation in San Gabriel Valley Council of Governments Regional Food Recovery Program

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waiving first reading of an Ordinance amending the Monterey Park Municipal Code ("MPMC") to add Chapter 6.08.290 that mandates reducing organic waste disposal;
2. Authorizing the City Manager to execute Amendment 1 to the Agreement with San Gabriel Valley Council of Governments for participation in Tasks 5 and 6 of the Regional Food Recovery Program;
3. Appropriating \$110,800 for the cost of Tasks 5 and 6 of the Food Recovery Program from refuse enterprise fund 421; and
4. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procures to clarify existing policies and practices related to waste disposal services; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. The ordinance would be adopted, in part, for protection of the environment. Accordingly, the ordinance does not constitute a "project" that requires environmental review (*see specifically* 14 CCR § 15378(b)(2,5)).

EXECUTIVE SUMMARY:

Senate Bill 1383 (SB 1383) requires local jurisdictions to adopt an ordinance to implement the Short-lived Climate Pollutants: Organic Waste Reduction regulations as set forth by the California Department of Resources and Recovery (CalRecycle). SB 1383 requires the State to reduce organic waste, that includes food waste, green waste, and paper products, by 75% by 2025.

The proposed ordinance would add Chapter 6.08.290 to the Monterey Park Municipal Code (MPMC) that provides the requirements for collection and recycling of organic waste to comply with the law.

At this time, staff is also requesting City Council approval to participate in the San Gabriel Valley Council of Governments (SGVCOG) Regional Food Recovery Program. The food recovery program will assist the City in compliance with SB 1383.

BACKGROUND:

Assembly Bill 1826 (AB1826) that was signed into law on September 28, 2014 requires businesses and multi-family property owners that generate significant amount of solid waste to arrange for recycling services for organic waste. Since April 1, 2016, Athens Services has been providing organic waste recycling services to those business and property owners that meet the threshold.

Senate Bill 1383 (SB 1383) was signed into law on September 19, 2016 to reduce organic waste disposal by 75% and increase edible food recover by 20% by 2025. CalRecycle – the state department tasked with administering waste and recycling programs – is charged with developing the prescriptive regulations to achieve the State’s goals. The 75% reduction goal will involve coordination with waste haulers, waste processing facilities and edible food recovery organizations.

Specifically, this new law requires local jurisdictions to provide *all* residents and businesses access to recycling programs that capture food scraps, landscape waste and other organic waste. While AB 1826 requires recycling of organic waste, SB 1383 takes it one step further by requiring edible food recovery: collecting edible food that would otherwise go to waste and redistributing it to feed people in need.

Cities are required to implement the new mandatory organic recycling program by January 1, 2022.

Requirements of SB 1383

The City will have to implement the following actions to comply with SB 1383:

- Provide organic waste collection to all residents and businesses.
- Establish an edible food recovery program that recovers edible food from the waste stream.
- Conduct outreach and education to all affected parties, including generators, haulers, facilities, edible food recovery organizations, and City Departments.
- Procure recycled organic waste products such as compost, mulch, renewable natural gas (“RNG”), and electricity.
- Participate in the Los Angeles County’s efforts to evaluate of the City’s readiness and capacity to implement SB 1383, including organic waste collection, recycling, and edible food recovery capacity.

- Maintain records of SB 1383 compliance.

The proposed Mandatory Organic Waste Reduction Ordinance is a mandate of SB 1383. The ordinance includes the following requirements:

- All single-family residential, multi-family residential, and commercial businesses must recycle organic waste.
- Tier 1 (e.g., grocery stores) and Tier 2 (e.g., restaurants, hotels, large venues) “Commercial Edible Food Generators” must donate edible food.
- Haulers must transport waste recyclables to the appropriate disposal or recycling facility.
- Inspections and investigations must be conducted to check for contamination of recycling bins.

San Gabriel Valley Council of Governments Regional Food Recovery Program

In response to SB 1383, the San Gabriel Valley Council of Governments (SGVCOG) developed the *Regional Food Recovery Program* to assist member cities in compliance with the State’s organic waste reduction law.

The City executed an agreement with SGVCOG to participate in Tasks 1 to 4 of the Regional Food Recovery Program at a cost of \$17,000,000. Tasks 1 to 4 will identify food recovery agencies that can meet the needs of the participating cities, assess the demand for food recovery from participating cities, and provide public outreach to affected businesses and property owners.

Tasks 5 and 6 are the more costly component of SGVCOG’s Regional Food Recovery Program and member cities that wish to participate will need to execute a separate amendment to the Agreement. As required by the organic waste reduction mandate, Task 5 will provide for inspection of food generators and food recovery agencies and Task 6 will provide for issuance of violations and documentation of enforcement actions and resolutions. The cost for Tasks 5 and 6 is estimated to be \$110,800 for the City of Monterey Park.

Impact on Community

Athens currently recycles organic waste for single family residents. Residents dispose of their food scraps in the organics bin along with their yard trimmings. Commercial business in the Tier 1 category that includes supermarkets and grocery stores must begin organic waste recycling services beginning January 1, 2022. Tier 2 category businesses that includes restaurants, hotels, and State/education facilities are required to obtain organic waste disposal services beginning January 1, 2024.

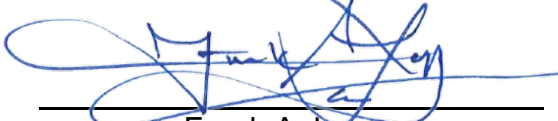
Beginning January 1, 2024, the City will be required to enforce the new regulation and fine customers that do not comply. Violations will be subject to administrative civil penalties.

FISCAL IMPACT:

The new ordinance will require organic waste recycling services for City facilities. Cost for this new service is unknown at this time.

An appropriation of \$110,800 for the cost of Tasks 5 and 6 of the Food Recovery Program from the refuse enterprise fund 421 is requested.

Respectfully submitted by:



Frank A. Lopez
Director of Public Works
City Engineer

Prepared by:



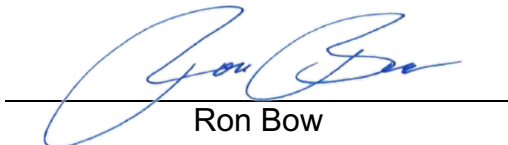
Amy Ho
Principal Management Analyst

Reviewed by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Draft Ordinance
2. SGVCOG Regional Food Recovery Program Amendment 1
3. SGVCOG Regional Food Recovery Program Agreement

ATTACHMENT 1

Draft Ordinance

CITY OF MONTEREY PARK

ORDINANCE NO. _____

AN ORDINANCE ADDING CHAPTER 6.15 TO THE MONTEREY PARK MUNICIPAL CODE REGARDING MANDATORY ORGANIC WASTE DISPOSAL REDUCTION

THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES ORDAIN AS FOLLOWS:

SECTION 1. A new Chapter 6.15 entitled “Mandatory Organic Waste Disposal Reduction” and consisting of §§ 6.15.010 to 6.15.130 is added to the Monterey Park Municipal Code (“MPMC”) to read as follows:

“Chapter 6.15

MANDATORY ORGANIC WASTE DISPOSAL REDUCTION

6.15.010. Purpose.

This chapter is adopted in accordance with Article XI, § 7 of the California Constitution and Public Resources Code § 40059 to protect public health, safety and well-being, to control the spread of vectors, and to limit sources of air pollution, noise and traffic within the City. This chapter is adopted to supplement and implement the legal requirements of AB 939 and, in particular, the SB 1383 Regulations.

6.15.020. 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. Words and phrases not given a meaning by this Chapter have the meaning set forth in the Act and the regulations promulgated to implement the Act, if defined therein, and if not, to the definitions found in RCRA and the regulations promulgated to implement RCRA, as amended, or in this code (see, e.g., chapters 13.24 and 15.44). References to an undesignated regulation are to Title 14 of the California Code of Regulations.

“AB 939” or “Act” means the California Integrated Waste Management Act of 1989 codified in part at Public Resources Code, §§ 40000 *et seq.*, as amended.

“City Enforcement Official” means the city manager, or designee.

“Commercial Business” or “Commercial” means a firm, partnership,

proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling, or as otherwise defined in § 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five units is not a Commercial Business for purposes of implementing this chapter.

“Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in this chapter or as otherwise defined in 18982(a)(73) and (a)(74). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to § 18982(a)(7).

“Compliance Review” means a review of records by the city to determine compliance with this chapter.

“Community Composting” means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in § 17855(a)(4) or as otherwise defined by § 18982.

“Compost” has the same meaning as in § 17896.2(a)(4), which stated, as of the effective date of this chapter, that “Compost” means the product resulting from the controlled biological decomposition of organic Solid Wastes that are Source Separated from the municipal Solid Waste stream, or which are separated at a centralized facility.

“Compostable Plastics” or “Compostable Plastic” means plastic materials that meet the ASTM D6400 standard for compostability, or as otherwise described in § 18984.1 or § 18984.2.

“Edible Food” means food intended for human consumption, or as otherwise defined in § 18982(a)(18). For purposes of this chapter or as otherwise defined in § 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this chapter requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

“Designee” means the person designated by the city manager pursuant to § 18981.2(b).

“Food Recovery” means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in § 18982(a)(24).

“Food Waste” means Food Scraps, Food-Soiled Paper, and Compostable Plastics.

“Gray Container Waste” means Solid Waste that is collected in a Gray Container that is part of a three-container Organic Waste collection service that prohibits the placement of Organic Waste in the Gray Container as specified in § 18984.1(a) and (b), or as otherwise defined in § 17402(a)(6.5).

“Green Container” has the same meaning as in § 18982(a)(29) and will be used for the purpose of storage and collection of Source Separated Green Container Organic Waste.

“Multi-Family Residential Dwelling” or “Multi-Family” means of, from, or pertaining to residential premises with five or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.

“RCRA” means the Resource Conservation and Recovery Act as set forth at 42 U.S.C. §§ 6901, *et seq.*, as amended.

“SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Health and Safety Code §§ 39730.5, 39730.6, 39730.7, and 39730.8 and added Public Resources Code Chapter 13.1 (commencing with § 42652), establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.

“SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this chapter, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations found at Titles 14 (Chapter 12) and 27 of the California Code of Regulations.

“Single-Family” means of, from, or pertaining to any residential premises with fewer than five units.

“Source Separated Green Container Organic Waste” means Source Separated Organic Waste that can be placed in a Green Container that is specifically intended for the separate collection of Organic Waste by the generator, excluding Source Separated Blue Container Organic Waste, carpets, Non-Compostable Paper, and textiles.

“Source Separated Recyclable Materials” means Source Separated Non-Organic Recyclables and Source Separated Blue Container Organic Waste.

6.15.030. Requirements for Single-Family Generators.

Except as otherwise provided for Self-Haulers, Single-Family Organic Waste Generators must:

- A. Subscribe to Organic Waste collection services for all generated Organic Waste. City may review the number and size of a generator's containers to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials. Single-Family generators must adjust their collection service level as directed by the City to maintain a level of service that is consistent with the purpose of this chapter. Generators must manage their Organic Waste by preventing or reducing their Organic Waste, managing Organic Waste on site, and/or using a Community Composting site pursuant to § 18984.9(c).
- B. Participate in the Organic Waste collection service by placing designated materials in designated containers as described below. It is unlawful to place Prohibited Container Contaminants in collection containers.
- C. Generators must
 - 1. Place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container;
 - 2. Place Source Separated Recyclable Materials in the Blue Container; and
 - 3. Place Gray Container Waste in the Gray Container.
- D. It is unlawful for Generators to place materials designated for the Gray Container into the Green Container or Blue Container.

6.15.040. Requirements for Commercial Businesses and Multi-Family Residential Dwellings.

- A. Except as provided for Self-Haulers, all generators that are Commercial Businesses or Multi-Family Residential Dwellings must subscribe to City's three container collection services and comply with requirements of those services as described below.
- B. City may review the number and size of a generator's containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials.

- C. Commercial Businesses and Multi-Family Residential Dwellings must adjust their collection service level as directed by the City to maintain a level of service that is consistent with the purpose of this chapter and to avoid adverse impacts to public health, safety or welfare.
- D. Commercial Businesses and Multi-Family Residential Dwellings must participate in the City's Organic Waste collection service by placing designated materials in designated containers as follows:
 - 1. Place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container;
 - 2. Place Source Separated Recyclable Materials in the Blue Container; and
 - 3. Place Gray Container Waste in the Gray Container. Generator must not place materials designated for the Gray Container into the Green Container or Blue Container.
- E. Commercial Businesses and Multi-Family Residential Dwellings must supply, and allow, employees, contractors, tenants, and customers unfettered access to collection containers of adequate number and size, consistent with City's Blue Container, Green Container, and Gray Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program. All collection containers must be labeled or colored as set forth below.
- F. Commercial Businesses and Multi-Family Residential Dwellings must provide containers for the collection of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials in all indoor and outdoor areas where disposal containers are provided for customers to deposit materials generated by that business. Such containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in all areas where disposal containers are provided for customers.
- G. Pursuant to § 18984.9(b), the containers provided by the business must have either:
 - 1. A body or lid that conforms with the container colors provided through the collection service provided by City, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color

requirements. A Commercial Business is not required to replace functional containers, including containers purchased before January 1, 2022, that do not comply with the requirements of this subsection before the end of the useful life of those containers, or before January 1, 2036, whichever comes first.

2. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant § 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.
- H. Multi-Family Residential Dwellings are not required to comply with container placement requirements or labeling requirements pursuant to § 18984.9(b).
- I. Commercial Businesses must, to the extent practicable, prohibit employees from placing materials in a container not designated for those materials per the City's Blue Container, Green Container, and Gray Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program.
- J. Commercial Businesses must periodically inspect Blue Containers, Green Containers, and Gray Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to § 18984.9(b)(3).
- K. Commercial Businesses must annually provide information to employees, contractors, tenants, and customers about Organic Waste Recovery requirements and about proper sorting of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials.
- L. Commercial Businesses must provide education information before or within 14 days of occupation of the premises to new tenants that describes requirements to keep Source Separated Green Container Organic Waste and Source Separated Recyclable Materials separate from Gray Container Waste (when applicable) and the location of containers and the rules governing their use at each property.
- M. Commercial Businesses must provide or arrange access for City or Designee to their properties during all Inspections conducted in accordance with this chapter to confirm compliance with the requirements of this chapter.
- N. If a Commercial Business wants to self-haul, it must meet the Self-Hauler

requirements in this chapter.

- O. Nothing in this Section prohibits a generator from preventing or reducing waste generation, managing Organic Waste on site, or using a Community Composting site pursuant to § 18984.9(c).
- P. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators must comply with Food Recovery requirements.

6.15.050. De Minimis Waivers for Generators.

- A. The City may waive a Commercial Business's obligation (including Multi-Family Residential Dwellings) to comply with some or all of the Organic Waste requirements of this chapter if the Commercial Business provides documentation that the business generates below a certain amount of Organic Waste material as described below.
- B. Commercial Businesses requesting a de minimis waiver must submit an application specifying the services that they are requesting a de minimis waiver for and provide the following documentation:
 - 1. The Commercial Business's total Solid Waste collection service is two cubic yards or more per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 20 gallons per week per applicable container of the business' total waste; or
 - 2. The Commercial Business' total Solid Waste collection service is less than two cubic yards per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 10 gallons per week per applicable container of the business's total waste.
- C. Notify City if circumstances change such that Commercial Business's Organic Waste exceeds the threshold required for de minimis waiver, in which case the waiver will be rescinded.
- D. Acknowledge that if the City obtains information at any time that the Commercial Business is exceeding the organic waste thresholds for the de minimis waiver, that the City will rescind waiver.
- E. At least every five years after receiving a de minimis waiver, allow the City to conduct an inspection for the purpose of verifying continued eligibility for the de minimis waiver.

6.15.060. Physical Space Waivers.

- A. City may waive a Commercial Business's or property owner's obligations (including Multi-Family Residential Dwellings) to comply with some or all of the Organic Waste collection service requirements of this code if the Commercial Business or property owner provides documentation, or the City obtains evidence, from a hauler, California licensed architect, or California licensed engineer demonstrating that the premises lacks adequate space for the collection containers required for compliance with this chapter.
- B. A Commercial Business or property owner must request a physical space waiver through the following process:
 - 1. Submit an application form specifying the type(s) of collection services for which a waiver is requested.
 - 2. Provide documentation that the premises lacks adequate space.
 - 3. If City grants a waiver, allow access by a Designee to verify the ongoing need for a waiver.

6.15.070. Requirements for Commercial Edible Food Generators.

- A. Tier One Commercial Edible Food Generators must comply with the requirements of this section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024.
- B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, must require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this section commencing January 1, 2024.
- C. Commercial Edible Food Generators must:
 - 1. Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.
 - 2. Contract with, or enter into a written agreement with, Food Recovery Organizations or Food Recovery Services for: (i) the collection of Edible Food for Food Recovery; or (ii) acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
 - 3. Allow City Enforcement Officials, upon reasonable notice, to access

the premises and review records pursuant to § 18991.4.

- D. Additionally, Commercial Edible Food Generators must keep, for a minimum period of five years, records that includes the documentation, contacts, and such additional information needed to comply with § 18991.3(b) on forms provided by the City or Designee.
- E. Not later than March 31st of each year commencing no later than February 1, 2023 for Tier One Commercial Edible Food Generators and February 1, 2025 for Tier Two Commercial Edible Food Generator, provide an annual Food Recovery report to the City that includes the following information:
 - 1. A copy of all contracts or written agreements established under § 18991.3(b).
 - 2. The quantity of food, measured in annual pounds recovered, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
 - 3. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
- F. Nothing in this chapter will be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017.

6.15.080. Requirements for Food Recovery Organizations and Services.

- A. A Food Recovery Service that has established a contract or written agreement to collect or receive Edible Food directly from Commercial Edible Food Generators must keep, for a minimum period of five years, records that includes the documentation, contacts, and such additional information needed to comply with § 18991.5 on forms provided by the City or Designee.
- B. No later than March 31st of each year, commencing March 31, 2023 Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to § 18991.3(b) must report to the City the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to § 18991.3(b).
- C. In order to support Edible Food Recovery capacity planning assessments or

other studies conducted by the City Food Recovery Services and Food Recovery Organizations operating in the City must provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the City and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the City must respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the City.

6.15.090. Requirements for Haulers and Facility Operators.

- A. An Exclusive Franchised Hauler providing residential, Commercial, or industrial Organic Waste collection services to generators within the City's boundaries must meet the following requirements and standards as a condition of approval of a contract, agreement, or other authorization with the City to collect Organic Waste:
 - 1. Through written notice to the City annually on or before March 15th, identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Green Container Organic Waste.
 - 2. Transport Source Separated Recyclable Materials, Source Separated Green Container Organic Waste to a facility, operation, activity, or property that recovers Organic Waste.
 - 3. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with § 18989.1 or other applicable law including this code.
- B. Owners of facilities, operations, and activities that recover Organic Waste, including, without limitation, Compost facilities, in-vessel digestion facilities, and publicly-owned treatment works must, upon City request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the City must respond within 60 days after a request is sent by the City.
- C. Community Composting operators, upon City request, will provide information to the City to support Organic Waste capacity planning, including, without limitation, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the City must respond within 60 days after a request is sent by

the City.

6.15.100. Requirements for Self-Haulers of Organic Waste.

- A. Self-Haulers must source separate all recyclable materials and Organic Waste (materials that City otherwise requires generators to separate for collection in the City's organics and recycling collection program) generated on site from Solid Waste in a manner consistent with §§ 18984.1 and 18984.2, or must haul Organic Waste to a High Diversion Organic Waste Processing Facility as required by § 18984.3.
- B. Self-Haulers must haul their Source Separated Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste.
- C. Self-Haulers must keep a record of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste; these records must be kept for a minimum of five years and are subject to inspection by the City upon request. The records must include the following information:
 - 1. Delivery receipts and weight tickets from the entity accepting the waste.
 - 2. The amount of material in cubic yards or tons transported by the generator to each entity.
 - 3. If the material is transported to an entity that does not have scales on-site, or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but must keep a record of the entities that received the Organic Waste.
- D. Except for a residential Organic Waste Generator that self-hauls Organic Waste, Self-Haulers that are Commercial Businesses (including Multi-Family Self-Haulers) must provide any information required by City within 60 days after City sends the request.

6.15.110. Procurement Requirements for City Departments, Direct Service Providers, and Vendors.

- A. City's direct service providers must comply with the City's Recovered Organic Waste Product and Recycled-Content Paper procurement policy.

- B. All vendors providing Paper Products and Printing and Writing Paper must:
1. If fitness and quality are equal, provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are available at the same or lesser total cost than non-recycled items or at a total cost of no more than 10% of the total cost for non-recycled items.
 2. Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) § 260.12 (January 1, 2013).
 3. Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
 4. Certify in writing, on invoices or receipts provided, that the Paper Products and Printing and Writing Paper offered or sold to the City is eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) § 260.12 (January 1, 2013).
 5. Provide records to the City's Recovered Organic Waste Product procurement recordkeeping Designee, in accordance with the City's Recycled-Content Paper procurement policy(ies) of all Paper Products and Printing and Writing Paper purchases within 30 days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by any division or department or employee of the City. Records must include a copy (electronic or paper) of the invoice or other documentation of purchase, written certifications as required by this chapter for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-recycled content Paper Products or Printing and Writing Papers are provided, include a description of why Recycled-Content Paper Products or Printing and Writing Papers were not provided.

6.15.120. Inspections and Investigations by City.

Designees are authorized to conduct inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or Source Separated materials to confirm compliance with this chapter by Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws.

6.15.130. Enforcement.

Subject to the requirements of § 18995.4 including, without limitation, the need for a 60 day compliance period after issuing a Notice of Violation, the City may enforce this chapter in accordance with applicable law including, without limitation, Title 4 and Chapter 6.08.”

SECTION 2: *Education Period for Noncompliance.* Beginning January 1, 2022 and through December 31, 2023, City or Designee will conduct Inspections, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance with this Ordinance. If City determines that Organic Waste Generator, Self-Hauler, hauler, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it will provide educational materials to the entity describing its obligations under this chapter and a notice that compliance is required by January 1, 2022, and that violations may be subject to administrative civil penalties starting on January 1, 2024. Beginning January 1, 2024, the City may enforce the MPMC in accordance with MPMC Title 4 and Chapter 6.08.

SECTION 3. *Environmental Review.* This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 4. *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 5. *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 6. *Enforceability.* Repeal or amendment of any provision of the MPMC 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. *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. *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 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 9. *Execution.* The Mayor, or presiding officer, is hereby authorized to affix his signature to this Ordinance signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or duly appointed deputy, is directed to attest thereto.

SECTION 10. *Effectiveness.* This Ordinance will take effect on the 30th day following its final passage and adoption. It may be enforced commencing on January 1, 2022.

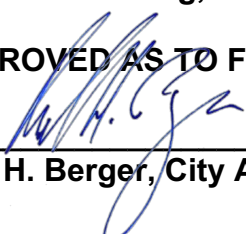
ORDINANCE NO. ____ HAD ITS FIRST READING ON _____, ITS SECOND READING ON _____, AND WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF _____.

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

ATTACHMENT 2
San Gabriel Valley Council of Governments
Regional Food Recovery Program
Amendment 1

**AMENDMENT NO. 1
TO
MEMORANDUM OF AGREEMENT BETWEEN THE SAN GABRIEL VALLEY
COUNCIL OF GOVERNMENTS AND THE CITY OF MONTEREY PARK FOR
PARTICIPATION IN THE SAN GABRIEL VALLEY REGIONAL FOOD RECOVERY
PROGRAM**

This Amendment No. 1 (“Amendment”) to the Memorandum of Agreement (“MOA”) Between the San Gabriel Valley Council of Governments (the “SGVCOG”) and the City of Monterey Park (the “City”) For Participation in the San Gabriel Valley Regional Food Recovery Program, dated November 17, 2021, shall be effective upon the date executed by both Parties hereto (“Effective Date”).

RECITALS

- A. SGVCOG and City entered into the MOA under which SGVCOG retained a consultant to perform specified tasks (Tasks 1-4 of the MOA’s Scope of Work) toward the development of a regional approach toward compliance with SB 1383’s food recovery components; and
- B. City seeks to establish and implement an inspection and enforcement program (“Inspection Program”) for Tier 1 and Tier 2 commercial edible food generators and food recovery organizations and services to comply with Title 14, California Code of Regulations, Sections 18995.1, 18995.3, and 18995.4; and
- C. SGVCOG and City desire to amend the MOA to develop and implement an Inspection Program (Tasks 5-6 of the MOA’s Scope of Work), revise the invoice submittal process, and extend the term of the MOA to August 1, 2024.

NOW THEREFORE, the Parties agree to amend the MOA as follows:

- I. Article II. Term, shall be deleted in its entirety and replaced with the following:
“The term of this MOA shall commence upon execution of the MOA by the Parties and shall continue through August 1, 2024. The term of the MOA may be extended by mutual written agreement of the Parties.”
- II. SGVCOG shall cause its consultant to perform Tasks 5-6 of the Program’s Scope of Work as set forth in Attachment A to the MOA.
- II. Article III. Responsibilities of the Parties, Section A. Subsection 7 shall be deleted in its entirety and replaced with the following:
“7. Submit four invoices to the City, in a total amount that does not exceed \$110,763.00 (includes consultant, SGVCOG administrative fees and all payments due from City), as follows:

- Invoice the City for Tasks 1-4 of the Scope of Work in an amount not to exceed \$19,785.00 after execution of the MOA. Payment of the first invoice will be due within thirty (30) days of the City's receipt thereof.
- On or about the Effective Date, invoice the City for the work to be performed under Tasks 5-6 of the Scope of Work from the Effective Date to December 31, 2022, in an amount that does not exceed \$31,586.00. Payment of the second invoice will be due within thirty (30) days of the City's receipt thereof.
- On or about November 1, 2022, invoice the City for the work to be performed under Tasks 5-6 of the Scope of Work from January 1, 2023 to December 31, 2023, in an amount that does not exceed \$29,286.00. Payment of the third invoice will be due within thirty (30) days of the City's receipt thereof.
- On or about November 1, 2023, invoice the City for the work to be performed under Task 6 of the Scope of Work from January 1, 2024 to August 1, 2024 in an amount that does not exceed \$30,106.00. Payment of the fourth invoice will be due within thirty (30) days of the City's receipt thereof.
- Any amounts paid by the City under this Amendment that are not expended in performance of Tasks 1-6 by August 1, 2024, will be refunded to the City by September 15, 2024, unless City and SGVCOG agree to extend the term of the MOA beyond August 1, 2024. SGVCOG shall provide to the City an accounting of funds at the same time of the refund, if any.

- IV. Except as otherwise defined herein, all capitalized terms used herein shall have the meanings set forth for such terms in the MOA.
- V. This Amendment integrates all of the terms and conditions mentioned herein and supersedes all negotiations with respect to matters referenced herein. Except as specifically amended hereby, the MOA shall remain in full force and effect. To the extent there is any conflict or inconsistency between the terms and provisions of this Amendment and the MOA, this Amendment shall control.

The Parties hereby enter into this Amendment upon the Effective Date as is set forth above.

FOR THE CITY OF MONTEREY PARK:

FOR THE SAN GABRIEL VALLEY
COUNCIL OF GOVERNMENTS:

By: _____
Ron Bow
City Manager

By: _____
Marisa Creter
Executive Director

Date: _____

Date: _____

ATTEST:

Vincent D. Chang
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Karl H. Berger
City Attorney

David DeBerry
General Counsel

ATTACHMENT A – TASK 5 & 6 SCOPE OF WORK
SAN GABRIEL VALLEY REGIONAL FOOD RECOVERY PROGRAM

Task 5 Inspection Program Development

Task 5.1 Develop Inspection Schedule and Plan

Based on the information identified in Task 2, the Consultant shall develop a schedule and plan to implement a program, including a mechanism that allows for the submission of anonymous complaints and determining the validity of those complaints based on Section 18995.3 of the adopted guidelines, to conduct inspections of participating cities' Tier 1 commercial edible food generators and food recovery organizations and services for compliance with the adopted SB 1383 guidelines. Please note that cities must conduct inspections of Tier 1 commercial edible food generators and food recovery organizations and services for compliance beginning January 1, 2022. Inspections of Tier 2 commercial edible food generators for compliance with the adopted guidelines must begin on January 1, 2024. By law, the Consultant does not have authority to issue citations; however, the Consultant shall develop an effective method to quickly and effectively inform participating cities to issue educational materials and/or citations in the event that noncompliance is identified during inspections. Between January 1, 2022 and December 31, 2023, cities must provide educational materials describing the applicable requirements of the adopted guidelines in response to violations. Starting on January 1, 2024, cities must enforce the adopted guidelines pursuant to Sections 18995.4 and 18997.2 of the adopted guidelines in response to violations.

Deliverable: A report detailing the proposed schedule and plan to implement an inspection program in participating cities, including details of an effective method to quickly and effectively inform participating cities to issue educational materials and/or citations in the event that noncompliance is identified during inspections. The report must be presented to the SGVCOG and participating cities for review before November 29, 2021.

Task 6 Inspection Program Implementation

Task 6.1 Project Team Coordination

Monthly 30-minute project team meetings, regular phone and e-mail correspondence, and other communications with the SGVCOG to ensure that the tasks listed in this SOW stay on schedule and within budget.

Deliverable: Meeting notifications, agendas, and notes.

Task 6.2 Implement Inspection Schedule and Plan

Upon the approval by the SGVCOG and participating cities, the Consultant shall begin implementing the inspections beginning January 1, 2022 and until August 1, 2024. The Consultant shall document the number of inspections conducted by type for commercial edible food generators and food recovery organizations, the number of complaints pursuant to Section 18995.3 of the adopted guidelines that were received and investigated, and the number of Notices of Violations issued (in partnership with participating cities) based on investigation of those complaints. Additionally, the Consultant shall, in partnership with participating cities, document the number of Notices of Violation, penalty orders, and enforcement actions that were resolved, categorized by type of entity subject to the adopted guidelines. Each of the following 14 cities shall receive the following inspection allocations if they decide to participate in this Task:

- Alhambra
 - Up to 21 first-visit Tier 1 generator inspections per calendar year
 - Up to 21 second-visit Tier 1 generator inspections per calendar year
 - Up to 24 first-visit Tier 2 generator inspections per calendar year
 - Includes 3 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Azusa
 - Up to 14 first-visit Tier 1 generator inspections per calendar year
 - Up to 14 second-visit Tier 1 generator inspections per calendar year
 - Up to 10 first-visit Tier 2 generator inspections per calendar year
 - Includes 1 visit to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Covina
 - Up to 12 first-visit Tier 1 generator inspections per calendar year
 - Up to 12 second-visit Tier 1 generator inspections per calendar year
 - Up to 16 first-visit Tier 2 generator inspections per calendar year
 - Includes 4 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Duarte
 - Up to 6 first-visit Tier 1 generator inspections per calendar year
 - Up to 6 second-visit Tier 1 generator inspections per calendar year
 - Up to 18 first-visit Tier 2 generator inspections per calendar year
 - Includes 2 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Glendora
 - Up to 15 first-visit Tier 1 generator inspections per calendar year
 - Up to 15 second-visit Tier 1 generator inspections per calendar year
 - Up to 18 first-visit Tier 2 generator inspections per calendar year
 - Includes 3 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Irwindale

- Up to 10 first-visit Tier 1 generator inspections per calendar year
 - Up to 10 second-visit Tier 2 generator inspections per calendar year
 - Up to 4 first-visit Tier 2 generator inspections per calendar year
 - Includes 2 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- La Canada Flintridge
 - Up to 7 first-visit Tier 1 generator inspections per calendar year
 - Up to 7 second-visit Tier 1 generator inspections per calendar year
 - Up to 8 first-visit Tier 2 generator inspections per calendar year
 - Includes 1 visit to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Monrovia
 - Up to 11 first-visit Tier 1 generator inspections per calendar year
 - Up to 11 second-visit Tier 1 generator inspections per calendar year
 - Up to 13 first-visit Tier 2 generator inspections per calendar year
 - Includes 3 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Monterey Park
 - Up to 16 first-visit Tier 1 generator inspections per calendar year
 - Up to 16 second-visit Tier 1 generator inspections per calendar year
 - Up to 18 first-visit Tier 2 generator inspections per calendar year
 - Includes 1 visit to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Pomona
 - Up to 36 first-visit Tier 1 generator inspections per calendar year
 - Up to 36 second-visit Tier 1 generator inspections per calendar year
 - Up to 41 first-visit Tier 2 generator inspections per calendar year
 - Includes 17 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- San Marino
 - Up to 3 first-visit Tier 1 generator inspections per calendar year
 - Up to 3 second-visit Tier 1 generator inspections per calendar year
 - Up to 8 first-visit Tier 2 generator inspections per calendar year
 - Includes 1 visit to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- South Pasadena
 - Up to 8 first-visit Tier 1 generator inspections per calendar year
 - Up to 8 second-visit Tier 1 generator inspections per calendar year
 - Up to 3 first-visit Tier 2 generator inspections per calendar year
 - Includes 2 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Temple City
 - Up to 11 first-visit Tier 1 generator inspections per calendar year

- o Up to 11 second-visit Tier 1 generator inspections per calendar year
- o Up to 12 first-visit Tier 2 generator inspections per calendar year
- o Includes 2 visits to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year
- Walnut
 - o Up to 9 first-visit Tier 1 generator inspections per calendar year
 - o Up to 9 second-visit Tier 1 generator inspections per calendar year
 - o Up to 11 first-visit Tier 2 generator inspections per calendar year
 - o Includes 1 visit to the food recovery agencies/organizations that are located in the City's jurisdiction per calendar year

Deliverable: Documentation of the number of inspections conducted by type for commercial edible food generators and food recovery organizations, the number of complaints pursuant to Section 18995.3 of the adopted guidelines that were received and investigated, and the number of Notices of Violations issued (in partnership with participating cities) based on investigation of those complaints. Additionally, the Consultant shall, in partnership with participating cities, provide documentation of the number of Notices of Violation, penalty orders, and enforcement actions that were resolved, categorized by the type of entity subject to the adopted guidelines. Such documents shall be provided on a monthly basis.

***Not all 14 participating cities that participate in Tasks 1-4 of the San Gabriel Valley Regional Food Recovery Program will participate in Tasks 5-6. The final contract amount will depend on the number of cities that choose to participate in Tasks 5-6.**

ATTACHMENT 3
San Gabriel Valley Council of Governments
Regional Food Recovery Program
Agreement

**MEMORANDUM OF AGREEMENT
BETWEEN THE SAN GABRIEL VALLEY COUNCIL OF
GOVERNMENTS AND THE CITY OF MONTEREY PARK FOR
PARTICIPATION IN THE SAN GABRIEL VALLEY REGIONAL FOOD
RECOVERY PROGRAM**

This Memorandum of Agreement (“MOA”) is dated for identification purposes as of October 7, 2021 by and between the City of Monterey Park, a municipal corporation (“City”), and the San Gabriel Valley Council of Governments, a California joint powers authority (“SGVCOG”). City and SGVCOG may be referred to herein collectively as the “Parties” or individually as a “Party.”

RECITALS:

- A. The passage of SB 1383 (Lara, 2016) implemented statewide targets to reduce statewide disposal of organic waste and increase recovery of currently disposed edible food for human consumption. Specifically, SB 1383 aims to recover at least 20% of currently disposed edible food for human consumption by 2025. The California Department of Resources Recycling and Recovery (CalRecycle) has developed regulations entitled “Short-lived Climate Pollutants: Organic Waste Reductions” (hereafter “SLCP Regulations”), which regulations are codified at Chapter 12 of Division 7 of Title 14 of the California Code of Regulations, sections 18981.1, et seq.¹
- B. To recover 20% of edible food that would otherwise be sent to landfills by 2025, SB 1383 requires local jurisdictions to establish food recovery programs and strengthen their existing food recovery networks.
- C. The SGVCOG was established to have a unified voice to maximize resources and advocate for regional and member interests to improve the quality of life in the San Gabriel Valley by the member cities and other local governmental agencies and has established and is administering a Regional Food Recovery Program (the “Program”).
- D. City seeks to participate in the Program and join a regional approach toward compliance with SB 1383’s food recovery components. Specifically, the Program will support City in complying with the food recovery components of Sections 18985.2, 18985.3, 18991.1, 18991.2, 18992.2, 18994.1, 18994.2, 18995.1, 18995.2, 18995.3, and 18995.4.
- E. City will remain responsible for maintaining an Implementation Record pursuant to Section 18995.2, to include all necessary information from the Program in the City’s Implementation Record and to report the necessary information to CalRecycle based on the reporting timelines and reporting request procedures set forth in Sections 18994.1, 18994.2, and 18995.2.
- F. Pursuant to Section 18985.2, City will remain responsible for updating and maintaining a

¹ All Section references herein are to Title 14 of the California Code of Regulations unless otherwise stated.

list of food recovery organizations and food recovery services on an annual basis. Such list must be annually updated to include each food recovery organization and each food recovery service's name, physical address, contact information, collection service area, and the types of food they accept. Such information must be posted on City's website and shared with City's commercial edible food generators on an annual basis. It is also City's responsibility to share information about City's edible food recovery programs, information about the commercial edible food generator requirements, information about food recovery organizations and food recovery services operating within its jurisdictions, where a list of those food recovery organizations and food recovery services can be found, and information about actions that commercial edible food generators can take to prevent the creation of food waste on an annual basis.

- G. City acknowledges the need to adopt a SB 1383 ordinance before January 1, 2022 to ensure effective implementation of the Program.
- H. City and SGVCOG desire to set forth the terms of their ongoing collaboration with respect to this effort in this MOA and further agree as follows:

I. RECITALS

The above Recitals are made a substantive part of this MOA.

II. TERM:

The term of this MOA commences on October 7, 2021 and continues through the completion of all work completed under this MOA. The term of this MOA may be extended by mutual written MOA of the Parties.

III. RESPONSIBILITIES OF THE PARTIES:

A. SGVCOG Responsibilities: SGVCOG agrees to:

1. Undertake procurement and management of consultant(s) to complete the Program set forth in the Program's Scope of Work (Attachment A), including the execution of a contract with the consultant for the development of the Program.
2. Manage all invoicing and payments to be made to consultant.
3. Review draft deliverables prepared by the consultant for accuracy.
4. Coordinate with the consultant to ensure consultant's participation in calls and meetings.
5. Manage ongoing coordination of calls with the Parties and the consultant throughout the development of the Program.
6. Review and provide comments on draft communications and documents related to the Program.
7. Submit one invoice to the City within thirty (30) days of this MOA's execution, in the amount of \$19,785 (includes both consultant fee and administrative fee) which amount represents City's total cost for participation

in the Program.

B. City Responsibilities: City agrees to:

1. Designate a point-of-contact with name, title, and contact information who will serve as City's technical representative throughout the development of the Program. If the point-of-contact is reassigned or no longer with City, a new point-of-contact will be designated within fourteen (14) calendar days.
2. Actively engage in the development of the Program including, but not limited to, promptly responding to all correspondence (phone calls and e-mail communications), responding to data requests, and attending any necessary meetings.
3. Review and provide comments to consultant on deliverables as necessary.
4. Participate in check-in calls and/or meetings with the consultant and with all Parties, as necessary.
5. Approve within five (5) business days any deliverables that can be approved by staff or ten (10) business days any items that need to be approved by city attorney or city manager.
6. Pay the invoice referenced in III.A.7 above within thirty (30) days.

IV. PROJECT MANAGEMENT:

A. Project Managers.

1. For the purposes of this MOA, SGVCOG designates the following individual as its Project Manager: Alexander Fung, Senior Management Analyst, whose contact information is set forth below.
2. For the purposes of this MOA, the City designates the following individual as its representative:

Amy Ho
Principal Management Analyst
320 West Newmark Avenue
Monterey Park, CA 91754
(626) 307-1285
amho@montereypark.ca.gov

Either Party may change the designations set forth herein upon written notice to the other Party.

V. DEFAULT: REMEDIES:

- A. Default. A "Default" under this MOA is defined as any one or more of the following: (i) failure of either Party to comply with the terms and conditions contained in this MOA; and/or (ii) failure of either Party to perform its obligations set forth herein satisfactorily or make sufficient progress towards completion of the Regional Food Recovery Program.

- B. Remedies. In the event of a Default by either Party, the non-defaulting Party will provide a written notice of such Default and thirty (30) days to cure the Default. In the event that the defaulting Party fails to cure the Default, or commit to cure the Default and commence the same within such 30-day period and to the satisfaction of the non-defaulting Party, the non-defaulting Party may terminate this MOA. Such termination becomes effective immediately upon the provision of written notice by the non-defaulting Party to the defaulting Party. The remedies described herein are non-exclusive. In the event of a Default by either Party, the non-defaulting Party may seek any and all remedies available at law or in equity.

VI. INDEMNIFICATION:

- A. To the greatest extent allowed by California law, SGVCOG will require that the consultant(s) defend and indemnify City and its elected officials, officers, agents, employees, and volunteers from and against any and all claims, actions, suits, or other legal proceedings (collectively, "Claims") brought against City arising out of or relating to the acts or omissions of the consultant(s) in connection with the Scope of Work, in the agreement between the consultant and SGVCOG; provided that SGVCOG will not be liable to the City and its elected officials, officers, agents, employees, and volunteers by way of agency or any other theory of liability for any such Claims.

VII. INSURANCE:

City and SGVCOG will each maintain and keep in full force and effect during the term of this MOA insurance or a program of self-insurance against claims for injuries to persons or damages to property which may arise in connection with City's or SGVCOG's performance of its obligations hereunder.

VIII. OTHER TERMS AND CONDITIONS:

- A. Notices. All notices required or permitted to be given under this MOA shall be in writing and shall be personally delivered, or sent by electronic mail or certified mail, postage prepaid and return receipt requested, addressed as follows:

To SGVCOG: Alexander Fung
Senior Management Analyst
1000 S. Fremont Avenue, Unit 42
Building A-10N, Suite 10-210
Alhambra, CA 91803
(626) 457-1800
afung@sgvcog.org

with a copy to: Marisa Creter
Executive Director

1000 S. Fremont Avenue, Unit 42
Building A-10N, Suite 10-210
Alhambra, CA 91803
(626) 457-1800
mcreter@sgvcog.org

To City: Amy Ho
Principal Management Analyst
320 West Newmark Avenue
Monterey Park, CA 91754
(626) 307-1285
amho@montereypark.ca.gov

with a copy to: City Clerk's Office
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754
(626) 307-1359
mpclerk@montereypark.ca.gov

- B. No Partnership. This MOA is not intended to be, and is not, an agreement to form a partnership, agency relationship, or a joint venture between the Parties. Except as otherwise specifically provided in the MOA, neither Party is authorized to act as an agent of or otherwise to represent the other Party.
- C. Entire MOA. This MOA constitutes the entire understanding between the Parties with respect to the subject matter herein and supersedes any and all other prior writings and oral negotiations. This MOA may be modified only in writing and signed by the Parties in interest at the time of such modification. City's city manager may execute any such amendment on City's behalf.
- D. Governing Law. This MOA is governed by and construed under California law and any applicable federal law without giving effect to that body of laws pertaining to conflict of laws. In the event of any legal action to enforce or interpret this MOA, the Parties hereto agree that the sole and exclusive venue is a court of competent jurisdiction located in Los Angeles County, California.
- E. Excusable Delays. Neither Party will be in default in the performance of its obligations hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including floods, earthquakes, fires, acts of a public enemy, pandemic, epidemic, government actions, or any other interfering factors that are reasonably beyond the control and without fault or negligence of the affected Party. Each Party hereto must give notice promptly to the other of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this MOA.
- F. Waiver. Waiver by any Party to this MOA of any term, condition, or covenant of this

MOA does not constitute a waiver of any other term, condition, or covenant. No waiver of any provision of this MOA is effective unless in writing and signed by a duly authorized representative of the Party against whom enforcement of a waiver is sought.

- G. Headings. The section headings contained in this MOA are for convenience and identification only and are not intended to limit or define the contents to which they relate.
- H. Assignment. Neither Party may assign its interest in this MOA, or any part thereof, without the prior written consent of the other Party. Any assignment without consent is void and unenforceable.
- I. Severability. If any provision of this MOA is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.
- J. Authority to Execute. The person executing this MOA on behalf of a Party warrants that the person is duly authorized to execute this MOA on behalf of said Party, and that by doing so said Party is formally bound to the provisions of this MOA.
- K. Counterparts. This MOA may be executed in multiple counterparts, each of which is deemed an original, but all of which taken together constitutes one and the same instrument.
- L. Electronic Signatures. This MOA may be executed with electronic signatures in accordance with Government Code Section 16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

IN WITNESS WHEREOF, the Parties hereto have caused this MOA to be executed and to be effective on the date it has been fully executed by the Parties as set forth below.

FOR THE CITY OF MONTEREY PARK:

By: 
Ron Bow
City Manager

Date: 10/7/21

ATTEST:


Vincent D. Chang
City Clerk

APPROVED AS TO FORM:


Joaquin Vazquez, Deputy City Attorney
for Karl H. Berger City Attorney

COUNCIL OF GOVERNMENTS:

By: Marisa Creter
Marisa Creter
Executive Director

Date: 10/07/2021

APPROVED AS TO FORM:

Cassie Trapesonian
Cassie Trapesonian
Assistant General Counsel

FOR THE SAN GABRIEL VALLEY



Scope of Work*

Task 1 Project Management

Task 1.1 Kickoff Meeting

The Consultant shall conduct a kickoff meeting with the SGVCOG and CalRecycle staff. The primary objectives will be to review scope, schedule, project goals, and key issues. The SGVCOG will be responsible for inviting CalRecycle staff to participate in the Kickoff Meeting.

Deliverables: Meeting notes and materials for kickoff meeting.

Task 1.2 Project Team Coordination

Biweekly project team meetings, regular phone and e-mail correspondence, and other communications with the SGVCOG to ensure that the tasks listed in this SOW stay on schedule and within budget.

Deliverables: Meeting notifications, agendas, and notes.

Task 1.3 Project Management Update Meetings

The Consultant shall facilitate approximately 6-8 meetings with the SGVCOG and representatives of participating cities to solicit feedback on draft deliverables.

Deliverables: Meeting notifications, agendas, notes, and other relevant drafts and documents.

Task 2 Capacity and Compliance Assessments

Task 2.1 Food Recovery Agencies and Organizations Capacity Assessment

The Consultant shall assess potential edible food recovery agencies and organizations in and around the participating cities' city limits, identify and evaluate the processing capacity of such agencies and organizations, identify and evaluate whether these agencies and organizations have existing contracts and written agreements with participating cities' commercial edible food waste generators, and provide a detailed report. Additionally, the Consultant shall calculate if additional capacity is needed for participating cities to recover the required amount of edible food, identify the infrastructure needed to operate an edible food recovery program in the San Gabriel Valley, and identify opportunities for participating cities to fund such infrastructure.

Deliverables: A detailed report containing a list of edible food recovery agencies and organizations in and around the participating cities' city limits to provide for



participating cities' edible food waste generators that comply with SB 1383, and an assessment of the requirements associated with the collected edible food or expand collection of edible food. Additionally, the report should include information on the processing capacity of the food recovery agencies and organizations in and around the participating cities' city limits and whether these agencies and organizations have existing contracts and written agreements with the participating cities' commercial edible food waste generators. The report must also include details on whether additional capacity is needed for participating cities to recover the required amount of edible food, the infrastructure needed to operate an edible food recovery program in the San Gabriel Valley and opportunities for participating cities to fund such infrastructure. The report shall be compiled in the form of one regional document, with the information on each participating city formatted by sections.

Task 2.2 Tier 1 and Tier 2 Edible Food Waste Generators Compliance Assessment
The Consultant shall identify participating cities' Tier 1 and Tier 2 edible food waste generators and assess the generators for their existing food recovery capacity and their current compliance statuses, including whether or not the generators have existing contracts or written agreements with food recovery services or organizations, with SB 1383's edible food recovery regulations.

Deliverables: A detailed report providing details on participating cities' Tier 1 and Tier 2 edible food waste generators, their statuses on their participation in edible food donation programs, and their SB 1383 food recovery compliance statuses of such edible food donation programs. The report shall be compiled in the form of one regional document, with the information on each participating city formatted by sections.

Task 3 Public Outreach

Task 3.1 Develop Outreach and Education Plan
The Consultant shall develop and propose an outreach and education plan and timeline for participating cities' Tier 1 and Tier 2 edible food waste generators and stakeholder groups and specify plans to incorporate communication, marketing, and outreach/education efforts. Please note that all outreach efforts must be conducted, by law, before February 1, 2022. The plan shall include email notifications to participating cities' Tier 1 and Tier 2 edible food waste generators, social media and website postings, and five (5) regional educational workshops (with recording available). The Consultant shall also create materials for the outreach and education plan based on resources provided by CalRecycle and the Los Angeles County Department of Public Works, including flyers, brochures,



presentations, and website and social media templates. All materials must be provided in traditional Chinese, English, and Spanish.

Deliverables: Multilingual outreach and education materials and a detailed plan on comprehensive outreach and education efforts for participating cities' Tier 1 and Tier 2 edible food waste generators and stakeholder groups.

Task 3.2 Implement Outreach and Education Plan

Upon approval by the SGVCOG, the Consultant shall implement the proposed outreach and education plan. The Consultant shall provide records of all outreach and education efforts, along with copies of the utilized marketing materials, that were conducted. The records shall include the date and to whom the information was disseminated or direct contact made.

Deliverables: Weekly reports and updates on conducted outreach and education efforts, including emails, presentations, individuals/entities outreached, outcomes/relevant documents, and copies of the utilized marketing materials.

Task 4 Final Report

Task 4.1 Final Report Deliverable

The Consultant shall compile a Final Report that includes details on the outreach efforts that were conducted, the assessments that were performed under Task 2, the food recovery needs and operations of participating cities' Tier 1 and Tier 2 waste generators, the food recovery needs and operations of food recovery agencies and organizations in and around the San Gabriel Valley, and recommendations on the necessary steps that participating cities should consider to ensure SB 1383 compliance.

Deliverables: Final report detailing the outreach efforts that were conducted, the assessments that were performed under Task 2, the food recovery needs and operations of participating cities' Tier 1 and Tier 2 waste generators, the food recovery needs and operations of food recovery agencies and organizations in and around the San Gabriel Valley, and recommendations on the necessary steps that participating cities should consider to ensure SB 1383 compliance.

Task 5 Inspection Program Development (Optional Add-On)**

Task 5.1 Develop Inspection Schedule and Plan

Based on the information identified in Task 2, the Consultant shall develop a schedule and plan to implement a program, including a mechanism that allows for the submission of anonymous complaints and determining the validity of those



complaints based on Section 18995.3 of the adopted guidelines, to conduct inspections of participating cities' Tier 1 commercial edible food generators and food recovery organizations and services for compliance with the adopted SB 1383 guidelines. Please note that cities must conduct inspections of Tier 1 commercial edible food generators and food recovery organizations and services for compliance beginning January 1, 2022. Inspections of Tier 2 commercial edible food generators for compliance with the adopted guidelines must begin on January 1, 2024. By law, the Consultant does not have authority to issue citations; however, the Consultant shall develop an effective method to quickly and effectively inform participating cities to issue educational materials and/or citations in the event that noncompliance is identified during inspections. Between January 1, 2022 and December 31, 2023, cities must provide educational materials describing the applicable requirements of the adopted guidelines in response to violations. Starting on January 1, 2024, cities must enforce the adopted guidelines pursuant to Sections 18995.4 and 18997.2 of the adopted guidelines in response to violations.

Deliverable: A report detailing the proposed schedule and plan to implement an inspection program in participating cities, including details of an effective method to quickly and effectively inform participating cities to issue educational materials and/or citations in the event that noncompliance is identified during inspections. The report must be presented to the SGVCOG and participating cities for review before November 29, 2021.

Task 6 Inspection Program Implementation (Optional Add-On)**

Task 6.1 Implement Inspection Schedule and Plan

Upon the approval by the SGVCOG and participating cities, the Consultant shall begin implementing the inspections beginning January 1, 2022. The Consultant shall document the number of inspections conducted by type for commercial edible food generators and food recovery organizations, the number of complaints pursuant to Section 18995.3 of the adopted guidelines that were received and investigated, and the number of Notices of Violations issued (in partnership with participating cities) based on investigation of those complaints. Additionally, the Consultant shall, in partnership with participating cities, document the number of Notices of Violation, penalty orders, and enforcement actions that were resolved, categorized by type of entity subject to the adopted guidelines.

Deliverable: Documentation of the number of inspections conducted by type for commercial edible food generators and food recovery organizations, the number of complaints pursuant to Section 18995.3 of the adopted guidelines that were received and investigated, and the number of Notices of Violations issued (in partnership with participating cities) based on investigation of those complaints.



Additionally, the Consultant shall, in partnership with participating cities, provide documentation of the number of Notices of Violation, penalty orders, and enforcement actions that were resolved, categorized by type of entity subject to the adopted guidelines. Such documents shall be provided on a monthly basis.

****The Scope of Work may be amended after the issuance of the Notice to Proceed to include additional assistance to participating jurisdiction(s) with specific needs, such as identifying food deserts, additional marketing and outreach support, and kitchen/busboy training.***

*****Tasks 5 and 6 may be added to the Scope of Work depending on the interest of each participating city. Please do provide an estimate cost for Tasks 5 and 6 and list out the assumptions that were utilized in developing the pricing. Also, please provide the potential assumptions that could impact the pricing based on the information gathered when completing Tasks 1-4 of the Scope of Work.***

Examination of Proposal Documents

By submitting a proposal, Proposer represents that it has thoroughly examined and become familiar with the work required under this RFP and that it is capable of performing quality work to achieve SGVCOG's objectives. Proposer is prepared to comply with all statutes and regulations applicable to the work to be performed.

Addenda

The SGVCOG reserves the right to revise the RFP documents. Any changes to the requirements of this RFP will be made by written addendum. Any written addenda issued pertaining to this RFP shall be incorporated into the terms and conditions of any resulting Agreement. Addenda will be posted on SGVCOG's online bidding system, Planet Bids, and will be available for downloading. It is the responsibility of Proposers and other interested parties to check the online bidding system regularly during the solicitation period for updated information.

The SGVCOG will not be bound to any modifications to or deviations from the requirements set forth in this RFP as the result of oral instructions. Proposers shall acknowledge receipt of addenda in their proposals. Failure to acknowledge receipt of Addenda may cause the proposal to be deemed non-responsive to this RFP, and be rejected.

SGVCOG Contact

All communication and/or contact with SGVCOG staff regarding this RFP are to be directed to the following:

***Carlos Garcia, Contracts Manager
San Gabriel Valley Council of Governments
4900 Rivergrade Road, Suite A120
Irwindale, California 91706
Email: cgarcia@sgvcog.org***



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: New Business
Agenda Item No. 5B

TO: The Honorable Mayor and City Council
FROM: Christine Tomikawa, Director of Human Resources & Risk Management
SUBJECT: Amendment to Monterey Park Municipal Code Chapter 2.28 regulating the Personnel Board

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waving first reading of an ordinance amending Chapter 2.28 of Monterey Park Municipal Code ("MPMC") regulating the Personnel Board responsibilities; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

In 2020, the COVID-19 emergency provided an opportunity for City staff to evaluate efficiencies for different City boards, commissions and committees. After further review of the Personnel Board's role and responsibilities, City staff recommends modifying responsibilities of the Personnel Board. The changes will allow the Human Resources and Risk Management Director to implement Department's responsibilities with increased efficiencies. The Personnel Board responsibilities affect the non-sworn employees related to appeal processes for discipline and grievances. The proposed amendments to the MPMC better reflect the role and responsibilities of the Personnel Board to ensure employees continue to have an opportunity to appeal disciplinary decisions to an impartial Personnel Board as stated in the applicable memoranda of understandings.

BACKGROUND:

The Personnel Board was established in 1949. Its responsibilities include approving personnel classifications, making recommendations regarding personnel rules; and acting as an appeal hearing board to consider certain non-public safety discipline matters and grievances. The Personnel Board's role as a neutral avenue to consider non-sworn employee personnel matters will remain the same.

The modifications will allow the associations and Human Resources/Risk Management Director and staff to revise class specifications, open recruitment processes, extend eligibility lists and other daily job duties in a more efficient process with approval by the

City Manager. The changes allow for similar items to be considered by the Personnel Board if the City Council and/or City Manager request its review and advice.

The affected bargaining associations were consulted in drafting the appeals process with the Personnel Board review.

FISCAL IMPACT:

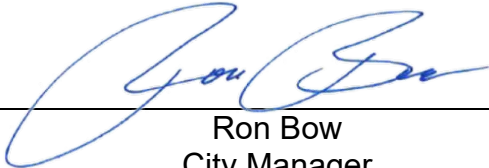
None

Respectfully submitted by:



Christine Tomikawa
Director of Human Resources & Risk
Management

Reviewed by:



Ron Bow
City Manager



Karl H. Berger
City Attorney

ATTACHMENT(S):

1. Ordinance

ATTACHMENT 1

Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTER 2.28 REGULATING THE PERSONNEL BOARD.

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: ***Personnel Board***. Monterey Park Municipal Code (“MPMC”) Chapter 2.28 is amended in its entirety to read as set forth in attached Exhibit “A,” which is incorporated by reference. Repealed language is struck out (e.g., “~~redlined~~”) while added language is italicized (e.g., “*italicized*”). Except as set forth in Exhibit A, all other language in Chapter 2.28 remains the same.

SECTION 2: ***Savings Clause***. Repeal of any provision of the MPMC or any other regulation by this Ordinance 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 3: ***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 4: ***Validity of Previous Code Sections***. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other regulation by this Ordinance will be rendered void and cause such MPMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 5: ***Effective Date***. This Ordinance becomes effective 30 days after its adoption.

SECTION 6: ***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 7: ***Publication***. The City Clerk must certify as to the adoption of this ordinance and cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of Monterey Park.

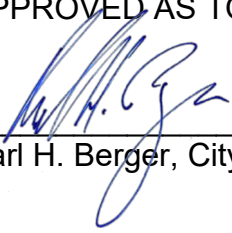
PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2021.

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

EXHIBIT A

AMENDMENTS TO MPMC FOR PERSONNEL BOARD

Chapter 2.28 ~~UNIFORM PERSONNEL SYSTEM~~ **BOARD**

2.28.010 ~~Adoption.~~

~~In order to establish an equitable and uniform procedure for dealing with personnel matters, to attract to municipal service the best qualified persons available, to assure that appointments and promotions of employees will be based on merit and fitness as determined by competitive test, and to provide a reasonable degree of security for qualified employees, the following personnel system is adopted as a continuation of the existing uniform personnel system.~~

~~2.28.020~~ Personnel board—Creation.

~~There is created a~~ **A** personnel board ~~of five~~ **is created with three** members appointed by the city council ~~in accordance with the provisions of Section 2.28.050 of~~ **pursuant to** this chapter, and sometimes referred **subject** to in this chapter as ~~“the board.”~~ **2.82 of this code.**

2.28.040**020** Personnel board—Vacancies.

~~—Vacancies of the board shall be filled by appointment by the city council in the same manner as that in which the member being replaced was originally appointed. Each member, except those resigning or removed by the council, shall serve until his or her successor is appointed.~~

~~2.28.050~~ Personnel board—Appointment.

- A. ~~—(a)—~~The city council ~~shall~~ **will** appoint the members of the personnel board in the following manner: one member from **the community at large** ~~a list of three persons nominated by the personnel of the Monterey Park fire and police departments;~~ one member from a list of three persons nominated by the **non-sworn** ~~remaining~~ employees of the city; ~~two members from the community at large, and one member from a list of three persons nominated~~ **proposed** by a majority of the four previously appointed members **the city manager**. A majority vote of the city council ~~shall be~~ **is** required to appoint ~~a member of~~ **an individual to** the personnel board.
- B. ~~—(b)—~~Nominations as required ~~in subsection (a) of~~ **by** this section ~~shall~~ **must** be made to the council within thirty days following notification by the council that such nominations are required. In the event nominations are not received within the thirty-day period, the council may ~~proceed to fill the vacancies~~ **as proposed** by ~~appointment from the community at large~~ **the city manager and approved by minute order.**

2.28.060030 Personnel board—Qualifications.

~~Members of the personnel board shall be qualified electors of the city who are in sympathy with the application of merit principles to public employment. No person shall~~*may* ~~be appointed to the board who holds any salaried office or employment with the city, nor shall~~*may* ~~any member, while on the board or for a period of one year after his~~*the member's* ~~term has expired~~*expires*~~, be eligible for appointment to any office of employment of the city.~~

2.28.070 Personnel board—Organization—Officers.

~~—The election of a chairman shall take place at the first meeting of the board held during the month of January of each year. The board may fill for the unexpired term any vacancy occurring in the office of chairman.~~

2.28.080040 Personnel board—Meetings—Quorum.

The board ~~shall~~*must* hold a regular meeting at least once a ~~month~~*year* at times fixed by resolution. Special meetings may be called by ~~the chairman or any three members of the board~~*chair* upon twenty-four-hours' notice. ~~The board shall determine the order of business for the conduct of its meetings. Three~~*Two* members of the board ~~shall~~ constitute a quorum for the transaction of business.

2.28.090050 Personnel board—Powers—Duties.

The *board's* powers and duties ~~of the personnel board shall be~~*are* the following:

~~—(1) As provided by the personnel system rules and regulations, the hearing of appeals submitted by any person in the competitive service relative to any disciplinary action, dismissal, demotion or alleged violation of this chapter or the personnel rules and the certification of its findings and recommendations as provided in this chapter;~~

~~—(2) In any investigation or hearing conducted by the board, it shall have the power to examine witnesses under oath and compel their attendance or production of evidence by subpoenas issued in the name of the city and attested by the city clerk. It shall be the duty of the chief of police to cause all such subpoenas to be served and refusal of a person to attend or to testify in answer to such a subpoena shall subject the person to prosecution in the same manner set forth by law for failure to appear before the city council in response to a subpoena issued by the council. Each member of the personnel board shall have the power to administer oaths to witnesses;~~

- A. ~~—(3) When~~*if* requested by the city council or the city manager, the personnel board ~~shall make inquiries and recommendations~~*may advise* on any matter of personnel

administration, such as standardization of hours of work, attendance and leave regulations, vacations, holidays and working conditions;

B. ~~—(4) The preparation and adoption~~ *If requested* by resolution, subject to the approval of the city council *or city manager, advise regarding personnel* of rules and regulations ~~to supplement this chapter~~ and establishing specific procedures governing such phases of the personnel system *such* as:

1. ~~—(A) Preparation, installation, r~~ *Revision* and maintenance of a position classification plan covering all positions in the competitive service~~;~~;

2. ~~—(B) Formulation of standards and qualifications for each class, including residential requirements, if any;~~

~~—(C) Public announcement of all tests and the acceptance of applications for employment,~~

~~—(D) Preparation and conduct of tests and the establishment, approval and use of resulting employment lists containing names of persons eligible for appointment,~~

~~—(E) Certification and appointment of persons from employment lists, and the making of temporary and emergency appointments,~~

~~—(F) Evaluation of employees,~~

3. ~~—(G) Employee appeal hearing due to T~~ *transfer*, promotion, demotion and reinstatement of employees in the competitive service *in accordance with any applicable memoranda of understanding;*

4. ~~—(H) Employee appeal hearing due to S~~ *Separation* of employees from the city service through layoff, suspension and dismissal *in accordance with any applicable memoranda of understanding;* and

5. *Appeal hearings for classifications covered by the competitive service in accordance with any applicable memoranda of understanding.*

~~—(I) Development of employee morale, welfare and training programs,~~

~~—(J) Content, maintenance and use of personnel records and forms.~~

~~2.28.095 City council review.~~

~~— Any decision, action, or failure to act or consider, by the board regarding or in connection with the establishment, amendment or revision of the classification plan may be reviewed by the city council for final approval. Within ninety days of any such action or inaction by the board, the city council, by majority vote, shall set a time, place and date for hearing and considering the action or inaction by the board. At the time of consideration by the city council, any interested person may appear and be heard. The decision of the city council shall be final.~~

2.28.100060 Personnel officer.

The city manager ~~shall appoint, or designee, will be the city's~~ a personnel officer, ~~after consultation with the personnel board. The personnel officer shall~~ *and, in addition to any other duties assigned, will* perform the following ~~duties~~:

A. ~~—(1)—~~ Administer all provisions of this chapter ~~and the rules established hereunder, in accordance with the policies and directives established by the personnel board;~~

B. ~~—(2)—~~ Attend meetings of and serve as secretary of the personnel board, with such clerical assistance as may be necessary;

C. ~~—(3)—~~ Have custody of all personnel records;

~~—(4)— Accept all notices, requests for hearings, complaints and other official documents which are required to be filed with the personnel board;~~

D. ~~—(5)—~~ Prepare rules and amendments thereof, for the consideration of the board;

E. ~~—(6)—~~ Prepare a position classification plan, class specifications and revisions thereof, for the consideration of the board;

~~—(7)— Prepare a plan of compensation, and revisions thereof, covering all classifications in the competitive service. This compensation plan and all revisions thereof shall be transmitted to the city council by the city manager with his recommendation for city council approval.~~

~~— The duties of the office of personnel officer may be combined with those of any other office in the event the work involved does not warrant, in the discretion of the city manager, the creation of a special position.~~

2.28.110070 Competitive service.

~~—The provisions of this chapter and the personnel system rules and regulations adopted pursuant to this chapter shall apply~~*applies* to all offices, positions and employment now in the service of the city, except:

A. ~~—(1)—~~Elective offices; provided, however, that in the event the people of the city by election change the status of any of the elective offices of the city to that of appointive offices, then ~~at~~*upon* the expiration of ~~his~~*that* term of office, the person holding such office ~~shall~~*may, at the discretion of the city council or the city manager,* assume regular status without competitive test, providing that he or she has served in such position continuously for at least six months immediately ~~prior to~~*before* the expiration of his *or her* term of office. Thereafter, the ~~incumbent and the position shall be~~*is* subject in all respects to the provisions of this chapter and the personnel rules;

B. ~~—(2)—~~Positions on appointive boards, commissions and committees;

C. ~~—(3)—~~Persons under contract to supply expert, professional or technical services;

D. ~~—(4)—~~Volunteer personnel who receive no regular compensation from the city;

E. ~~—(5)—~~Part-time employees (such as crossing guards), per diem, hourly and seasonal employees;

F. ~~—(6)—~~Building official;

~~—(7)—~~City librarian;

G. *City attorney;*

H. ~~—(8)—~~City manager;

~~—(9)—~~Director of community development;

~~—(10)—~~Director of economic development;

~~—(11)—~~Director of human resources and risk management;

~~—(12)—~~Director of management services;

~~—(13)—~~Director of public works/city engineer;

~~—(14)—~~Director of recreation and community services;

I. ~~—(15)—~~Financial services manager;

~~—(16) Fire chief;~~

~~—(17) Police chief;~~

J. Human resources and risk management manager;

K. Information technology services manager;

L. ~~(18)~~ Support services manager;

M. All non-classified positions appointed by the city manager in accordance with the administrative code adopted by the city council.

~~—(19) All of those transitional positions authorized by motion of the city council, which are funded in whole or in part by the federal government pursuant to Public Law 92-302 entitled the “Comprehensive Employment Training Act of 1973” and pursuant to amendments and extensions thereof.~~

2.28.120080 Appointments.

—Appointments to vacant positions in the competitive service ~~shall~~*will* be made in accordance with the personnel rules. Appointments and promotions ~~shall be~~*are* based on merit and fitness to be ascertained so far as practicable by competitive test. Appointments ~~shall be~~*are* made by the city ~~council, city manager, or other officer in whom the power to make appointments is vested by law, as the case may be~~*designee*.

2.28.130090 Competitive service—Name certification.

—If appointment is to be made from an employment or promotional list, the names of persons willing to accept appointment ~~shall~~*must* be certified by the personnel officer to the appointment power in the order they appear on the appropriate lists. The number of names certified ~~shall~~*must* be made in accordance with the personnel rules.

2.28.140100 Competitive service—Temporary.

~~—In~~*Except as otherwise provided by applicable law, e.g., in the event of a locally declared emergency, in* the absence of an appropriate employment list, or in the case of a temporary position that will not exist for more than six months, a temporary appointment of a person meeting the minimum training and experience qualifications for the position may be made by the appointing authority for a period not to exceed six months. An employment list ~~shall~~*must* be established within six months for any permanent position filled by temporary appointment. When a position is filled by temporary appointment, the personnel ~~board shall record~~*officer will report* such action ~~into the minutes of its meeting~~*board*.

2.28.~~150~~**110** Competitive service—Temporary—Credit.

~~—No credit shall be~~*Except as otherwise provided by separate city council resolution, no credit is* allowed in meeting any qualification or in the giving of any test or the establishment of any employment or promotional lists, for service rendered under a temporary appointment ~~made in accordance with provisions of Section 2.28.140.~~

2.28.~~160~~**120** Probationary period.

Except as otherwise provided in any *city council* resolution ~~and/or memorandum of understanding which is or has been approved, ratified or authorized by the city council and/or any~~*an* administrative policy ~~approved and authorized~~*procedure promulgated* by the city manager ~~to implement same,~~ all appointments to positions in the competitive service, except temporary and/or “at-will” appointments ~~shall be in accordance~~*must comply* with the personnel rules. During the probationary period the employee may be rejected at any time without the right of appeal or hearing.

2.28.~~170~~**130** Probationary period—Promotion—Rejection.

~~An~~*Except as otherwise provided in any city council resolution, an* employee rejected during the probationary period from a position to which he or she has been promoted ~~shall~~*must* be reinstated to the position from which he or she was promoted, unless he or she is dismissed from ~~the city service as provided in this chapter and the rules.~~

2.28.~~180~~ Status of present employees.

~~Any person holding a position included in the competitive service who, on the effective date of Ordinance No. 695* shall have served continuously in such position or in some other position in the competitive service, for a period equal to the probationary period prescribed in the rules for his class, shall assume regular status in the competitive service in the position held on such effective date without qualifying test, and shall thereafter be subject in all respects to the provisions of this chapter and the personnel rules.~~

~~—Any other persons holding positions in the competitive service shall be regarded as probationers who are serving out the balance of their probationary periods as prescribed in the rules before obtaining regular status. The probationary period shall be computed from the date of appointment or employment.~~

~~* Ordinance 695 is included in the original codification.~~

2.28.~~190~~**140** Appointments subject to chapter.

~~—The~~*Except as otherwise provided by city council, resolution, the* city manager ~~and any other officer in whom is vested the power to~~*may* appoint, make transfers, promotions, demotions, reinstatements, layoffs and to suspend or dismiss employees, ~~shall retain such power,~~ subject to the provisions of this chapter and the personnel rules.

~~2.28.200~~ *Suspension.*

~~Any person holding a position in the competitive service shall be subject to disciplinary suspension without pay by the appointing power. Such suspensions shall not exceed ten calendar days for any one suspension nor a total of thirty calendar days in any fiscal year. A department head not having power of appointment may make disciplinary suspensions in accordance with the personnel rules.~~

~~2.28.205~~ *150 Automatic resignation.*

Any employee holding a position in the competitive service who is absent without a valid leave of absence for more than two consecutive working shifts, ~~shall be~~*is* deemed to have abandoned his or her position and to have resigned from ~~the city~~ service, unless, within fifteen calendar days from the last day he or she worked or the last day he or she was on a valid leave of absence, he or she proves to the satisfaction of ~~appropriate departmental supervision and the city manager,~~ *or designee,* that the absence was excusable.

~~—Any person who has been terminated pursuant to this section shall have the right to appeal the automatic resignation decision to the personnel board in the time and manner as prescribed in personnel system rules and regulations. Nothing in this section, however, shall prevent the city from suspending or discharging an employee for unauthorized absence.~~

~~2.28.210~~ *160 Transfer—Work assignment.*

~~Employees~~*Except as otherwise provided by city council resolution, employees* may be transferred between departments by the city manager where such transfers involve work of the same civil service class as that in which the employee has status. Employees may be assigned within their department by the department head to work appropriate to their civil service class. No assignments or transfers ~~shall~~*may* be made to work of a civil service class different from that in which the employee has status, except work which is purely temporary and incidental thereto, or except in the event of grave emergency involving danger to life or property, and then only for such limited periods of time as may be required because of such emergency. Transfers and work assignments ~~shall not~~*may also* be made for ~~punitive~~*disciplinary* reasons. ~~An employee shall have the right of appeal to the personnel board in any case in which he or she believes the provisions of this section have been violated.~~

~~2.28.220~~ *170 Disciplinary action.*

—No permanent employee in the competitive service ~~shall~~*may* be suspended, demoted, dismissed or subjected to any other disciplinary action unless such action is taken in accordance with and pursuant to personnel system rules and regulations. This section shall not apply to the abolition of a position ~~pursuant to Section 2.28.230.~~

2.28.~~230~~*180* Abolition of position.

Whenever in the judgment of the city council it becomes necessary in the interest of economy or because the necessity for the position or employment involved no longer exists, the city council may abolish any position or employment ~~by resolution~~. The employee holding such position or employment ~~shall~~*will* be laid off, demoted or transferred without the filing of written charges and without the right of appeal in accordance with rules established by the personnel board. If, within two years, an appointment is to be made to any position or employment in any existing or new class having the same, or, substantially similar qualifications and duties as the position abolished, the employee laid off, demoted or transferred ~~shall have~~*has* the right to such appointment, unless he or she files a waiver in writing with the personnel officer; or, if laid off, he or she fails to report to the personnel officer within twenty working days after notice is mailed to his or her last known address.

~~2.28.270 Discrimination prohibited.~~

~~—No person in the competitive service or seeking admission thereto shall be employed, promoted, demoted, discharged or in any way favored or discriminated against because of race, color, religion, national origin, political opinions or affiliations, sex, age, or physical handicap, except where sex, age, or absence of physical handicap constitute a bona fide occupational qualification.~~

~~2.28.280 Age limits.~~

~~Minimum or maximum age limits for any examination for a position in the competitive service shall not be established and age shall not be a minimum qualification for any employment in the competitive service. Any person possessing all the minimum qualifications for a position is eligible to take any examination hereunder regardless of age, and neither the personnel board, personnel officer or appointing power shall adopt any rule prohibiting the employment of any person otherwise qualified solely because of age. This section shall be subject to the provisions of any applicable retirement system, and this section shall not prevent the city council from fixing minimum or maximum age limits for employment of policemen or firemen.~~

2.28.~~300~~*190* Right to contract for special services.

The *city manager* ~~personnel board shall~~ *may, if requested,* consider and make recommendations to the city council regarding the extent to which the city should contract for the performance of technical services in connection with the establishment or operation of the personnel system.

The city council may contract with any qualified person or agency for the performance of all or any of the following responsibilities and duties imposed by this chapter:

- A. ~~—(1)—~~The preparation of personnel rules and subsequent revisions and amendments thereof;
- B. ~~—(2)—~~The preparation of a position classification plan, and subsequent revisions and amendments thereof;
- C. ~~—(3)—~~The preparation of a plan of compensation, and subsequent revision and amendments thereof;
- D. ~~—(4)—~~The preparation, conduct and grading of competitive tests;
- E. ~~—(5)—~~Special and technical services of advisory or informational character on matters relating to personnel administration.

~~2.28.310 Appropriation of fund.~~

~~The city council shall appropriate such funds as are necessary to carry out the provisions of this chapter.~~



City Council Staff Report

DATE: November 17, 2021

AGENDA ITEM NO: New Business
Agenda Item No. 5C

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Public Works Director/City Engineer
SUBJECT: Consideration of Stage 2 Drought Emergency Declaration as Described in MPMC Chapter 14.25

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a resolution declaring a Stage 2 Drought Emergency per Monterey Park Municipal Code Chapter 14.25, Water Conservation Regulations;
2. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

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

EXECUTIVE SUMMARY:

At the September 15, 2021 meeting, City Council amended the Monterey Park Municipal Code ("MPMC") to add Chapter 14.25 imposing water conservation measures. MPMC Chapter 14.25 authorizes the City Council to declare six stages of drought emergency. Staff is recommending that City Council declare a Stage 2 Drought Emergency.

BACKGROUND:

Ordinance No. 2214 added Chapter 14.25 to the MPMC; it took effect on October 15, 2021.

MPMC Chapter 14.25 identifies a list of water conservation requirements that would be effective immediately and more stringent measures when a drought emergency is declared. There are six stages of drought emergency:

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

Stage 1 - reduce water demand by 10%

- Irrigation is restricted to 3 days per week (Monday, Wednesday and Friday)

Stage 2 - reduce water demand by between 11% and 20%

- Irrigation is restricted to 2 days per week (Monday and Thursday)
- Drip irrigation or micro-spray systems required for irrigation and no new planting in new developments
- Unlawful to irrigate ornamental turf on public street medians

Stage 3 – reduce water demand by between 21% and 30%

- Irrigation restricted to 1 day per week (Monday)
- All Stage 2 measures
- Fire hydrant water restricted to firefighting
- Washing cars and equipment unless at commercial car wash facilities

Stage 4 – reduce water demand by between 31% and 40%

- All Stage 2, & 3 measures
- Filling swimming pools, hot tubs, Jacuzzis, or wading pools

Stage 5 – reduce water demand by between 41% and 50%

- All Stage 1, 2, 3, & 4 measures

Stage 6 – reduce water demand by over 50%

- All Stage 1, 2, 3, 4 & 5 measures

Staff is recommending that City Council declare a Stage 2 Drought Emergency. The Stage 2 reduction of 11% to 20% would be consistent with Governor Newsom's request for 15% reduction from all consumers. As California enters the (historically wetter) winter months, more stringent water conservation measures are necessary due to the forecast of La Niña. This weather phenomenon generally brings drier and warmer winters than normal across the southern U.S. On October 19, 2021, the Governor added Los Angeles County in the emergency drought declaration when most Southern California counties had previously been excluded from the initial emergency declaration that was issued at the beginning of the summer on July 8, 2021.

Upon declaration of the Stage 2 Drought Emergency, staff will publish information about the new Stage 2 water conservation measures in the City's website, Cascades newsletter, and the Daily Journal. In addition, water billing will include inserts that describes the Stage 2 requirements. The billing notification will be in Spanish and Chinese as well as English.

FISCAL IMPACT:

Declaration of the Stage 2 Drought Emergency, by itself, has no financial impact.

Respectfully submitted by:



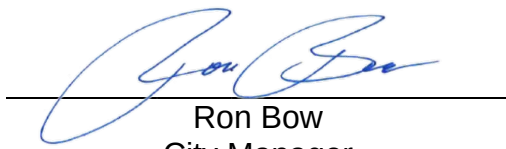
Frank A. Lopez
Director of Public Works/
City Engineer/City Planner

Prepared by:



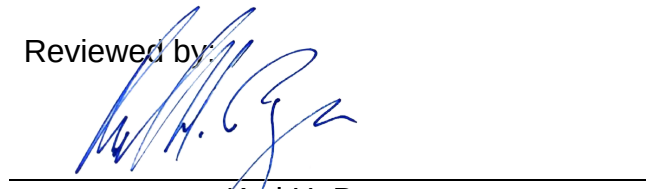
Richard Gonzales
Water Utility Manager

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS

1. Draft Resolution

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION DECLARING A STAGE 2 DROUGHT EMERGENCY AND DIRECTING THE PUBLIC WORKS DIRECTOR TO IMPLEMENT WATER CONSERVATION RESTRICTIONS IN ACCORDANCE WITH MONTEREY PARK MUNICIPAL CODE CHAPTER 14.25.

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

SECTION 1: The City Council finds as follows:

- A. The Governor's October 19, 2021 Proclamation of Emergency extends the State of Emergency because of drought conditions to the County of Los Angeles (the "Drought Proclamation");
- B. To comply with the Drought Proclamation, the City Council believes that it is in the public interest to declare a State 2 Drought Emergency in accordance with Monterey Park Municipal Code ("MPMC") Chapter 14.25.

SECTION 2: ***Environmental Assessment.*** The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹

SECTION 3: **Stage 2 Drought Emergency.**

- A. Based upon the entire record including, without limitation, the staff report provided September 1, 2021 and November 17, 2021, the City Council finds that it is in the public interest to declare a Stage 2 Drought Emergency. There is a demonstrated need to reduce the City's water demand between 11% and 20%.
- A. In addition to all other requirements of applicable law including, without limitation, the MPMC, the Director of Public Works is directed to impose the following mandatory water-use restrictions:
 - 1. Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation or micro-spray system is limited to two times per week. Residents may water and/or irrigate landscape, lawns, vegetated areas, and plant material on Monday and Thursday.

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

2. Installing non drip irrigation or micro-spray systems used in watering outdoors for purposes of irrigating landscape, lawns, vegetated areas, and plant material in new commercial and residential developments requesting new water utility service is unlawful.
3. It is unlawful to use potable water to irrigate ornamental turf on public street medians within the City's service boundaries.

SECTION 4: To assist ratepayers in meeting the requirements of applicable law including, without limitation, this Resolution, the City Council finds that it is in public interest to waive fees associated with the inspection and approval of installing irrigation controllers, valves and sprinkler heads, for the conversion from standard equipment to water conservation equipment. The Public Works Director, or designee, is directed to implement such waiver in accordance with this Resolution.

SECTION 5: The City Manager is authorized to promulgate administrative policies and procedures in order to implement the purpose and goals set forth in this Resolution.

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

PASSED AND ADOPTED this 17th day of November, 2021.

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney