

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

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

**Wednesday
February 15, 2023
6:30 p.m.**

MISSION STATEMENT

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

GENERAL INFORMATION

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

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

PUBLIC PARTICIPATION

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

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

CALL TO ORDER Mayor

FLAG SALUTE The Monterey Park Police Explorers

ROLL CALL Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS:

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

STAFF COMMUNICATIONS:

- Library Services
- Police Department
- Public Works
- Recreation and Community Services Department

[1.] PRESENTATION

1-A. BRANDON TSAY RECOGNITION

1-B. FIRST RESPONDERS RECOGNITION

[2.] OLD BUSINESS – None.

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

3-A. MINUTES

It is recommended that the City Council consider:

- (1) Approving the minutes from the special and regular meetings of December 7, 2022 and December 21, 2022;
- (2) Taking such additional, related, action that may be desirable.

3-B. MONTHLY INVESTMENT REPORT – JANUARY 2023

It is recommended that the City Council consider:

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

3-C. FIVE-YEAR BRUGGEMEYER LIBRARY STRATEGIC PLAN

It is recommended that the City Council consider:

- (1) Receiving and filing the Bruggemeyer Library's 5 Year Strategic Planning Document; and
- (2) Taking such additional, related, action that may be desirable.

3-D. CONTINUE TO EXTEND THE EXISTENCE OF AN EMPLOYMENT EMERGENCY FOR THE CITY OF MONTEREY PARK

It is recommended that the City Council consider:

- (1) Receiving and filing this report;
- (2) Authorize the City Manager to execute Task Order No. 3 with Operational Technical Services to augment Water Division staff needs, not to exceed \$285,000;
- (3) Continuing to extend the existence of an employment emergency for the City of Monterey Park and authorizing the City Manager to take all practical actions needed to implement the efficient recruitment and retention of persons for employment; and
- (4) Taking such additional, related, action that may be desirable.

3-E. AWARD OF CONTRACT TO RINCON CONSULTANTS INC., TO PROVIDE CONSULTING SERVICES RELATED TO THE IMPLEMENTATION OF THE 2021-2029 HOUSING ELEMENT, INCLUDING MONTEREY PARK MUNICIPAL CODE AMENDMENTS AND TECHNICAL STUDIES RELATED TO THE CITY'S SUSTAINABILITY PLAN

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute an agreement, in a form approved by the City Attorney, with Rincon Consultants ("Rincon"), Inc. in an amount not to exceed \$301,562.50;
- (2) Authorizing budget appropriation of \$70,000 from the American Rescue Plan Act ("ARPA") Funds for the 2022-2023 fiscal year; and
- (3) Taking such additional, related, action that may be desirable.

3-F. ACCEPT AN IN-KIND DONATION OF CHOCOLATE FROM SEE'S CANDIES WITH A RETAIL VALUE OF \$56,992 ON BEHALF OF THE CITY OF MONTEREY PARK

It is recommended that the City Council consider:

- (1) Accepting an in-kind donation of chocolates from See's Candies with a retail value of \$56,992 on behalf of the City of Monterey Park; and
- (2) Taking such additional, related, action that may be desirable.

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

It is recommended that the City Council consider:

- (1) Receive and File the staff report summarizing the status of emergency repairs of the Monterey Pass Road water line;
- (2) Adopt a resolution amending Resolution No. 2022-R32 to add the Monterey Pass Road Emergency Water Main Improvements as Project No. 99025; and
- (3) Taking such additional, related, action that may be desirable.

3-H. EMERGENCY REPAIR OF WATER MAIN ON LA MERCED ROAD – ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC WORKS CONTRACT WITH W.A. RASIC WITHOUT THE NEED FOR COMPETITIVE BIDDING TO COMPLETE EMERGENCY WATER MAIN REPAIRS

It is recommended that the City Council consider:

- (1) Adopting a Resolution authorizing the City Manager to execute a Public Works contract with W.A. Rasic Construction Company, Inc., in the amount of \$75,000, without the need for competitive bidding to complete emergency repairs of the water main on La Merced Road;
- (2) Appropriating \$75,000 from the Water Operation Fund for the cost of the repair work; 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. A CONTINUED PUBLIC HEARING TO CONSIDER INTRODUCTION AND FIRST READING OF AN ORDINANCE (ZONING CODE AMENDMENT NO. 22-03) AMENDING TITLE 21 OF THE MONTEREY PARK MUNICIPAL CODE TO CLARIFY AND COMPLETE IMPLEMENTATION OF THE 2020 MONTEREY PARK BUSINESS RECOVERY PROGRAM GOVERNING OUTDOOR DINING, ALLOWABLE USES WITHIN THE CENTRAL BUSINESS (C-B) ZONING DISTRICT AND ISSUING CERTIFICATES OF OCCUPANCY

It is recommended that the City Council consider:

- (1) Opening a continued public hearing and taking testimonial and documentary evidence;
- (2) After closing the public hearing and considering the evidence submitted during that public hearing, introduce and waive first reading of Ordinance No. _____ amending Title 21 of the Monterey Park Municipal Code to clarify and complete implementation of the 2020 Monterey Park Business Recovery Program governing Outdoor Dining, allowable uses within the Central Business (C-B) zoning District, and issuing certificates of occupancy; and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Adopting this Ordinance is exempt from further environmental review because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. The Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, adopting the ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment. Individual projects utilizing these regulations will each be separately subject to an environmental assessment. Finally, this Ordinance 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.

4-B. PUBLIC HEARING AND APPROVAL OF THE SUBSTANTIAL AMENDMENT TO THE 2021-2022 HUD ANNUAL ACTION PLAN TO RECEIVE AND ADMINISTER THE HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)-AMERICAN RESCUE PLAN (ARP) PROGRAM

It is recommended that the City Council consider:

- (1) Opening the public hearing to receive testimonial and documentary evidence;
- (2) Closing the public hearing and approving the Substantial Amendment to the 2021- 2022 One-year Action Plan (Action Plan) to include the HOME-ARP Program ("HOME-ARP");
- (3) Directing staff to prepare and transmit the final documents to the U.S. Department of Housing and Urban Development ("HUD");
- (4) Authorizing the City Manager, or his designee, to take all actions necessary or desirable to implement the HOME-ARP Programs, and Subrecipient Agreements; and
- (5) Taking such additional, related, action that may be desirable.

[5.] NEW BUSINESS – None.

[6.] CITY COMMUNICATIONS (CITY COUNCIL)

[7.] FUTURE AGENDA ITEMS

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

ADJOURN



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3A

TO: The Honorable Mayor and City Council
FROM: Maychelle Yee, City Clerk
SUBJECT: Minutes

RECOMMENDATION:

It is recommended that the City Council consider:

1. Approving the minutes from the special and regular meetings of December 7, 2022 and December 21, 2022;
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 Maychelle Yee, written in a cursive style.

Maychelle Yee
City Clerk

A blue ink signature of Christine Sakata, written in a cursive style.

Christine Sakata
Senior Clerk Typist

Approved By:

A blue ink signature of Ron Bow, written in a cursive style.

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)
SPECIAL MEETING
DECEMBER 7, 2022**

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Teleconference Meeting concurrent with the Regular Meeting on Wednesday, December 7, 2022 at 6:30 p.m in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park.

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 was accepted up to 2 hours before the meeting via email to mpclerk@montereypark.ca.gov and read into the record during public comment, when feasible. We request that written communications be limited to no more than 50 words.

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.

Via Internet

Public comment may be submitted via internet during the meeting, before the close of public comment, by visiting www.zoom.us/j/2892225995 and entering Zoom Meeting ID: 289 222 5995 or <https://us06web.zoom.us/j/2892225995> and enter the passcode 12345. If participants would like to make a public comment, utilize the raise hand feature and the City Clerk will notify you when it is your time to speak. You can then unmute yourself at that time. The Mayor and City Council may change the amount of time allowed for

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

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

FLAG SALUTE:

The Monterey Park Police Honor Guard

ROLL CALL:

City Clerk Vincent Chang called the roll:

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

Council Members Absent: None.

ALSO PRESENT: City Attorney Karl Berger, City Manager Ron Bow, City Treasurer Joseph Leon, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Police Chief Scott Wiese, Director of Recreation & Community Services Robert Aguirre, Director of Human Resources & Risk Management Christine Tomikawa, Director of Management Services Martha Garcia, City Librarian Diana Garcia, Director of Public Works Shawn Igoe, Planning Manager Jessica Serrano, Finance Manager Laura Borjon, Economic Development Manager Joseph Torres, Recreation Supervisor Orlando Muro, Deputy City Clerk Cindy Trang, Secretary to the City Manager Diana Wong, Assistant Deputy City Clerk Helena Cho, Community Communications Coordinator Randy Ishino, Economic Development Senior Clerk Typist Megan Cheung, Senior Clerk Typist Christine Sakata

VIRTUALLY PRESENT

Maychelle Yee, Alhambra Mayor Jeffrey Maloney

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

ORAL AND WRITTEN COMMUNICATIONS – None.

1. NEW BUSINESS

1-A. DECLARATION OF EMERGENCY: COVID-19 EXPOSURE

On December 6, 2022, the City Manager was informed that at least one of the newly elected public officials tested positive for the COVID-19 virus. To protect public health and safety, the City Manager issued an administrative Declaration of Emergency regarding the December 7th meeting. A copy of that Declaration of

Emergency is attached as an exhibit to the draft Resolution. Among other things, the City Manager implemented teleconferencing and electronic protocols to help reduce the chance that persons attending the December 7th meeting might be exposed to COVID-19.

Action Taken: The City Council adopted Resolution No. 2022-R93 declaring a local emergency resulting from exposure to the COVID-19 virus and ratifying the City Manager's Administrative Declaration of Emergency dated on December 6th 2022.

Resolution No. 2022-R93:

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZING HYBRID PUBLIC MEETINGS VIA TELECONFERENCING

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

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

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:24 p.m.

Maychelle Yee
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
DECEMBER 7, 2022**

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Regular Meeting concurrent with the Special on Wednesday, December 7, 2022 at 6:30 p.m in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park.

CALL TO ORDER:

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

FLAG SALUTE:

The Monterey Park Police Honor Guard

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Henry Lo, Yvonne Yiu, Hans Liang
Council Members Absent: None

ALSO PRESENT: City Attorney Karl Berger, City Manager Ron Bow, City Treasurer Joseph Leon, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Police Chief Scott Wiese, Director of Recreation & Community Services Robert Aguirre, Director of Human Resources & Risk Management Christine Tomikawa, Director of Management Services Martha Garcia, City Librarian Diana Garcia, Director of Public Works Shawn Igoe, Planning Manager Jessica Serrano, Finance Manager Laura Borjon, Economic Development Manager Joseph Torres, Recreation Supervisor Orlando Muro, Deputy City Clerk Cindy Trang, Secretary to the City Manager Diana Wong, Assistant Deputy City Clerk Helena Cho, Community Communications Coordinator Randy Ishino, Economic Development Senior Clerk Typist Megan Cheung, Senior Clerk Typist Christine Sakata

VIRTUALLY PRESENT

Maychelle Yee, Alhambra Mayor Jeffrey Maloney

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

These minutes include actions agendize for the Special meeting. See the Special meeting minutes for the virtual meeting information and action taken.

ORAL AND WRITTEN COMMUNICATIONS – None.

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

PUBLIC COMMUNICATIONS

- Tammy Sam voiced her concerns regarding the newly elected council and asked the city council to reconsider reinstating professional requirements to the Planning Commission and Design Review Board. She emphasized the importance of these requirements for those making decisions in land use, housing, and circulation.

1. PRESENTATIONS - None.

2. NEW BUSINESS – None.

2-A. OUTGOING ADDRESS BY ELECTED OFFICIALS

- City Clerk Chang recognized special guest in attendance, including elected officials and current and former leaders of the community. He then delivered his outgoing speech.
- City Treasurer Leon gave his outgoing speech.
- City Council Member Chan provided his outgoing speech.
- City Council Member Liang presented his outgoing speech.

2-B. PRESENTATION TO OUTGOING ELECTED OFFICIALS

- Enrique Robles, Deputy Chief of Staff, representing Congresswomen Judy Chu, presented certificates to the outgoing elected officials.
- Jennifer Tang, District Director for Assembly Member Mike Fong, voiced her appreciation and presented certificates to the outgoing elected officials.
- County Assessor Jefferey Prang expressed his gratitude to Council Member Chan and Council Member Liang.
- Bob Gin, Alhambra Schoolboard Member, presented certificated to Council Member Chan and Council Member Liang.
- Troy Grant, President of Monterey Park's Police Officers Association, presented plaques to Council Member Chan and Council Member Liang.
- Cindy Wu, from Mountain View School District, thanked the outgoing elected officials for their service to the community.
- Dora Leung, Caleb Kwok, and Victoria Chavez from the Greater Monterey Park Chamber of Commerce thanked the outgoing officials for their service and presented them with a special award.

2-C. ADOPTING A RESOLUTION CERTIFYING THE RESULTS OF THE NOVEMBER 8, 2022 GENERAL AND SPECIAL MUNICIPAL ELECTIONS

The City held the General and Special Municipal Elections on November 8, 2022. Three individuals were elected to the City Council from Districts 1 and 5 for a term of four years; from District 3 for a term of two years; a City Clerk and a City Treasurer for a term of four years. Additionally, voters considered a ballot proposition, Measure MP, regarding a general tax. The election was consolidated with the Statewide General Election.

Action Taken: The City Council adopted Resolution No. 2022-R94 certifying the results of the November 8, 2022 General and Special Municipal Elections

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

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

Resolution No. 2022-R94:

A RESOLUTION DECLARING THE RESULTS OF THE GENERAL AND SPECIAL MUNICIPAL ELECTIONS HELD NOVEMBER 8, 2022

RECESSED AND RECONVENED

The City Council recessed at 7:39 p.m. and reconvened at 7:56 p.m.

2-D. THE OATH OF OFFICE TO THE NEWLY ELECTED OFFICIALS

- Incoming City Clerk Maychelle Yee was sworn into the office virtually by Deputy City Clerk Trang. City Clerk Yee's Oath of Office ceremony will be held at the next City Council meeting on December 21, 2022.
- The Oath of Office for incoming City Treasurer Amy Lee was conducted by her daughter, Isabella Lee.
- The Oath of Office for incoming City Council Member Jose Sanchez, District 3 was conducted by City of Alhambra Vice Mayor Adele Andrade-Stadler.
- The Oath of Office for incoming City Council Member Thomas Wong, District 1 was conducted by State Controller Betty Yee.
- The Oath of Office for incoming City Council Member Vinh Ngo, District 5 was conducted by Former Assembly Member Mike Eng.

ROLL CALL OF NEW COUNCIL MEMBERS

Deputy City Clerk Trang called the roll:

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

Council Members Absent: None

2-E. INTRODUCTIONS AND COMMENTS BY NEWLY ELECTED OFFICIALS

- City Clerk Yee will reserve her comments for the next City Council meeting.
- City Treasurer Lee provided her incoming City Treasurer address.
- City Council Member Ngo delivered his incoming City Council address.
- City Council Member Wong presented his incoming City Council address.
- City Mayor Pro Tem Sanchez gave his incoming City Council address.

2-F. PRESENTATION TO INCOMING ELECTED OFFICIALS

- Assembly Member Mike Fong presented certificates to the incoming elected officials.
- Enrique Robles, representing Congresswomen Judy Chu, presented certificates to the incoming elected officials.
- Los Angeles County Assessor, Jeffrey Prang, presented certificates to the incoming elected officials.
- Frank Lu, Field Deputy from Office of Supervisor Hilda Solis, presented certificates to the incoming elected officials.
- Andrew Yam, Garvey School Board District, presented certificates to incoming elected officials.
- Jeff Maloney, Mayor of Alhambra shared some qualities of the incoming elected officials and what they will offer to the city.
- Council Member Yiu welcomes the newly elected officials.
- Mayor Lo expressed his excitement to work with the newly elected officials.

- Deputy City Clerk Trang announced that Senator Susan Rubio provided certificates for the incoming elected officials.

STAFF COMMUNICATIONS

- Library: City Librarian Garcia presented the new programs the library offers, Zip Books App and City National Park Pass. She also shared the new library hours starting January 2023.
- Recreation and Community Service Department: Recreation Supervisor Muro introduced special guest Santa. He announced the upcoming event, Snow Village at George Elder's Park from 4p.m. – 8p.m. on Thursday, December 8, 2022.

2-G. ADOPT A RESOLUTION TO CAST VOTES FOR AN ALTERNATE CITY MEMBER OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY BOARD

The San Gabriel Basin Water Quality Authority (WQA) was established by the State Legislature (SB 1679) in 1992 to develop, finance and implement groundwater treatment programs in the San Gabriel Valley. The WQA is under the direction and leadership of a 7-member board, one member of each of the three overlying municipal water districts, one from a city with prescriptive water pumping rights, one from a city without prescriptive water pumping rights, and two representing water producers in the San Gabriel Basin.

According to the bylaws of the San Gabriel Basin Water Quality Authority, a city with prescriptive water pumping rights, of which Monterey Park falls under, may nominate and elect an Alternate City Member to the Water Quality Authority Board. All votes cast must be for only one candidate.

Each City with pumping rights has one vote for each 10,000 residents or majority thereof, as determined by U.S. Census Data. The City of Monterey Park has six votes to be cast.

This election is to fill the vacancy of the Alternate City Member representing cities with pumping rights and will be the alternate for Robert Gonzales, Councilmember from the City of Azusa, for the remainder of the term which will expire January 2026. An election for this seat will take place on December 21, 2022 at 12:00 p.m. at the WQA office.

Action Taken: The City Council adopted Resolution No. 2022-R95 voting for an Alternate City Member to represent cities with prescriptive pumping rights on the Board of the San Gabriel Basin Water Quality Authority; and Direct City Clerk to send a copy of the Resolution to the San Gabriel Basin Water Quality Authority to receive no later than December 20th, 2022 at 12:00 p.m.

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

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

Resolution No. 2022-R95:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA, AUTHORIZING THE CASTING OF ITS VOTES FOR COUNCILMEMBER JEFFREY K. MALONEY, TO REPRESENT CITIES WITH PRESCRIPTIVE PUMPING RIGHTS AS AN ALTERNATE MEMBER ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

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

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 on consent calendar Agenda Item No. 3B, 3C, 3D, 3E, and 3F except for Agenda Item No. 3A, 3G, and 3H, which were pulled for discussion and separate motion, reading resolutions, and ordinances by title only, and waiving further reading thereof.

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

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

3-A. AUTHORIZE PUBLIC OFFICIALS TO ACCESS TRANSACTIONS AND USE TAX RECORDS; AUTHORIZE THE CITY MANAGER TO EXECUTE VARIOUS DOCUMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR THE PREPARATION, IMPLEMENTATION, AND ADMINISTRATION OF LOCAL TRANSACTIONS AND USE TAXES AS APPROVED BY VOTERS VIA MEASURE MP

On the November 8, 2022, voters adopted Measure MP which authorizes a $\frac{3}{4}$ cent transactions and use (sales) tax. The measure was adopted based upon a 58.14% voter approval. This tax will begin to be collected by businesses on April 1, 2022. Various ancillary documents must be approved by the City Council in order for the State of California to remit tax revenue to the City of Monterey Park including, without

limitation, a resolution authorizing certain officials to access tax records retained by the California Department of Tax and Fee Administration (CDTFA).

Action Taken: The City Council adopted Resolution No. 2022-R96 (Records) and adopted Resolution No. 2022-R97 (Agreements) authorizing certain public officials to access tax records; and authorize the City Manager to execute two agreements with the State of California for the Preparation, Implementation, and Admission of taxes authorized by Measure MP, in a form approved by the City Attorney.

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

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

Resolution No. 2022-R96:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AUTHORIZING EXAMINATION OF SALES OR TRANSACTIONS AND USE TAXES RECORDS

Resolution No. 2022-R97:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTION AND USE TAX

3-B. CONSIDERATION AND POSSIBLE ACTION TO 1) ADOPT AN URGENCY ORDINANCE EXTENDING THE EFFECTIVE DATE FOR THE 2020 MONTEREY PARK BUSINESS RECOVERY PROGRAM FROM DECEMBER 30 2022, TO MAY 31, 2023; AND 2) WAIVE FURTHER READING AND ADOPT AN ORDINANCE EXTENDING THE EFFECTIVE DATE FOR THE 2020 MONTEREY PARK BUSINESS RECOVERY PROGRAM FROM DECEMBER 30, 2022 TO MAY 31, 2023

The City Council introduced and approved the Ordinance for first reading at the November 16, 2022 City Council meeting. The original staff report (from November 16, 2022) is attached for reference. Second reading and adoption of this Ordinance is recommended together with the accompanying adoption of an urgency ordinance to ensure that businesses operating under the outdoor temporary event permit regulations can continue operating until such time that the permanent outdoor dining operations are adopted. If adopted by 4/5 vote, the urgency ordinance will take effect immediately.

Action Taken: The City Council adopted an Urgency Ordinance No. 2227 extending the effective date for the 2020 Monterey Park Business Recovery Program upon 4/5 vote to become immediately effective upon adoption; and waived the second reading and adopted Ordinance No. 2226 extending the effective date for the 2020 Monterey Park Business Recovery Program on Consent Calendar.

Ordinance No. 2226:

AN ORDINANCE EXTENDING THE 2020 MONTEREY PARK BUSINESS RECOVERY PROGRAM'S EFFECTIVE DATE TO MAY 31, 2023

Ordinance No. 2227:

AN URGENCY ORDINANCE EXTENDING THE 2020 MONTEREY PARK BUSINESS RECOVERY PROGRAM'S EFFECTIVE DATE FROM DECEMBER 30, 2022 TO MAY 31, 2023

3-C. RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEREY PARK POLICE OFFICERS' MID-MANAGEMENT ASSOCIATION FOR THE TERM OF JULY 1, 2022 TO JUNE 30, 2023

Representatives of the City of Monterey Park ("City") and MPPOMMA met and conferred to negotiate the terms and conditions of a new Memorandum of Understanding ("MOU") regarding employment. The parties reached an agreement on an MOU effective July 1, 2022 to June 30, 2023.

Action Taken: The City Council adopted Resolution No. 2022-R98 approving a Memorandum of Understanding ("MOU") between the City of Monterey Park and the Monterey Park Police Officers' Mid-Management Association ("MPPOMMA"). The MPPOMMA represents the Police Lieutenants and Police Sergeants in the Monterey Park Police Department; and authorized the budget appropriation of approximately \$198,002 from the General Fund and \$136,000 from the American Rescue Plan Act (ARPA) Funds for the 2022-2023 fiscal year on Consent Calendar.

Resolution No. 2022-R98:

A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2022-2023 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK POLICE OFFICERS' MID-MANAGEMENT ASSOCIATION

3-D. RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEREY POLICE CAPTAINS' ASSOCIATION FOR THE TERM OF JULY 1, 2022 TO JUNE 30, 2023

Representatives of the City of Monterey Park ("City") and MPPCA met and conferred to negotiate the terms and conditions of a new Memorandum of Understanding

("MOU") regarding employment. The parties reached an agreement on an MOU effective July 1, 2022 to June 30, 2023.

Action Taken: The City Council adopted Resolution 2022-R99 approving a Memorandum of Understanding ("MOU") between the City of Monterey Park and the Monterey Park Police Captains' Association ("MPPCA"). The MPPCA represents the Police Captains in the Monterey Park Police Department; and authorized the budget appropriation of approximately \$35,472 from the General Fund and \$16,000 from the American Rescue Plan Act (ARPA) Funds for the 2022-2023 fiscal year on Consent Calendar.

Resolution No. 2022-R99:

A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2022-2023 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK POLICE CAPTAINS' ASSOCIATION

3-E. APPROVING SIDE LETTERS BETWEEN THE CITY AND THE CITY AND THE MONTEREY MID-MANAGEMENT ASSOCIATION, MONTEREY PARK CONFIDENTIAL EMPLOYEES' ASSOCIATION AND SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 721, AUTHORIZING ESSENTIAL WORKER PREMIUM PAY PER THE AMERICAN RESCUE PLAN ACT

Representatives for the City of Monterey Park ("City") and MPMMA, MPCEA, and SEIU met and conferred to negotiate the terms and conditions of a Side Letter regarding the Essential Worker Premium Pay per the ARPA guidelines. The parties reached an agreement on a Side Letter for a one-time lump sum payment.

Action Taken: The City Council authorized the City Manager authority to execute Side Letters between the City of Monterey Park and the Monterey Park Mid-Management Association ("MPMMA"), the Monterey Park Confidential Employees' Association ("MPCEA"), and the Service Employees International Union ("SEIU"), Local 721, in a form approved by the City Attorney; and authorized the budget appropriation of approximately \$690,000 from the American Rescue Plan Act ("ARPA") Funds for the 2022-2023 fiscal year on Consent Calendar.

3-F. EMERSON AVENUE SEWER SYSTEM CIPP LINING AND POINT REPAIR IMPROVEMENTS – AWARD OF CONTRACT

Per Resolution 2022-R32, the Public Works Director solicited bids for Capital Improvement Project No. 99010. The bid opening was held on November 15, 2022. Staff completed review of bids and recommends that the contract be awarded to Sancon Technologies, Inc., the lowest responsible bidder, in the amount of \$155,229.

CEQA (California Environmental Quality Act):

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §

15301 as a Class 1 categorical exemption (Existing Facilities). The project results in minor alterations to existing public facilities involving no significant expansion of the existing use.

Action Taken: The City Council authorized the City Manager to execute a public works contract, in a form approved by the City Attorney, with Sancon Technologies, Inc., in the amount of \$155,229 for the Emerson Avenue Sewer System CIPP Lining & Point Repair Improvements, Specification No. 2022-007; and authorized the Director of Public Works to approve change orders and contingency up to \$23,284 (15%) of the contract amount on Consent Calendar.

3-G. ACTIVE TRANSPORTATION PROGRAM (ATP) CYCLE 4 CITYWIDE PEDESTRIAN SAFETY IMPROVEMENTS – AWARD OF PUBLIC WORKS CONTRACT TO CALIFORNIA PROFESSIONAL ENGINEERING, INC.

Per Resolution No. 2022-R32, the Public Works Director solicited bids for the ATP Cycle 4 Citywide Pedestrian Safety Improvements Project. The deadline for the submittal of bids was November 16, 2022. Three bids were received. Staff completed the review of the bids and recommends that the contract be awarded to California Professional Engineering, Inc. in the amount of \$1,360,870. A 10% contingency of \$136,087 is requested for a total project cost of \$1,701,657. The City received \$1,367,000 from the ATP Cycle 4 grant for this project.

CEQA (California Environmental Quality Act):

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The project results in minor alterations to existing public facilities involving no significant expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

Discussion: Director of Public Works Igoe provided a PowerPoint presentation and answered questions from the Council Members.

Action Taken: The City Council (1) authorized the City Manager to execute a public works contract, in a form approved by the City Attorney, with California Professional Engineering, Inc., in the amount of \$1,360,870 for the ATP Cycle 4 Citywide Pedestrian Safety Improvements Project, Specification No. 2021-004; (2) authorized a Task Order to Transtech Engineers, in an amount not to exceed \$204,700, for Preparation of Bid Documents, Grant and Construction Management/Inspection for the ATP Cycle 4 Citywide Pedestrian Safety Improvements Project; (3) authorized the Director of Public Works to approve change orders and contingency up to \$136,087(10%) of the contract amount, for a total project cost of \$1,701,657; and (4) authorized the Finance Department to appropriate \$223,832 from Measure R funds for this project.

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

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

3-H. CITY HALL EMERGENCY GENERATOR INSTALLATION – AWARD OF PUBLIC WORKS CONTRACT TO PC INC.

Per Resolution No. 2022-R32, the Public Works Director solicited bids for the 2022 Residential Street Rehabilitation project, Capital Improvement Project No. 96036. The public bid opening for the 2022 Residential Street Rehabilitation Project was held on October 27, 2022. Seven bids were received: Onyx Paving, All American Asphalt, Toro Enterprises, Vance Corporation, Sequel Contractors, Inc, Hardy & Harper, and Excel Paving Co. Staff recommends that the City Council authorize the City Manager to execute a Public Works contract with All American Asphalt, the lowest responsible bidder, for the 2022 Residential Street Rehabilitation Project in the amount of \$869,422, plus 10% contingency.

CEQA (California Environmental Quality Act):

The Project was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; “CEQA”) and the CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.). Additional environmental review is not required because the Project is a minor alteration to an existing public facility. Accordingly, it is Categorically Exempt as a Class 1 (Existing Facilities) project (CEQA Guidelines § 15301).

Action Taken: The City Council (1) appropriated \$335,000 from the American Rescue Plan Act Fund for this project; (2) authorized the City Manager to execute a public works contract, in a form approved by the City Attorney, with PC Inc. of Santa Maria, CA in the contract amount of \$268,000 for the City Hall Emergency Generator Installation project; and (3) authorized the Director of Public Works to approve change orders and contingency up to \$40,200, or 15% of the contract amount.

Motion: Moved by Council Member Wong and seconded by Council Member Ngo, motion carried by the following vote:

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

4. PUBLIC HEARING

4-A. CONTINUATION OF THE PUBLIC HEARING FOR CONSIDERATION OF A RESOLUTION OF THE CITY OF MONTEREY PARK CITY COUNCIL CONFIRMING THE 2022 ANNUAL REPORT AND THE LEVY OF ASSESSMENTS FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR THE PROGRAM YEAR 2023

A public notice was published on November 24, 2022, in the Monterey Park Press newspaper to inform the public of a public hearing to consider the 2023 levy of assessment fees for the Business Improvement District (BID) No 1. The Business Improvement District Advisory Committee (BIDAC) is not recommending an increase for the 2023 assessment. The public hearing and adoption of the resolution on the renewal of the assessments under consideration are required under Streets and Highways Code §§36600, *et seq.* The law governing BIDs provides an opportunity for all potential assessees to protest the proposed renewal of or change to the assessments. This item is requested to continue to December 21, 2022.

Action Taken: The City Council continued the public hearing originally scheduled for December 7, 2022 to December 21, 2022.

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

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

5. OLD BUSINESS

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Yiu reported she attended City of Arcadia's swearing in Ceremony and was excited to work closely with the newly elected officials. She wished everyone a Happy Holiday.

Council Member Ngo stated that he is looking forward to working with everyone in making the city better and safer.

Council Member Wong expressed his appreciation towards the community's support and looks forward to working with everyone.

Mayor Pro Tem Sanchez voiced his eagerness to work with Council, staff, and the public. He thanked city staff for all the work they do in the city.

Mayor Lo conveyed his excitement to work with the newly elected officials and thanked the community for being engaged with the city.

7. FUTURE AGENDA ITEMS – None.

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

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:24 p.m.

Maychelle Yee
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
DECEMBER 21, 2022**

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Special Meeting of the Council in Room 266, Second Floor of City Hall located at 320 West Newmark Avenue in the City of Monterey Park on Wednesday, December 21, 2022 at 5:30 p.m.

PUBLIC PARTICIPATION

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

Via Email

Public comment was accepted up to 2 hours before the meeting via email to mpclerk@montereypark.ca.gov and read into the record during public comment, when feasible. We request that written communications be limited to no more than 50 words.

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: 858 3897 6199 then press pound (#). When prompted to enter password, enter 12345 and 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.

Via Internet

Public comment may be submitted via internet during the meeting, before the close of public comment, by visiting www.zoom.us/join and entering Zoom Meeting ID: 858 3897 6199 or <https://us06web.zoom.us/j/2892225995> and enter the passcode 12345. If participants would like to make a public comment, utilize the raise hand feature and the City Clerk will notify you when it is your time to speak. You can then unmute yourself at that time. The Mayor and City Council may change the amount of time allowed for

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

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 Lo called the meeting to order at 5:35 p.m.

ROLL CALL:

City Mayor Lo called the roll:

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

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Karl Berger, Deputy City Clerk Cindy Trang

VIRTUALLY PRESENT: None.

ORAL AND WRITTEN COMMUNICATIONS – None.

1. OPEN SESSION

1-A. RESOLUTION ADOPTING REGULATIONS IMPLEMENTING MONTEREY PARK MUNICIPAL CODE (MPMC) CHAPTER 3.30 REGARDING THE MONTEREY PARK TRANSACTIONS AND USE TAX (MEASURE MP)

On December 7, 2022, the City Council certified the results of the November 8, 2022, municipal election. Among other things, Measure MP was approved by voters and added Chapter 3.30 to the MPMC to impose a transactions and use tax. MPMC Chapter 3.30 references the “State Board of Equalization” as the California agency responsible for collecting and remitting the new tax on the City’s behalf.

The successor in interest to the State Board of Equalization is the California Department of Tax and Fee Administration (CDTFA). The CDTFA requested that the City Council identify this new agency as the one responsible for collecting the City’s taxes under MPMC Chapter 3.30.

Staff recommends adopting the attached draft resolution to allow the City to begin collecting transactions and use tax effective April 1, 2023.

Recommendation: It is recommended that the City Council (1) adopt a Resolution pursuant to Monterey Park Municipal Code § 3.30.160 that recognizes the transition

of tax collection responsibilities from the State Board of Equalization to the California Department of Tax and Fee Administration (CDTFA) and authorizes the City Manager to contract the CDTFA in accordance with MPMC Chapter 3.30, and (2) take such additional, related, action that may be desirable.

Discussion: City Attorney reported an addendum for this item, a revised resolution at the request of the California Department of Tax and Fee Administration. The revised resolution was provided to the City Council and made available to the public.

Action Taken: By consensus, the City Council carried over this item to the December 21, 2022 Regular City Council meeting to be held at 6:30 p.m.

1-B. APPOINT LABOR NEGOTIATORS FOR CONTRACT NEGOTIATIONS WITH EXECUTIVE MANAGEMENT TEAM:

Action Taken: The City Council appointed the City Manager and City Attorney as negotiators for Closed Session Item No. 2A.

Motion: Moved by Council Member Wong and seconded by Council Member Ngo, motion carried by the following vote:

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

2. CLOSED SESSION

The City Council adjourned to Closed Session at 5:39 p.m.

2-A. CONFERENCE WITH LABOR NEGOTIATORS, PURSUANT TO CALIFORNIA GOVERNMENT CODE § 54957.6

City Negotiators: Ron Bow, City Manager and Karl H. Berger, City Attorney

Employee Organizations: Executive Management Team – Assistant City Manager, City Librarian, Director of Community Development, Director of Human Resources and Risk Management, Director of Finance, Director of Public Works, Director of Recreation and Community Services, Fire Chief, and Police Chief

2-B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (ROUTINE) (PURSUANT TO GOVERNMENT CODE § 54957)

Title: City Manager

**2-C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (ROUTINE) (PURSUANT
TO GOVERNMENT CODE § 54957)**

Title: City Attorney

RECONVENE & ADJOURNMENT

The City Council reconvened from Closed Session with all Council Members present.
The meeting was adjourned at 6:29 p.m.

Action Taken: No reportable action taken.

Maychelle Yee
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
DECEMBER 21, 2022**

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, December 21, 2022 at 6:30 p.m.

PUBLIC PARTICIPATION

In accordance with Government Code § 54953(e) and City Council resolution, remote public participation is 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 and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

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 password, enter 12345 and 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 items. 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.

Via Internet

Public comment may be submitted via internet during the meeting, before the close of public comment, by visiting www.zoom.us/j/2892225995 and entering Zoom Meeting ID: 289 222 5995 or <https://us06web.zoom.us/j/2892225995> and enter the passcode 12345. If participants would like to make a public comment, utilize the raise hand feature and the City Clerk will notify you when it is your time to speak. You can then unmute yourself at

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

that 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 Lo called the meeting to order at 6:36 p.m.

FLAG SALUTE:

The Monterey Park Fire Explorers

ROLL CALL:

City Clerk Maychelle Yee called the roll:

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

Council Members Absent: None

ALSO PRESENT: City Attorney Karl Berger, City Manager Ron Bow, City Treasurer Amy Lee, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Acting Police Captain Gustavo Jimenez, City Librarian Diana Garcia, Director of Public Works Shawn Igoe, Director of Recreations and Community Services Robert Aguirre, Director of Finance Martha Garcia, Finance Manager Laura Borjon, Interim Director of Community Development Jessica Serrano, Economic Development Manager Joseph Torres, Senior Planner Beth Chow, Paramedic Andrew Respicio, Deputy City Clerk Cindy Trang

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Mayor Lo announced that Agenda Item No.1A was carried over from the December 21, 2022 Special meeting held at 5:30 p.m.

Item carried over from the December 21, 2022 Special Meeting at 5:30 p.m.

1-A. RESOLUTION ADOPTING REGULATIONS IMPLEMENTING MONTEREY PARK MUNICIPAL CODE (MPMC) CHAPTER 3.30 REGARDING THE MONTEREY PARK TRANSACTIONS AND USE TAX (MEASURE MP)

On December 7, 2022, the City Council certified the results of the November 8, 2022, municipal election. Among other things, Measure MP was approved by voters and added Chapter 3.30 to the MPMC to impose a transactions and use tax. MPMC Chapter 3.30 references the “State Board of Equalization” as the California agency responsible for collecting and remitting the new tax on the City’s behalf.

The successor in interest to the State Board of Equalization is the California Department of Tax and Fee Administration (CDTFA). The CDTFA requested that the City Council identify this new agency as the one responsible for collecting the City's taxes under MPMC Chapter 3.30.

Staff recommends adopting the attached draft resolution to the Staff Report to allow the City to begin collecting transactions and use tax effective April 1, 2023.

Discussion: City Attorney reported an addendum for this item, a revised resolution at the request of the California Department of Tax and Fee Administration. The revised resolution was provided to the City Council and made available to the public.

Action Taken: The City Council adopted the revised Resolution No. 2022-R100 pursuant to Monterey Park Municipal Code § 3.30.160 that recognizes the transition of tax collection responsibilities from the State Board of Equalization to the California Department of Tax and Fee Administration (CDTFA) and authorizes the City Manager to contract the CDTFA in accordance with MPMC Chapter 3.30. The revised resolution amended. Section 1D as follows: "The successor in interest to the State Board of Equalization is the California Department of Tax and Fee Administration (CDTFA). Under Government Code section 15570.24 (a), CDTFA maintains the authority to administer the tax even though BOE is referenced in the Ordinance: "[U]nless the context clearly requires otherwise, whenever any reference to the board appears in any statute, regulation, or contract, or in any other code, with respect to any of the functions transferred to the department pursuant to Section 15570.22, it shall be deemed to refer to the department [CDTFA]." City Council identify CDTFA as the one responsible for administering and collecting the City's taxes under MPMC Chapter 3.30."

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

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

RESOLUTION 2022-R100:

A RESOLUTION ADOPTING REGULATIONS IMPLEMENTING MONTEREY PARK MUNICIPAL CODE (MPMC) CHAPTER 3.30 REGARDING THE MONTEREY PARK TRANSACTIONS AND USE TAX (MEASURE MP)

PUBLIC COMMUNICATIONS

- Sarkis Antonian recommended that the speed sign located at the Marketplace shopping center be reduced to 35 mph. He also suggested there should be flashing signal lights informing people to slow down.

STAFF COMMUNICATIONS

- Fire Department: Fire Paramedic Respicio spoke on the Vial of Life program which provides emergency personnel with vital medical information to assist individuals with medical emergencies. He said the public can contact the Fire Department for more information on the program.
- Police Department: Acting Police Captain Jimenez provided a PowerPoint presentation on the Police Departments use of Electric Cars that is operating in the city.
- Recreation and Community Service Department: Recreation Director Aguirre expressed his gratitude to the Chinatown Service Center for providing Covid tests for the community. He informed the Council Members and public that the playground at Sequoia Park has been removed due to safety concerns, but that they are working on getting a new playground in 2023. He also shared a presentation on the success of the Holiday Snow Village and provided information on upcoming city events.

1. PRESENTATION

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

1-A. OATH OF OFFICE TO THE NEWLY ELECTED CITY CLERK MAYCHELLE YEE

- Kailia Garfield, daughter of Maychelle Yee, administered the oath of office to the newly elected City Clerk Yee.

1-B. INTRODUCTION OF INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT JESSICA SERRANO

- City Manager Bow introduced Jessica Serrano as the newly appointed Interim Director of Community Development. He provided a brief history of her education and work experience.

1-C. GOING GREEN UPDATE

- Interim Director of Community Development Serrano updated the City Council on the climate change initiative and the implementation of a “Green” team. She introduced CivicSparks Fellow Olivia William who will be leading the Going Green program.

1-D. MPK REWARDS UPDATE

- Economic Development Manager Torres shared a presentation on the program overview, achievements, growth metrics and next steps of the MPK Rewards program. .

2. OLD BUSINESS - None.

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

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 Item Nos. 3A, 3E, 3F, 3G, 3H, and 3I on Consent Calendar, excluding Item Nos. 3B, 3C, 3D, 3J, and 3K, which were pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

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

3-A. MINUTES

Approving the minutes from the regular and special meetings of November 16, 2022.

Action Taken: The City Council approved the minutes from the regular and special meetings of November 16, 2022 on Consent Calendar.

3-B. MONTHLY INVESTMENT REPORT – NOVEMBER 2022

As of November 30, 2022, invested funds for the City of Monterey Park is \$77,975,943.52.

Public Speakers:

- City Treasurer Lee reported the breakdown of the invested funds.
- Finance Director Garcia informed the City Council that they will be updating the City Investment Policy and will have an update within the next few months.

Action Taken: The City Council received and filed the monthly investment report for November 2022.

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

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

3-C. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LEGAL RETAINER AGREEMENT WITH BURKE, WILLIAMS & SORENSEN AND TERMINATE A LEGAL RETAINER AGREEMENT WITH HENSLEY LAW GROUP EFFECTIVE ON OR BEFORE JANUARY 1, 2023; REAPPOINT KARL H. BERGER AS CITY ATTORNEY

Mr. Berger informed the City that he is accepting a partnership with Burke, Williams and Sorensen ("Burke") on or before January 1, 2023. By letter dated December 14, 2022, Burke confirmed that it will execute a legal services agreement based upon the same terms, conditions, and rate structure (as of 2022) as the current services agreement. The letter also includes a copy of Burke's firm overview. Making sure Mr. Berger continues as City Attorney is important to the City and his joining Burke will only help him continue to provide outstanding legal services.

Public Speakers:

- Maychelle Yee, resident, recommended the City Council use this opportunity to seek out bids to bring more transparency to this process.

Action Taken: The City Council (1) authorized the City Manager to terminate the legal services agreement with Hensley Law Group to be effective on or before December 31, 2022; (2) authorized the City Manager to execute a legal services agreement with Burke, Williams and Sorensen to be effective on or before January 1, 2023; and (3) confirmed Karl H. Berger as the current City Attorney and reappointed him as City Attorney, effective on or before January 1, 2023.

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

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

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

Completion of the GAP was scheduled to occur by December 31, 2022. Complications resulting from the required redesign of the GAP (see Exhibit B to Resolution No. 2022-R34) postponed the completion date until February 2023. While Resolution No. 2022-R63 anticipated a termination of emergency powers by the end of December 2022, it is now apparent that such emergency powers must be extended until at least March 1, 2023.

Public Speakers:

- Maychelle Yee, expressed concerns about the way fiscal impact and lack of transparency is written on the staff report.

Action Taken: The City Council adopted Resolution No. 2022-R101 confirming and extending a local emergency for the GAP.

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

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

Resolution No. 2022-R101:

A RESOLUTION EXTENDING THE LOCAL EMERGENCY FOR THE GOODVIEWS ABATEMENT PROJECT (“GAP”) PURSUANT TO GOVERNMENT CODE § 8630 AND RATIFYING ALL EMERGENCY ACTIONS UNDERTAKEN BY THE CITY MANAGER AND CITY ATTORNEY JUNE 16, 2021

3-E. DEVELOPMENT IMPACT FEES FOR FISCAL YEAR 2021-2022

In accordance with Section 66006 of California Government Code the City is required to annually report on the status of Development Impact Fees, including the collection of revenue and expenditures of these funds. This report summarizes the required financial information for Fiscal Year 2021-2022.

Action Taken: The City Council received and filed the Annual Report on Development Impact Fees for Fiscal Year 2021-2022 on Consent Calendar.

3-F. AWARD OF CONTRACT TO KNIGHT COMMUNICATIONS FOR INFORMATION TECHNOLOGY SERVICES

Information Technology (IT) Services is a critical function of the City. IT services provides technical expertise that supports the City in the creation, management and

optimization of or access to information and business processes. After completing the Request for Proposal (RFP) evaluation process, staff is recommending Knight Communications for the IT Information Technology Services contract for the City of Monterey Park.

The contract is for a term of five (5) years in an amount not to exceed \$2,484,674. The first-year service is for \$468,000 with a 3% cost of services increase for each additional year.

Action Taken: The City Council authorized the City Manager to execute an agreement with Knight Communications, in a form approved by the City Attorney for Information Technology Network/Servers and IT Projects for a five-year contract and amount not to exceed \$2,484,674; and authorized a budget appropriation of \$110,500 from the Technology fund on Consent Calendar.

3-G. SECOND AMENDMENT TO CONTRACT #2274-AD, CANON SOLUTIONS AMERICA

This second Amendment will consolidate existing Canon Agreements (1923 A-1, 2274 AD and 2274 First Amendment) established to replace outdated copy machines in the following departments: Library, Police Department, and Human Resources.

The second Amendment will also expand the Scope of Work by replacing outdated copy machines for the following areas: City Clerk's Office, City Manager's Office, Finance Department, Fire Department, Recreation and Community Services Department Planning Division, Police Records and Detective offices and Public Works Department.

Additionally, the second Amendment to Agreement 2274 AD, will merge all Lease and Maintenance costs (existing and new) into one Canon Solutions compensation plan, with individual department costs breakdown included in invoices.

Consolidating all Canon Lease and Maintenance Agreements and Compensation Plan into one, will streamline the contract process for all departments by preventing the duplication of work and will have a total Citywide cost increase of \$468 per month

Action Taken: The City Council authorized the City Manager to execute second Amendment with Canon Solutions America, in a form approved by the City Attorney for Canon lease and maintenance from December 21, 2022, to November 30, 2023, for a cost of \$108,205 annually on Consent Calendar.

3-H. REPORT SUBMITTED TO THE CITY COUNCIL PURSUANT TO GOVERNMENT CODE § 8630 REGARDING THE CITY'S EMPLOYMENT EMERGENCE (PER RESOLUTION Nos. 2022-R49 AND 2022-R67); CONTINUANCE OF SUCH EMERGENCY

As of December 12, 2022, the City is in the recruitment process for Water Utility Manager, Water Production System Supervisor, Senior Water Production System Operator, Communications Dispatcher, Code Enforcement Officers, Recreation Manager, and Public Works Inspector. Since the last report from October 2022, the City filled two Water Utility Maintenance Workers, three Firefighters, Fire Marshal, Maintenance Worker, Administrative Secretary (promotional), Library Assistant, and various part-time vacancies for Police Cadet and Recreation Leader.

The City is recruiting for 39 vacant full-time positions. Staff recommends extending the employment emergency order due to the critical vacancies in the Water Treatment division and Police Communication Dispatch division.

Action Taken: The City Council received and filed the report; and extended the Employment Emergency on Consent Calendar.

3-I. RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER PURSUANT TO GOVERNMENT CODE § 21173 TO PERFORM ALL TASKS REGARDING DISABILITY RETIREMENT OF SAFETY EMPLOYEES OF THE CITY

Resolution No. 8363, adopted January 28, 1980, delegates authority to the City Manager for determining and approving disability retirements for Safety Employees. Changes in California law since that date make it desirable to update that authority. The draft Resolution, if adopted, would accomplish that task.

Action Taken: The City Council adopted Resolution No. 2022-R102 pursuant to Government Code § 21173 to delegate authority to the City Manager regarding disability retirements on Consent Calendar.

Resolution No. 2022-R102:

A RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE DETERMINATIONS REGARDING DISABILITY RETIREMENT OF SAFETY EMPLOYEES IN ACCORDANCE WITH GOVERNMENT CODE § 21173

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

In August 2022, the City Council declared an emergency and authorized the City Manager to by-pass general bidding requirements under the Public Contract Code (PCC) for emergency replacement of approximately 4400 linear feet of water main line on Monterey Pass Road, between Vagabond Drive and Brightwood Street.

Action Taken: The City Council received and filed the staff report summarizing the status of emergency repairs of the Monterey Pass Road water line.

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

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

3-K. SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN FOR POTRERO GRANDE INTERSECTIONS SIGNAL IMPROVEMENTS

The City's Capital Improvement Plan (CIP) for fiscal year 2022-23 includes Project No.96012, Potrero Grande Intersection Improvements. The project consists of the construction of landscaped median islands and traffic signal improvements at two intersections along Potrero Grande Drive. Staff requests City Council approval to execute a Second Amendment to Agreement 2304-AA with Kimley-Horn, in an amount not to exceed \$149,400, to prepare traffic signal and civil improvement plans for the Potrero Grande Intersection Improvements project.

Action Taken: The City Council authorized the City Manager to execute a Second Amendment to Professional Professional Services Agreement, in a form approved by the City Attorney, with Kimley-Horn, in an amount not to exceed \$149,400, for Engineering Services for the Potrero Grande Intersections Signal Improvements

Motion: Moved by Council Member Wong and seconded by Council Member Ngo motion carried by the following vote:

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

4. PUBLIC HEARING

4-A. PUBLIC HEARING TO APPROVE THE 2022 ANNUAL REPORT AND THE LEVY OF ASSESSMENTS FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2023.

On December 7, 2022, the City Council set a continuance date of December 21, 2022, or a public hearing regarding the assessment of businesses within Business

Improvement District No. 1 (BID). BID assessment revenues will fund beautification, promotional activities, and special events to benefit the downtown BID businesses.

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

Discussion: Economic Development Manager Torres presented a PowerPoint presentation on the bids efforts and what it will entail.

Action Taken: The City Council opened the public hearing at 8:38 p.m. to receive testimonial and documentary evidence; and closed the public hearing at 8:39 p.m. with no registered speakers; adopted Resolution No. 2022-R103 as amended to reflect 2023 instead of 2013 in Section 1E, and \$31,574 instead of \$51,188 in Section 2, and confirmed the 2022 Annual Report and the levy of assessments for Business Improvement District No. 1 for program year 2023.

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

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

Resolution No. 2022-R103:

A RESOLUTION LEVYING ASSESSMENTS FOR BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2023 IN ACCORDANCE WITH GOVERNMENT CODE § 21173

5. **NEW BUSINESS** – None.

6. **CITY COMMUNICATIONS (CITY COUNCIL)**

Council Member Yiu reported she attended the Holiday Snow Village at George Elder Park and many “swearing in” ceremonies from surrounding cities; such as, Arcadia, Montebello, San Gabriel, Alhambra, Mountain View School District, and Assessor Jeff Prang. She congratulated all the newly elected officials and wished everyone Happy Holidays.

Council Member Ngo said he also attended the “swearing in” ceremonies, and the Women’s Group Christmas meeting. He also wished everyone a safe and warm holiday.

Council Member Wong wished Council Member Ngo happy birthday. He suggested the city to revamp the current design on the certificates and proclamations. He also asked about the history of the San Gabriel Regional Housing Trust and why we didn't join as a city and would love to bring it up as a future agenda item. He also expressed his appreciation for the efforts of the employees and wished everyone a Happy Holidays.

Mayor Pro Tem Sanchez would like to send his gratitude to the Parks and Recreation Department, and Library for all the programs that are provided to the community. He wished Council Member Ngo happy birthday, and congratulated Maychelle on being sworn in. He wished everyone Happy Christmas and Happy New Year.

Mayor Lo acknowledged that Monterey Park played host for the swearing in ceremony for Assessor Jeff Prang and wanted to thank Assessor Prang for choosing Monterey Park to hold the event. He enclosed the council meeting in memory of a devoted resident, and former Mayor Louise Davis that passed away at age of 90; and shared her biography.

7. FUTURE AGENDA ITEMS – None.

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

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 8:58 p.m. in memory of Louise Davis, former Mayor, Council Member, and City Treasurer.

Maychelle Yee
City Clerk



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3B

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

RECOMMENDATION:

It is recommended that the City Council consider:

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

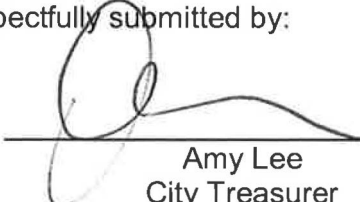
EXECUTIVE SUMMARY:

As of January 31, 2023 invested funds for the City of Monterey Park is \$76,524,523.89

BACKGROUND:

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

Respectfully submitted by:



Amy Lee
City Treasurer

Prepared by:



Martha Garcia
Finance Director

Approved by:



Ron Bow
City Manager

ATTACHMENT 1

Monthly Investment Report

**CITY OF MONTEREY PARK
INVESTMENT REPORT
JANUARY 31, 2023**

INVESTMENTS PORTFOLIO PROFILE:

TOTAL BALANCE AT 01/31/2023

\$ 76,524,523.89

INVESTMENT COMPOSITION

(1) <u>LA COUNTY POOLED INVESTMENT FUND</u> (See Schedule A for LA County Pool Composition)	ON DEMAND	3.150%	<u>\$ 43,196,015.87</u>
(2) <u>LOCAL AGENCY INVESTMENT FUND</u>	ON DEMAND	2.425%	<u>\$ 26,218,508.02</u>

(3) <u>CERTIFICATES OF DEPOSIT</u>	Purchase Date	Maturity Date	Interest Rate	
1 PREFERRED BANK	09/03/22	09/03/23	2.51%	100,000
2 PREFERRED BANK	09/08/22	09/08/23	2.67%	150,000
3 SALLIE MAE BANK	08/11/21	08/12/24	0.70%	245,000
4 GOLDMAN SACHS BANK	08/11/21	08/12/24	0.60%	245,000
5 TOYOTA FINANCIAL SAVINGS BANK	09/16/21	09/16/24	0.65%	245,000
6 BMW BANK NORTH AMERICA	09/17/21	09/17/24	0.65%	245,000
7 SYNCHRONY BANK	09/17/21	09/17/24	0.65%	245,000
8 UBS BANK USA	09/22/21	09/23/24	0.65%	245,000
9 STATE BANK OF INDIA	10/18/21	10/18/24	0.70%	245,000
10 MEDALLION BANK UTAH	01/28/22	01/28/25	1.25%	245,000
11 PENTAGON FEDERAL UNION	01/31/22	01/31/25	1.25%	245,000
12 BEAL BANK	02/02/22	01/29/25	1.15%	245,000
13 CAPITAL ONE BANK USA	03/16/22	03/17/25	1.80%	245,000
14 VALLIANCE BANK	03/18/22	03/18/25	1.40%	245,000
15 STATE BANK OF TEXAS	03/25/22	03/25/25	1.45%	245,000
16 FIRST FED SAVINGS & LOAN	03/30/22	03/31/25	2.00%	245,000
17 LAFAYETTE FEDERAL CREDIT UNION	03/30/22	03/31/25	2.20%	245,000
18 ALLY BANK	03/31/22	03/28/24	1.95%	245,000
19 COMENITY CAPITAL BANK	04/14/22	04/14/25	2.55%	245,000
20 AMERICU CREDIT UNION	04/21/22	04/21/25	2.30%	245,000
21 BALBOA THRIFT & LOAN	04/29/22	04/29/25	2.00%	245,000
22 CONNEXUS CREDIT UNION	05/26/22	05/28/24	2.65%	245,000
23 METRO CREDIT UNION	07/13/22	07/12/24	3.20%	245,000
24 FIRST TECHNOLOGY CREDIT UNION	08/05/22	08/05/24	3.25%	245,000
25 AUSTIN TELCO FEDERAL CREDIT UNION	12/16/22	12/16/24	5.00%	245,000
26 GREENWOOD MUNICIPAL FED CREDIT UNIC	01/27/23	01/27/25	4.80%	245,000
27 RAIZ CREDIT UNION	01/27/23	01/27/25	4.75%	245,000
28 WORKERS	01/27/23	01/27/25	4.70%	245,000
29 MANUF & TRADERS TRUST CO	01/31/23	01/31/26	4.25%	245,000
30 ALPINE BANK	01/31/23	01/31/25	4.55%	245,000

Total CDs (30) 2.274% **\$ 7,110,000.00**

OTHER INFORMATION:

BANK BALANCE: ⁽¹⁾ \$ 21,596,216.60

AVERAGE MATURITY DAYS 58

AVERAGE INTEREST RATE FOR THE MONTH 2.819%

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

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

THERE HAVE BEEN NO VARIANCES TO THE INVESTMENT POLICY.

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

**POOLED SURPLUS AND SPECIFIC PURPOSE INVESTMENTS
AS OF DECEMBER 31, 2022**

SCHEDULE A

<u>PORTFOLIO PROFILE</u>	<u>Pooled Surplus Investments</u>	<u>Specific Purpose Investments</u>
Inventory Balance at 12/31/22		
At Cost	\$ 53,243,534,348	\$ 305,713,302
At Market	\$ 50,512,279,305	\$ 281,853,624
Repurchase Agreements	\$ -	\$ -
Reverse Repurchase Agreements	\$ -	\$ -
Composition by Security Type:		
Certificates of Deposit	3.38%	0.00%
United States Government and Agency Obligations	71.89%	85.85%
Bankers Acceptances	0.00%	0.00%
Commercial Paper	24.65%	0.00%
Municipal Obligations	0.06%	0.81%
Corporate and Deposit Notes	0.02%	0.00%
Repurchase Agreements	0.00%	0.00%
Asset-Backed	0.00%	0.00%
Other	0.00%	13.34%
1-60 days	33.28%	13.34%
61 days-1 year	30.16%	1.68%
Over 1 year	36.56%	84.98%
Weighted Average Days to Maturity	790	



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3C

TO: The Honorable Mayor and City Council
FROM: Diana Garcia, City Librarian
SUBJECT: Five-Year Bruggemeyer Library Strategic Plan

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receiving and filing the Bruggemeyer Library's 5 Year Strategic Planning Document; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Bruggemeyer Library is presenting a five-year strategic planning document which contains a mission, vision, values, roles and goals, and strategic imperatives for the Library. This plan was adopted by the Library Board of Trustees at their January 2023 meeting.

BACKGROUND:

The creation of this plan was inclusive and collaborative. From June 2022 through January 2023, Monterey Park residents and Monterey Park Bruggemeyer Library staff worked together to help ensure that the strategic plan reflected the vision of the community.

From the outset of this effort, public input was a priority. Staff invited comments on the future of library services through in-person idea boards within the Library. A multilingual website was created to inform the public about the strategic planning process and to provide a means for community members to post online feedback, comments, questions, and ideas. Staff also crafted a comprehensive survey on library programs, services, collections, and space to gauge satisfaction and learn about what was important to residents. Staff members also held eleven outreach events where they discussed the planning process and invited feedback from residents. Marketing and survey materials were available in four languages at multiple locations to reach out to the widest possible audience and elicit diverse thoughts.

Additionally, our consultants interviewed numerous community stakeholder organizations, groups, and individuals to hear viewpoints that may have otherwise not had the opportunity to provide input.

Our consultants also interviewed members of City leadership, the Library Board of Trustees, the Friends of the Library, the Library Foundation, and City Council members who serve and represent the community.

A core component of this process was the Community Task Force, which consisted of members of our community who each reflected a unique perspective on the needs and desires of Monterey Park residents. Bringing together a cross-section of community perspectives, members of this Task Force participated in three work sessions that helped distill findings from the myriad of meetings, forums, key informant interviews, and input from individuals, as well as input from individuals and Library staff. From this analysis, the Community Task Force helped identify community needs, vision, prospective roles of the Library and potential action items for this plan.

The result of all these efforts is a comprehensive, inclusive, and complete Strategic Plan that captures the community's vision for Library services and staff's plans for achieving that vision over the next five years.

The purpose of a public library has always been to strengthen the community and transform lives using currently available technologies and resources—whether those are books, multimedia, classes, or programs either digital or analog—so that all people can fully participate in our community. With this plan, the Library is well poised to continue to anticipate and respond to the changing needs and expectations of our community and to use this momentum to create impactful change in Monterey Park.

FISCAL IMPACT:

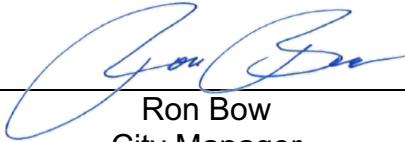
There is no immediate fiscal impact to adopting this plan. Any additional funding to carry out the strategic imperatives of the plan will be requested through the annual budget planning process.

Respectfully submitted by:



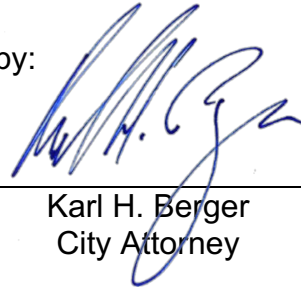
Diana Garcia
City Librarian

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT(S):

1. Draft Bruggemeyer Library Strategic Plan

ATTACHMENT 1

Draft Library Five-Year Strategic Plan



MONTEREY PARK BRUGGEMEYER LIBRARY

BUILDING COMMUNITY





CONTENTS

- 3 Letter from the City Librarian
- 4 Strategic Planning Process
- 5 Library Profile
- 7 Community Profile
- 9 Vision
- 9 Mission
- 10 Values
- 11 Roles
- 12 Strategic Imperatives
- 14 Goals
- 15 Acknowledgements

LETTER FROM THE CITY LIBRARIAN

This strategic plan before you is the first of its kind for the Monterey Park Bruggemeyer Library—a comprehensive plan for the future of library services which is the result of a broad and inclusive process of engagement with the individuals and groups that we serve.

The best strategic plans are those made with the community members we serve, not just for them. This is why the first task in creating this plan was to reach out to our stakeholders to learn about their aspirations for themselves, their families, and their community, and to determine how the Monterey Park Bruggemeyer Library can help make that vision a reality. Our process in creating this strategic plan solicited feedback in numerous ways and from various groups: from interviews with individuals and organizations in our city, feedback from elected officials and leaders, a community survey, an online website and idea wall, conversations with residents at outreach events, and meetings with our Community Taskforce.

Creating our strategic plan at this particular moment also builds on the change that we've experienced over the past two and a half years due to the Covid pandemic. Since March 2020, the Bruggemeyer Library demonstrated change-readiness by swiftly providing innovative services in response to Covid: introducing contactless checkout; partnering with our own Recreation and Community Services Department to provide Home Delivery to residents and to conduct telephone wellness checks during shelter-in-place orders; pivoting to virtual and then outdoor programming; offering storytimes, library card sign-up, printing, passport services, and checking out books at our outdoor Pop-Up Library; and loaning Wi-Fi hotspots and laptops for residents so that residents were able to work and study remotely.



Our Library has certainly undergone massive change in the past few years; however, despite the immense change locally and globally over the past years the Monterey Park Bruggemeyer Library remains an enduring institution in our community. The purpose of a public library has always been to strengthen the community and transform lives using currently available technologies and resources—whether those are books, multimedia, classes, or programs either digital or analog—so that all people can fully participate in our society. With this plan, the Library is well poised to continue to anticipate and respond to the changing needs and expectations of our community and to use this momentum to create impactful change in Monterey Park.

Diana Garcia

Monterey Park City Librarian

STRATEGIC PLANNING PROCESS

■ The creation of this plan was inclusive and collaborative. From June 2022–December 2022, Monterey Park residents and Monterey Park Bruggemeyer Library staff worked together to help ensure that the strategic plan reflected the vision of the community.

From the outset of this effort, public input was a priority. Staff invited comments on the future of library services through in-person idea boards within the Library. A multilingual website was created to inform the public about the strategic planning process and to provide a means for community members to post online feedback, comments, questions, and ideas. Staff also crafted a comprehensive survey on library programs, services, collections, and space to gauge satisfaction and learn about what was important to our residents. Staff members also held many outreach events where we discussed the planning process and invited feedback from residents. We provided marketing and survey materials in multiple languages at multiple locations to reach out to the widest possible audience and elicit diverse thoughts.

We interviewed numerous community stakeholder organizations, groups, and individuals to listen to voices that may have otherwise not had the opportunity to provide input. You can see some of their quotes about the library in the blue boxes throughout this document. We also met with citywide leadership staff, the Library Board of Trustees, the Friends of the Library, the Library Foundation, and City Council members who serve and represent the community.

A core component of this process was the Community Task Force, which consisted of members of our community who each reflected a unique perspective on the needs and desires of our residents. Bringing together a cross-section of community perspectives, members of this Task Force participated in three work sessions that helped distill findings from the myriad of meetings, forums, key informant interviews, and input from individuals, as well as input from individuals and Library staff. From this analysis, the Community Task Force helped identify community needs, vision, prospective roles of the Library and potential action items for this plan.

Also central to the planning process was the Library Planning Team, a group of Library staff led by City Librarian Diana Garcia, which spent hours providing feedback, reviewing findings, and shaping community input into actionable strategies which could then be organized and prioritized into a cohesive document.

The result of all of these efforts is a comprehensive, inclusive, and complete Strategic Plan that captures the community's vision for Library services and staff's plans for achieving that vision over the next five years.



LIBRARY PROFILE

■ The Monterey Park Bruggemeyer Library has been the center of the community in Monterey Park for nearly a century. It was first founded in 1929 when the Monterey Park City Council established the Bruggemeyer Memorial Library to provide public library service for the people of Monterey Park.

On March 28, 1929 the first Library building—a gift from Judge Mancha Bruggemeyer in memory of his first wife Roberta Pauline Bruggemeyer—opened its doors at 256 West Garvey Avenue. It served the community for 30 years until the quickly growing population and changing needs of Monterey Park made it clear that an expansion was needed.

In 1960, the City of Monterey Park built a new, more modern building located at the current address on Ramona Avenue. This building served the community for nearly 50 years until the community again outgrew the space, and it was expanded and reopened in 2006.

The current Monterey Park Bruggemeyer Library is now a large and modern 52,000 square foot facility with a collection of over 100,000 physical items and 72,000 digital items. There are classrooms, a computer lab, a used bookstore, meeting spaces, and programming areas; over 60 public computers; a large children's department, a teen area, and a separate Literacy, Citizenship, and English as a Second Language division.

“The Library was here for me before I moved away from Monterey Park, and it was here for me when I returned. Its presence gives me such a feeling of abundance.”

2022 LIBRARY STATISTICS



42,454

Cardholders



85,581

Library Visits



130,741

Total Checkouts



311,387

Service Transactions



103,146

Physical Holdings



73,294

Digital Holdings



891

Programs and Classes

26,081

Attendees at Programs and Classes

“The Library has been and remains a trusted source of information throughout my life. It has never been more important in this way than today.”

LIBRARY PROFILE

The Library is a bustling and active building. Between 500–1,200 people come through our doors every day. Professional staff with specialized education and training provide services to residents of all ages and backgrounds in at least five different community languages. Over 40,000 people currently have active library cards. Despite limited hours and closures to help ensure public health and safety, there were over 311,000 public service transactions in 2022 alone, including visits to the library; books, e-books, and media checked out; public computer sessions; digital trainings; attendance at programs for children and families, teens, and adults; passport appointments; attendance at English as a Second Language and citizenship classes; and assistance with finding information that helps people in their daily lives.



This year our users saved over \$1 million by checking out materials from the Library rather than purchasing them. And as impressive as this number is, it does not include the value added to the community through attendance at library programs and classes, including English and citizenship classes, small business workshops, college prep courses, and health seminars, or through our workforce development resources.

The Library is also lucky to have two volunteer-run, non-profit organizations that support programming and services for residents: the Friends of the Library and the Library Foundation. Both groups have operated for years, raising money for furniture, technology, books, and public programs.

“I hope that people will fall in love with the Library of the 21st century as I did and my children and their children did. I want there to be the continuity of opportunity for future generations.”



“The Library serves as a cultural and educational hub for all segments of our community, regardless of income, cultural background, or age.”

COMMUNITY PROFILE

■ Incorporated in 1916, Monterey Park is a vibrant and culturally diverse community of just over 60,000 residents located in the West San Gabriel Valley in Los Angeles County a few miles east of downtown Los Angeles. Sixty-six percent of the population identifies as Asian, and 27% identifies as Hispanic or Latino. A large majority of the population, nearly 74%, speaks a language other than English at home. These measures are far higher than both the nationwide and the statewide numbers, and this diversity makes Monterey Park a unique and special community.

Twenty-three percent of the population in Monterey Park is under the age of 18, and education and achievement are important values of our residents. The City of Monterey Park does not have its own school district, but four different school districts currently operate schools within its boundaries including the Alhambra Unified School District, Garvey School District, Montebello Unified School District and the Los Angeles Unified School District. These are in addition to multiple private schools in the city.

Although Monterey Park has a large population of families with young children, it is also an aging population—22% of the population is over the age of 65. The City's Langley Senior Center is a bustling hub of activity, with activities including karaoke, ping pong tournaments, weekly lunches, and a busy gym.

“I don’t go to any other libraries because this one already has everything I need.”



COMMUNITY PROFILE

Residents of Monterey Park have a keen sense of community history and civic pride, which is reflected in a variety of cultural resources and civic groups, including a historical museum, City commissions dedicated to community involvement, and numerous volunteer civic organizations. Additionally, each year Monterey Park holds a variety of recreational activities and festivals that highlight the community's rich cultures. These include the Cherry Blossom Festival, celebrating Japanese and Japanese-American culture; the Lunar New Year Festival, a large street fair with vendors, entertainment and community organizations; and the Cinco de Mayo Festival, featuring Mariachi music, traditional food, and folklórico dancing.

Although the current median home listing price in Monterey Park is \$868,000, the median income in Monterey Park is \$68,497 (19% lower than the statewide median income of \$84,097), and 12% of the population lives in poverty. Monterey Park has historically been a place where working class families could gain a foothold, but rising housing costs make it difficult for younger, less affluent residents to live in the City.

“There is so much to appreciate from the availability of resources, to the programs, and the helpful staff... It was a refuge during my childhood when I would get lost in so many books, and I always recommend the Library as a great resource.”



Despite these statistics, Monterey Park is currently experiencing an economic renaissance with new businesses, hotels, and mixed-use developments springing up across the city. This development is essential to support the City's services to residents, including police, fire, and emergency medical protection; library services; water, sewer and refuse collections roads and public infrastructure improvements; and culture and leisure programming.

VISION

The Library is an essential community resource that is recognized and valued by everyone in a vibrant, thriving Monterey Park.



MISSION

The mission of the Monterey Park Bruggemeyer Library is to create opportunities for learners of all ages and backgrounds, to foster community connections, and to advance all aspects of literacy in Monterey Park.

LIBRARY VALUES

Library values are the principles that guide all of our practices and operations. They describe how we approach all aspects of service to the community.



WELCOMING

We provide warm, personal, and exceptional service in every interaction.

.....



INCLUSIVE

We remove barriers to access for all residents and work to represent and reflect the diverse community which we serve.

.....



INNOVATIVE

We lead boldly and creatively and adapt to the changing needs and expectations of our residents.

.....



PATRON CENTERED

Our programs, collections, and services are driven by the unique needs and aspirations of our community.

.....



COMMUNITY DRIVEN

We work in collaboration with other organizations that serve our community to provide resources to enrich the lives of our residents.

ROLES OF THE LIBRARY

Roles of the Library describe the primary areas of focus for the Library’s services. During the life of this strategic plan, the Library will prioritize services that fit into these roles.



COMMUNITY BUILDER

The Library acts as a catalyst to build a community for all of Monterey Park’s diverse backgrounds and cultures. Its collections and programs reflect the cultures, interests, and languages of all its residents. It is a trusted resource where people come to learn about the City.

.....



LITERACY CHAMPION

The Library advances all aspects of literacy, including digital, language, life skills, and early childhood development. Its wide variety of operations are dedicated to enriching the lives of those who use its services to learn.

.....



COMMUNITY LEARNING CONNECTOR

The Library is the central location for creating connections for learners of all ages and backgrounds and is a willing partner for other community agencies. It is the hub for the community. Its programs, collections, amenities, and staff serve the diverse range of interests and needs of all Monterey Park residents.

STRATEGIC IMPERATIVES

Strategic imperatives are the recommended actions that will help the Library attain its goals, mission, and ultimately, its vision.



ACCESS

Making it easier and more convenient for every resident to use the Library

Facilities

- Add hours
- Extend Library services to hard to reach or underserved residents
- Market Library meeting rooms and space to community organizations
- Improve the functionality, aesthetics, comfort, and appeal of the library

Technology

- Make the library's virtual presence appealing and easy to use
- Bridge the digital divide by expanding residents' access to technology tools

Collections

- Diversify, expand, and promote the library's collection

Staffing

- Provide technology training and classes
- Build and develop the volunteer corps
- Increase and target library outreach
- Launch a multi-year new user campaign
- Promote the library and its resources to hard-to-reach or underserved residents



STRATEGIC IMPERATIVES



RELEVANCE

Residents find the library has resources that improve life for them and their families.

Facilities

- Realign library space with contemporary needs

Technology

- Make technology more accessible to the underserved
- Bridge the digital divide by expanding residents' access to technology tools

Collections

- Diversify, expand, and promote the library's collection

Staffing

- Brand and promote the library
- Match life-skills and other learning opportunities with the current and evolving needs of residents
- Continue to provide programs and services to support the mental health and wellness of community members in the wake of the shooting tragedy in Monterey Park



ENGAGEMENT

Residents feel included and more a part of the community

Facilities

- Extend Library services to hard-to-reach or underserved residents
- Promote the physical presence of the Library in the community
- Improve the functionality, aesthetics, comfort, and appeal of the library

Technology

- Make technology tools easily available and usable
- Build newsletter subscriber base

Collections

- Diversify, expand, and promote the Library's collection

Staffing

- Increase and target outreach with community partners
- Brand and promote the library
- Conduct ongoing needs assessment
- Expand innovative programming to meet community needs

GOALS OF THE LIBRARY

These high-level goals are what we want to accomplish in our community, for our community members, with this strategic plan.



Community members gather, learn, and thrive by utilizing the resources, programs, and services at the Library.

.....



Community members connect with information, ideas, and each other at the Library.

.....



Community members experience inclusive and welcoming Library programs and services.

.....



Residents throughout Monterey Park have convenient access to Library resources.

ACKNOWLEDGEMENTS

■ This strategic plan is the product of the combined efforts of our City's residents, elected officials, employees, and stakeholders. The Monterey Park Bruggemeyer Library would like to thank those who participated in the months-long process of providing knowledge, insights, and information in service to the community and our Library.

Community Taskforce

Gina Chelstrom
Siu Fong Ying
Dr. Sandra Gonzalez
Marrissa Kwok
Daisy Liu
Imelda Ortiz
Jesus Ortiz
Jaime Rodriguez
Rose Scobie
Tammy Scorgia
Jennifer Tang
Sandra Trani
Kelly Wu
Elizabeth Yang

Library Planning Team

Victor Castellanos
Lauren Frazier
Gwen Kishida
Lina Nguyen
Kristin Olivarez
Yazmine Rodriguez
Deborah Takahashi

Library Board of Trustees

Jennifer Tang, President
Lisa Duong
Travis Kaya
Larry Sullivan
Andrew Yam

Friends of the Library

Nancy Ishino-Gilmore, President
Lorraine Esparza
Ellen Johannsen
Lilian Kawaratani
Rosalie Toltzman

Library Foundation

Bob Gin, President
Jason Dhing
Alicia Martinez
Kristen Phung
Josephine Quach
Dolores Rillos
Carol Sullivan

BerryDunn Consulting Team

James Clanton
Ruth Metz
Adrian Newman



MONTEREY PARK BRUGGEMEYER LIBRARY

BUILDING COMMUNITY



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3D

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
SUBJECT: Continue to extend the existence of an employment emergency for the City of Monterey Park

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receiving and filing this report;
2. Authorize the City Manager to execute Task Order No. 3 with Operational Technical Services to augment Water Division staff needs, not to exceed \$285,000;
3. Continuing to extend the existence of an employment emergency for the City of Monterey Park and authorizing the City Manager to take all practical actions needed to implement the efficient recruitment and retention of persons for employment; and
4. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

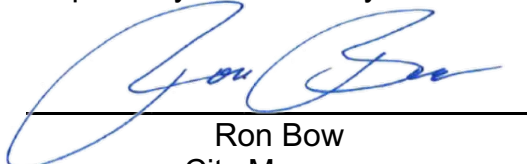
City Council adopted Resolution No. 2022-R49 at the City Council meeting on June 15, 2022, declaring an employment emergency and authorized the City Manager to take all practical actions needed to implement the efficient recruitment and retention of persons for employment.

Since the employment emergency was declared, the City has been able to fill 37 key vacancies. An ongoing challenge, however, is recruiting qualified candidates to fill vital vacancies within the Water Division. The City's treatment system for potable water requires higher level State approved certifications. These certifications are difficult to obtain and therefore results in a reduced pool of qualified applicants. The City is recruiting for Water Utility Manager, Water Production System Supervisor, Senior Water Production System Operator, and Engineering Assistant. While the City continues to expand its recruitment efforts for these positions, the staffing needs must be met. Operational Technical Services is providing the needed expertise to the City; the proposed Task Order No. 3 will extend its services until the City can fill its vacancies. These are positions that are directly responding to the public and/or essential to the smooth operation of municipal services including, providing potable drinking water.

Relatedly, the City continues to recruit for a Communications Dispatcher, Public Works Inspector, and Police Captain. Since December 2022, the City appointed a Police Captain, Communications Dispatcher, two Police Recruits, and Planning Technician.

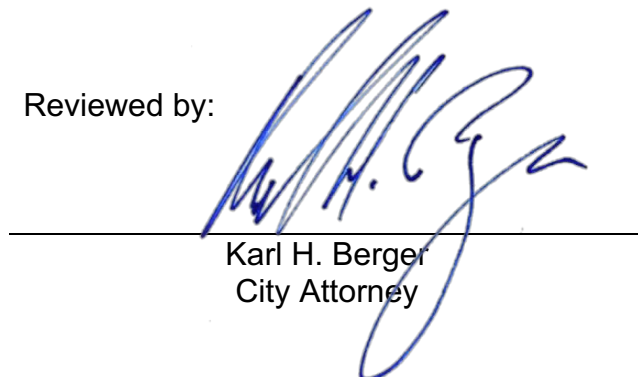
It is recommended that the City Council continue to extend the employment emergency as to personnel recruitment. This will continue to allow the City Manager to (1) accelerate the testing and interview process for new employees (all candidates would continue to undergo the City's background process); (2) after conferring with affected bargaining units, consider changing the titles of employment positions to discard outmoded descriptions and update such titles to contemporary titles; and (3) immediately commence the review, revision, and negotiation with bargaining units regarding desirable changes to the City's personnel rules. Among other things, the City Manager would be able to temporarily appoint qualified persons to positions in accordance with Monterey Park Municipal Code § 2.28.100 and contract for the services listed in MPMC § 2.28.190.

Respectfully submitted by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Resolution 2022-R49

ATTACHMENT 1

Resolution 2022-R49

RESOLUTION NO. 2022-R49

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK DECLARING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO LACK OF EMPLOYEES AND AUTHORIZING THE CITY MANAGER TO TAKE ALL REASONABLE ACTIONS TO ACCELERATE RECRUITMENT AND RETENTION OF PUBLIC EMPLOYEES.

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

SECTION 1: The City Council finds as follows:

- A. Since the City Council officially terminated the COVID-19 local emergency in April, the City took ambitious actions to restore pre-pandemic levels of municipal services;
- B. In reviewing personnel data from just the last six months, however, it is apparent that the City is seriously short-staffed.
- C. The City of Monterey Park has 325 full time staff positions of which nearly 70 are currently vacant. Of these positions, multiple are critical to protecting public health and safety including, without limitation, Water Production Supervisor; Senior Water Production System Operator; Water Utility Maintenance Worker; Director of Public Works; Facilities Maintenance Supervisor; Finance Manager; Firefighter; Police Officer; Senior Accountant; and Lifeguard;
- D. These are positions that directly respond to the public and/or essential to the smooth operation of municipal services including, for example, providing potable drinking water, and ensuring public safety;
- E. The City Council notes that multiple sources of publicly available information (see, e.g., “Quantifying the Nation’s Workforce Crisis – State of American Business 2022 Update” [January 10, 2022] published by the United States Chamber of Commerce [www.uschamber.com/workforce/quantifying-the-nations-workforce-crisis-2022-state-of-american-business-update] and “COVID-19 ends longest employment recovery and expansion in CES history, causing unprecedented job losses in 2020” June 2021 by the United States Bureau of Labor Statistics [www.bls.gov/opub/mlr/2021/article/covid-19-ends-longest-employment-expansion-in-ces-history.htm]) demonstrate that the challenges for recruiting qualified employees is nationwide;
- F. Because of the City’s personnel rules and policies, however, a typical time period for securing an outstanding candidate for an open employee position is taking four to six months of processing. This includes the initial recruitment; testing; interviewing; and background check;

G. In multiple instances, the City has lost interested candidates to the private sector or other public entities simply because the person did not want to continue waiting to be appointed;

H. Being able to accelerate the testing and interviewing will help make the City more attractive to individuals seeking public service. Additional work is needed regarding the titles of positions; compensation; and various fringe benefits. Moreover, a significant overhaul of the City's personnel rules is crucial to becoming more efficient in the future;

I. In the interim, however, it is in the public interest to cut through the proverbial "red tape" in order to fill positions that are critical to providing municipal services to the public. Under these circumstances, it is apparent that there is an imminent threat to public health and safety that may result from the City's inability to fill crucial positions in a timely and efficient manner;

J. Consequently, a local employment emergency is declared and the City Manager is authorized to take the actions set forth in this Resolution.

SECTION 2: Authorizations. The City Manager is authorized to take all reasonable and practicable actions to accelerate the process for recruiting, appointing, and retaining persons as City employees to fill all vacant positions. Such actions may include, without limitation, the following:

A. Suspend those portions of the City's personnel rules that are interfering with the City's ability to secure qualified candidates. For example, unnecessary testing and interview panels;

B. Temporarily appoint qualified persons to positions in accordance with Monterey Park Municipal Code ("MPMC") § 2.28.100;

C. Execute agreements, in a form approved by the City Attorney, for the services listed in MPMC § 2.28.190;

D. Consider amendments to titles and classifications of various positions to make them more attractive to qualified candidates;

E. Consider compensation and benefits that will attract qualified candidates to public services; and

F. Commence a substantial overhaul to the City's personnel rules.

SECTION 3: During the existence of this local emergency, the powers, functions, and duties of the City Manager and the emergency organization of this City will be those prescribed by California law, by ordinance, and resolutions of this City approved by the

City Council. To the extent that the actions authorized by this Resolution require a meet and confer with the City's bargaining units, those meetings will be held at the earliest practicable time pursuant to Government Code § 3504.5(b).

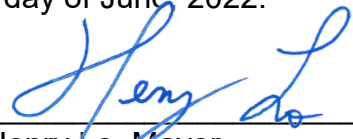
SECTION 4: The City Manager is designated as the authorized representative for public assistance and as the authorized representative for individual assistance of the City of Monterey Park for the purpose of receiving, processing, and coordinating all inquiries and requirements necessary to obtain available state and federal assistance.

SECTION 5: This local emergency will be reviewed by the City Council within 60 days in accordance with Government Code § 8630 to determine whether it should be extended by City Council Resolution.

SECTION 6: 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.

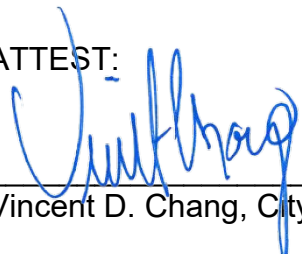
SECTION 7: This Resolution will take effect immediately upon adoption.

PASSED AND ADOPTED this 15th day of June, 2022.



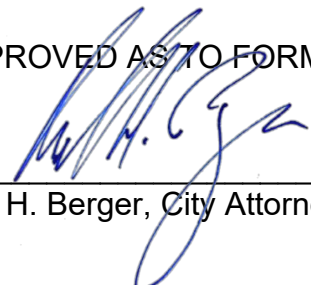
Henry Lo, Mayor

ATTEST:



Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



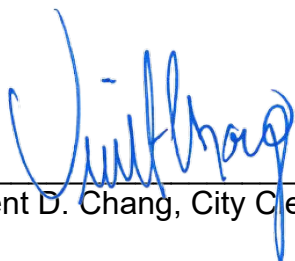
Karl H. Berger, City Attorney

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. 2022-R49 was duly adopted and passed at a regular meeting of the Monterey Park City Council on the 15th day of June, 2022 by the following vote:

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

Dated this 15th day of June, 2022.



Vincent D. Chang, City Clerk



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3E

TO: The Honorable Mayor and City Council
FROM: Jessica Serrano, Interim Director of Community Development
SUBJECT: Award of contract to Rincon Consultants Inc., to provide consulting services related to the implementation of the 2021-2029 Housing Element, including Monterey Park Municipal Code Amendments and technical studies related to the City's Sustainability Plan

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute an agreement, in a form approved by the City Attorney, with Rincon Consultants ("Rincon"), Inc. in an amount not to exceed \$301,562.50;
2. Authorizing budget appropriation of \$70,000 from the American Rescue Plan Act ("ARPA") Funds for the 2022-2023 fiscal year; and
3. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The City of Monterey Park adopted the 2021-2029 Housing Element ("Housing Element") on January 19, 2022 and adopted an amendment to the Housing Element on November 16, 2022. Staff is currently working with the State's Housing and Community Development Department (HCD) to certify the Housing Element. As part of the adoption of the latest Housing Element, a set of programs were adopted for the City to implement during the 8-year course of the Housing Element cycle to achieve specified housing goals, including the creation of diverse types housing at various affordability levels throughout the City. In order to implement the programs indicated in the Housing Element, staff is seeking professional services from Rincon.

Additionally, the City Council identified climate change as a Strategic Plan priority in 2021 and 2022. To implement the City Council's direction, the City began efforts to develop a sustainability plan known as the Monterey Park Going Green Program and requires technical assistance in analyzing data related to greenhouse gas emissions and other quantifiable data to help develop forecasts to shape and monitor programs that will be recommended as part of the City's overall sustainability efforts.

BACKGROUND:

In 2021, Rincon was selected and awarded the contract for preparation of the Housing Element, Safety Element, and the Environmental Justice Element. Through its work, all

three elements were adopted on January 19, 2022, with the Housing Element being subsequently amended on November 16, 2022 due to changes requested from HCD. The contract in 2021 was fulfilled and the term of the contract has ended.

As the 2021-2029 Housing Element cycle moves forward, the City's programs are listed with a timeline to create programs to housing at various types and costs. In order to meet the timeline listed in the Housing Element, the City is seeking a consultant to help create these programs and incorporate them into the Monterey Park Municipal Code.

Rather than sending out a Request for Proposals for services to help with the implementation of the Housing Element, Rincon which is the most familiar with the goals, objectives, policies and programs contained in the Housing Element, is the preferred firm to complete this work. It is anticipated that Rincon's on-going help to implement the Housing Element will occur in a much shorter timeframe than would occur were the City to retain a new consulting firm that is unfamiliar with the contents of the Housing Element.

Along with its help in implementation of the Housing Element, Rincon helped draft the Environmental Justice Element which touches upon sustainability. It also have a team of experts to provide technical assistance in sustainability related to climate change, which will help with the technical aspects of the City's Sustainability Plan. Included in Rincon's proposed scope of services is providing a baseline of greenhouse gas emissions tiering off work completed in the 2012 Climate Action Plan. Based on the baseline emissions levels, the sustainability plan will identify procedures to address emissions.

Based on Rincon's proposal, the total scope of work will be completed by 2024. It is recommended that the City Council authorize the City Manager to execute an agreement for professional services with Rincon in an amount not to exceed \$301,562.50.

FISCAL IMPACT:

As part of the 2019-20 Budget Act, the Governor allocated \$250 million for all regions, cities, and counties to prioritize planning activities. With this allocation, HCD established the Local Early Action Planning Grant Program (LEAP), which allocated the City \$300,000 to fully fund work necessary to help with the accelerate production of housing, including implementing a City's Housing Element or creating sustainable community plans. construction plans. LEAP grant will cover up to \$231,562.50 of Rincon's proposal.

An authorized budget appropriation of \$70,000 from the ARPA Funds for the 2022-2023 fiscal year is required to pay for the remaining amount as proposed by Rincon.

Respectfully submitted by:



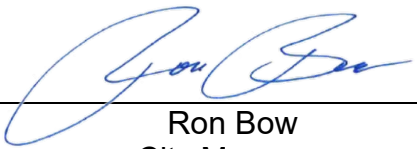
Jessica Serrano
Interim Director of Community
Development

Reviewed by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Rincon Proposal

ATTACHMENT 1

Rincon Proposal



Rincon Consultants, Inc.

250 East 1st Street, Suite 1400
Los Angeles, California 90012

213 788 4842

info@rinconconsultants.com
www.rinconconsultants.com

February 3, 2023

Jessica Serrano, Interim Director of Community Development
City of Monterey Park
Community Development Department
320 West Newmark Avenue
Monterey Park, California 91754

Subject: Proposal for Professional Services to Amend the City of Monterey Park Municipal Code to Reflect the 6th Cycle Housing Element Policies and Programs and to Provide Sustainability Plan Technical Support

Dear Ms. Serrano:

Rincon Consultants, Inc. is pleased to submit this proposal to assist with General Plan-Land Use and Municipal Code amendments for consistency with the most recent 6th Cycle Housing Element update. This proposal also reflects technical support to assist the City with their Sustainability Plan. We have assembled a team of highly skilled land use and climate planning professionals with technical and policy experience on climate change, 6th cycle housing element programs, zoning code, General Plan requirements, and many years of experience working on similar projects throughout the state.

The City's proposed Housing Element incorporates several new housing and development programs to comply with new State Laws and guidance from the State Housing and Community Development (HCD) Department. This proposal outlines our proposed scope of work and is based on our understanding of the City's needs, strong project management, new State requirements for zoning ordinances, and our recent experience with Monterey Park and on similar projects.

Scope of Work

Scope of Services for the Monterey Park Municipal Code Update is as follows:

Task 1 Project Management

Task 1.1 Kick-Off Meetings

Rincon will facilitate two project kick-off meetings with Community Development staff and representatives of the participating City departments. The first meeting will be to initiate Task 4 Sustainability and Climate Change Related Services and the second meeting will be to initiate Task 3, which relates to Housing Implementation. Each kick-off meeting should include key personnel, which includes a City Project Manager assigned by the City. The kick-off meetings will identify and confirm staffing roles, consultant roles, schedule, and the overall project scope and approach. This meeting will also serve to establish the project management procedures, including invoicing terms and communication protocols. Following the kick-off meeting, the Rincon team will provide an adjusted schedule, if necessary, as well as final list of data needs.



Task 1.2 Biweekly Meetings

To effectively manage the multiple deliverables of the project, Rincon will host bi-weekly conference calls, providing updates on upcoming deliverables and to discuss any potential issues that may impact the scope of work. We will also provide City staff with long-term and short-term schedules to keep the project on track. In addition to these calls, we will be available to City staff to answer questions, address concerns, or to clarify issues as they arise. Our deep bench includes staff that have worked as public sector planners. Rincon brings a unique perspective and prides itself in being responsive to address any client needs.

Assumptions 10764

- Kick-off meetings and bi-weekly calls will be virtual and up to one-hour in length.
- Up to two consultant staff will attend kick-off meetings and bi-weekly calls.
- Project timeline is 11-months in length.

Deliverables

- One kick-off meeting with climate services team and data request
- One kick-off meeting with housing team and data request
- Draft and final schedule
- Up to 23 bi-weekly calls
- Biweekly agendas and action items

Task 2 Related Document Review for Municipal Code Amendments

Rincon will review all City documents relevant to the Municipal Code Amendments, including the General Plan-Land Use Element, 2021 – 2029 Housing Element update materials, existing Zoning and Subdivision Ordinance, and relevant City Design Guidelines. Because Rincon prepared the update to the Monterey Park Housing Element, we will be able to integrate these efforts at the onset, resulting in time and cost savings for the City. Rincon will also work with City staff to review the Municipal Code to identify other provisions that should be included in the Amendments or that need to be understood and possibly referenced so that no conflicts occur through updates to Municipal Code provisions.

Deliverables

- Memo summarizing documents relevant to the Municipal Code Amendments (MS Word and PDF).

Task 3 Municipal Code Preparation and Associated Documents

Rincon will prepare the Draft Zoning Ordinance Amendments for review by City Staff. We will use track-changes to indicate new and omitted text and illustrations. Rincon will also assist in the preparation of any other associated documents that result in changes to the permitting/application or entitlement processes at the City's discretion. As requested by the City, Task 3.1, as described below, will commence first and be completed by summer of 2023 with the remaining code amendments, Tasks 3.2-3.8, to be completed by December 2023.



The following details the programs the City has requested Rincon's assistance with that were included in the 6th Cycle Housing Element:

Task 3.1 Monterey Park Municipal Code-Program 7 of the Housing Element (Housing Plan)

The City has requested that Rincon prioritize and expedite this task in order to meet the City's adoption goals. This task is proposed for completion by summer of 2023. Rincon will amend the MPMC to maintain consistency with state law including the General Plan Land Use Element. This is anticipated to include the following objectives:

- Amend the MPMC to increase the density in the R-3 zone to 30 du/ac and increase the height limit to the extent allowed by City Council authority.
- Amend the North Atlantic, Mid Atlantic and Garvey-Garfield Specific Plans and replace them with zone districts consistent with the Land Use Element.
- Amend the MPMC to allow, by right, a mix of multifamily dwelling types and sizes that are compatible in scale and form with detached single-family homes, such as duplexes, triplexes, fourplexes, courtyard buildings, and townhouses within low density residential zones.
- Review multi-family residential parking standards and parking standards and consider adopting a sliding scale for parking requirements for residential projects based on unit type and size.
- Amend the MPMC to require specific parking standards for emergency shelters that do not exceed requirements for parking for residential and commercial uses in O-P zones.
- Amend the MPMC to require that that any employee housing providing accommodation for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the R1, R2, and R3 zones in compliance with Health and Safety Code §17021.5, (the Housing Act).
- Amend the MPMC to ensure compliance with California law as to short-term rental regulations.
- Amend the MPMC to require that community care facilities licensed for seven or more persons be permitted by right in all residential zones.

Task 3.1 Assumptions

- City staff will provide one set of consolidated comments on draft documents in an editable format.

Task 3.1 Deliverables

- Development Code Outline (MS Word)
- Initial Administrative Draft Zoning Ordinance (in PDF and revisions in strike-through format in Word)
- Final Administrative Draft Zoning Ordinance (in PDF and revisions in strike-through format in Word)

Task 3.2 Housing for Special Needs Populations-Program 4 of the Housing Element (Housing Plan)

Rincon will review the Monterey Park Municipal Code (MPMC) to verify compliance with California law and Government Code §65583(a)(5) governing zoning for transitional and supportive housing. Rincon



will prepare text amendments to allow development of Low-Barrier Navigation Centers (Government Code §65662), by right, in residential and mixed-use zones, as well as nonresidential zones permitting multifamily uses.

Task 3.3 Flexibility in Development Standards and Fees-Program 5 of the Housing Element (Housing Plan)

Rincon will prepare text changes to the MPMC to facilitate the development of low- and moderate-income housing. Text changes will minimize constraints and enhance the feasibility of affordable housing, while maintaining the quality of housing. This includes the identification of opportunities to offer monetary incentives to promote development of affordable housing projects, and revisions to development standards to encourage affordability by design (e.g., smaller, more efficient and flexibility-design living spaces).

Task 3.4 Lot Consolidation-Program 6 of the Housing Element (Housing Plan) and Land Use Element Program 17

Rincon will develop a list of sites where lot consolidation is feasible based on ownership, sales, and existing uses. Rincon will develop incentives for lot consolidation such as fee waivers, reduced development fees, expedited permit processing, greater density bonus incentives, and modifications to parking, height, or setback standards.

Task 3.5 Sites Used in Previous Planning Housing Elements-Program 10 of the Housing Element (Housing Plan)

Rincon will review and analyze the justification of sites included in the sites inventory of the City's Housing Element. Based on this analysis, Rincon will amend the MPMC to allow by-right approval for housing developments proposed for non-vacant sites included in one or more previous Housing Element's Sites Inventory, and vacant sites included in two previous housing elements, provided that the proposed housing development consists of at least 20 percent of the units as affordable to lower-income households.

Task 3.6 Mixed-Use Sites-Program 11 of the Housing Element (Housing Plan)

The Sites Inventory indicates a potential for 2,408 residential units in mixed-use areas primarily along North Atlantic Boulevard, West Garvey Avenue, and North Garfield Avenue. Rincon will amend the MPMC to eliminate maximum density limits, allow flexibility in unit types and sizes, and provide increases in FAR in mixed use zones, consistent with the Land Use Element, and revise the minimum lot requirements to facilitate redevelopment on smaller lots where lot consolidation is not feasible. Rincon will also review the current mixed-use zones and standards facilitate the construction of residences in mixed-use developments by discouraging the development of exclusively commercial projects. We will review as to whether amendments are needed to establish a minimum percentage of residential development in zoning districts allowing a mix of residential and commercial uses. Lastly, Rincon will also prepare amendments for any other applicable chapters of the Development Code to ensure consistency with the updated standards and requirements.



Task 3.7 Replacement Housing-Program 13 of the Housing Element (Housing Plan)

Development on nonvacant sites with existing residential units is subject to a replacement requirement, pursuant to Government Code § 65583. Rincon will amend the MPMC to require the replacement of units affordable to the same or lower income level as a condition of any development on a nonvacant site consistent with those requirements set forth in California Density Bonus Law.

Task 3.8 Affordable Housing Development Incentives-Program 14 of the Housing Element (Housing Plan)

Rincon will review the MPMC to determine what amendments may be required to comply with density bonus regulations (MPMC Chapter 21.18) enacted by California since 2013, including Government Code § 65915 and 65400.

Task 3.2 – 3.8 Assumptions

- City staff will provide one set of consolidated comments on draft documents in an editable format.

Task 3.2 – 3.8 Deliverables

- Development Code Outline (MS Word)
- Initial Administrative Draft Zoning Ordinance (in PDF and revisions in strike-through format in Word)
- Final Administrative Draft Zoning Ordinance (in PDF and revisions in strike-through format in Word)

Task 4 Sustainability and Climate Change

The City of Monterey Park prepared a Climate Action Plan (CAP) that was revised and adopted in 2012 and includes a baseline greenhouse gas (GHG) emissions inventory based on 2009 data. As part of the CAP, the City established GHG emissions reduction targets to reduce emissions 15% below baseline (2009) levels by 2020 and reduce emissions 49% below baseline emissions by 2035. Since the CAP was adopted over a decade ago, the regulatory framework for climate action has evolved significantly in California. As such, the City's established targets no longer align with the state's current goals. As a first step, Rincon will complete a more robust inventory review and reconcile the identified errors/omissions, in the 2009 inventory, as outlined below under Task 5.1. Then, Rincon will quantify current (2021 or 2022) emissions and establish an updated forecast and targets that align with the state's goals. In order to help reach the goals, Rincon will work with the City to refine the list of proposed measures and then quantify them to determine the emissions reduction potential. As a final step, Rincon recommends preparing an updated California Environmental Quality Act (CEQA) analysis to allow for project streamlining.¹

¹ Establishing a CEQA Qualified CAP or Greenhouse Gas Reduction Plan requires compliance with CEQA Section 15183.5(b), which requires: (a) quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area; (b) establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable; (c) identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area; (d) specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified

Task 4.1 Inventory Reconciliation

As part of the process to develop this proposed scope of work, Rincon completed a preliminary peer review of the 2009 GHG emissions inventory completed for the for the City's CAP.² Based on the Rincon Team's preliminary review, it appears the inventory uses methodologies and data sources that have been replaced with more accurate and consistent best practices today. First, the inventory uses methodologies (e.g., Intergovernmental Panel on Climate Change (IPCC) methodologies for waste and wastewater) that were established before the Local Governments for Sustainability (ICLEI) U.S. Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions (Community Protocol). Today, the Community Protocol serves to guide the measurement and reporting of GHG emissions in a standardized way and is used by jurisdictions across California to support consistent GHG emissions inventories and forecasts. The inventory also uses global warming potential (GWP) values from the IPCC's Second Assessment Report. These values do not allow for consistency with the state's GHG inventories which employ updated GWP's from IPCC's Fourth Assessment Report. Additionally, the inventory does not include emissions from transmission and distribution (T&D) losses associated with electricity nor emissions from methane leakage associated with natural gas. These emissions sources are recommended by the Community Protocol and today's best practices to capture a more accurate picture of emissions from the energy sector.

Further, the inventory appears to use emission factors and models that have been replaced with more accurate models today. The inventory appears to calculate GHG emissions from the on-road transportation sector using the California Air Resources Board's (CARB) EMFAC2007 model. Today, this model has been replaced with EMFAC2021, Version 1.0.2, which allows for a more accurate estimation of all GHG emissions from on-road vehicles (rather than just carbon dioxide) in each jurisdiction. Similarly, the inventory employs CARB's OFFROAD2007 model to estimate GHG emissions from off-road vehicles and equipment. This model has been replaced by OFFROAD2021, Version 1.0.3, which provides a more refined estimate of off-road emissions in each jurisdiction. The inventory also calculates off-road emissions using emission factors sourced from EMFAC2007, which only captures on-road vehicles. Alternatively, the U.S. Environmental Protection Agency (EPA) provides emission factors through their Emissions Factors Hub specifically for off-road vehicles and equipment that pose to be more accurate and avoid the risk of undercounting emissions by assuming emission factors from on-road vehicles.

Based on these initial findings, Rincon proposes to complete a more robust review of the current inventory and prepare a brief memorandum comparing the existing methodology used in the 2009 emissions inventory with the Community Protocol and best practices. Rincon will then update the 2009 GHG emissions inventory by updating methodologies in the above identified sectors (e.g., waste and wastewater), GWP's, and emission factors; and calculating the emissions from T&D losses and methane leakage. Rincon will also update the on-road and off-road activity data with those from the most recent models. These proposed updates, along with any found and authorized during the more robust review, will allow the City's baseline GHG emission inventory to be comparable to the inventory proposed in Task 4.2. All inventory updates will be detailed in a memorandum with a table summarizing the updates. If additional updates are identified during the robust review process, Rincon will notify the City immediately and will complete any further updates upon authorization on a time and materials basis, in accordance with our standard fee schedule (attached). Based on our experience developing CAPs for

emissions level; (5) establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and (6) be adopted in a public process following environmental review.

² <https://www.montereypark.ca.gov/DocumentCenter/View/581/Climate-Action-Plan?bidId=>

jurisdictions across California, we have found that inconsistent methodologies can lead to significant future issues in accurately tracking progress in implementing a CAP and proving progress with GHG reduction. Therefore, we believe it is best practice to correct those inconsistencies prior to analyzing current progress and developing updated strategies.

Assumptions

- Based on our preliminary review of the 2009 GHG emissions inventory, methodologies in relevant sectors (e.g., waste and wastewater), GWP's, and emission factors should be updated; emissions from T&D losses and methane leakage should be calculated; and on-road and off-road activity data should be replaced with the most recent models to ensure consistency between the baseline emissions and the current/future emissions levels.
 - All applicable data and calculation tools from the 2009 inventory will be provided to Rincon by the City.
 - We anticipate that the existing (2009) emissions inventory would be reviewed and updated within three weeks, assuming all data and emissions calculation tools are provided upon kick-off. If the City would like to move forward with additional edits, they would be completed on a time and materials basis, in accordance with our standard fee schedule (attached).

Deliverables

- 2009 Emissions Inventory Review and Update Memo (Word and PDF)

Task 4.2 Current Emissions Inventory

Emissions inventories are completed through an iterative process that starts with collecting data. Upon collection of all necessary data, Rincon will calculate the GHG emissions and summarize the methodology and results in a technical memorandum, as detailed in detail below.

Data Collection

Once the historical methodologies and data sources are understood, Rincon will begin the data collection process. In our experience, the data collection process can take the greatest amount of time because data comes from multiple sources such as the various utility providers and City departments. Therefore, to streamline the data collection process and reduce any delays, Rincon has developed specific tools, including detailed data request documents and tracking mechanisms. The City's specific data request would be developed and refined after the kick-off meeting and existing inventory review once the Rincon Team has confirmed the preferred approach and necessary data required. The data request will include a summary of the data set that is needed and anticipated points of contact to retrieve the data. It is anticipated that the primary community inventory data sources would include Southern California Edison (SCE) for electricity usage and Southern California Gas Company (SCG) for natural gas usage data. Water data would be retrieved from the City of Monterey Park, which serves as the water provider. Waste data would be retrieved by Rincon from CalRecycle.

Rincon has partnered with **Iteris, Inc (Iteris)**, who will utilize a traditional VMT analysis approach. Iteris will provide community traffic data, specifically on-road transportation-related community vehicle miles traveled (VMT) based on the Southern California Association of Governments (SCAG) model. Iteris will interpolate/extrapolate VMT using the SCAG model, which will be used in combination with the

appropriate emissions factors to calculate GHG emissions from on road transportation. Iteris will use GIS analysis of the model's traffic analysis zones that contain any portion of the City to estimate the trips within the jurisdictional boundary of the City of Monterey Park. Outputs will include daily VMT by vehicle type (as defined in the model). Iteris will disaggregate the VMT data to distinguish between trips located entirely within the City of Monterey Park, trips with either an origin or destination outside the City, and pass-through trips. Trips with both an origin and a destination entirely within the City will be considered 100% attributable to the City's emissions. Trips with either an origin or a destination within the City (but not both) will be considered 50% attributable to the City's emissions. For the purposes of the municipal inventory, it is anticipated that waste, vehicle fleet, and employee commute data would be provided by Public Works.

GHG Inventory and Tool Development

Upon collection of all necessary data, Rincon will utilize the information to quantify a current (e.g., 2021 or 2022) GHG emissions inventory. Establishing a current GHG emissions inventory provides an understanding of current operations as well as helps the City track changes over time. Consistent with the Local Government Operations Protocol (LGOP), we assume that the municipal inventory will account for GHG emissions associated with electricity, natural gas, and other fuel usage in/for City buildings and facilities; gasoline, diesel and compressed natural gas (CNG) fuel used in City fleet vehicles and equipment; municipal solid waste; water delivery and wastewater management; employee commute; and other applicable sectors. Consistent with the Community Protocol for Accounting and Reporting of Greenhouse Gas Emissions (U.S. Community Protocol), the community-wide GHG emissions inventory will account for GHG emissions resulting from residential and non-residential energy usage; VMT; off-road equipment; water usage; community-generated wastewater; and community-generated solid waste. Transparency and consistency are of the utmost importance to Rincon when completing GHG inventories and forecasts. Therefore, Rincon has developed clear and easy to follow calculation tools and reports that allow our inventories to be replicated in the future by referencing all our data, assumptions, and methodologies. As part of this task, Rincon will host up to three (30-minute) virtual calls with City of Monterey Park staff to discuss any questions on the data request. Additionally, Rincon will provide a complete copy of our inventory tool which will contain all activity data, emissions factors, emissions data, and references for methodologies as well as easy to read summary tabs. As part of this task Rincon assumes a draft inventory tool and technical report will be provided to the City for a round of review before a final tool and report are provided. Based on the time that it takes to retrieve data, we anticipate that this task will take approximately six months.

Assumptions

- Rincon will calculate a current (e.g., 2021 or 2022) emissions inventory.
- The current emissions inventory year will be determined through consultation with the City based on available and reliable data.
- Rincon anticipates that the City Project Manager will be responsible for working with internal departments to retrieve the data requested in order to complete the current inventory.
- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (Attached).
- As part of this task, Rincon will host up to three (30-minute) virtual calls with City of Monterey Park staff to discuss any questions on the data request.



Deliverables

- Data Request Form (Word)
- Data Evaluation Memo (Word and PDF)
- Draft and Final Inventory Tool (community and municipal) (Excel)
- Draft and Final Inventory Memo (community and municipal) (Word and PDF)
- Up to three virtual calls with Monterey Park City staff

Task 4.3 Forecast

Once the inventory has been complete and reviewed by City staff, the Rincon Team will utilize our forecasting tool to draft both a business-as usual (BAU) forecast and an adjusted forecast (which includes reductions from state legislation) of expected emissions broken down by emissions sector for 2030 and 2045. These years are suggestions based on the major milestone years of Senate Bill 32 which includes a 40% reduction below 1990 GHG emissions levels by 2030 and Assembly Bill (AB) 1279, which establishes a goal of reducing statewide anthropogenic GHG emissions to at least 85% below 1990 levels by 2045. The business-as-usual forecast will include only population growth and projected land use changes. Rincon will work with the City to identify the best source for population, jobs, and land use change data and could include LA County data, Department of Finance data, and Regional Housing Needs Allocation (RHNA) housing considerations. Following calculation of the BAU forecasts, we will also calculate an “adjusted” forecast, which will account for expected changes in regulations affecting the federal, state, and local level which include, emission factor changes due to increased carbon free electricity in GWP’s grid mix, Low Carbon Fuel Standard, Pavley Clean Car Standards, Advanced Clean Cars Program, Renewables Portfolio Standard, Senate Bill 100, and Title 24. The Rincon Team will calculate how these regulations will affect the selected future year GHG emissions levels and produce a GHG emission forecast that accurately portrays future emissions growth and the quantity of GHG emissions that the City will be responsible for reducing to meet GHG reduction targets, which will be established as part of Task 5.4. Rincon will provide a draft of the forecast tool and a detailed technical report for review to the City before incorporating feedback and developing a final of each deliverable.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (attached).
- Rincon will work with the City to identify the best source for population, jobs, and land use change data and could include LA County data, Dept of Finance and RHNA housing considerations.
- It is anticipated that the Rincon Team will complete the forecast in tandem with the current emissions inventory.

Deliverables

- Draft Forecast Tool and Technical Memo (Excel, Word and PDF)
- Final Forecast Tool and Technical Memo (Excel, Word and PDF)

Task 4.4 Target Setting

Rincon will leverage the existing GHG emissions inventories to generate SB 32 and AB 1279 related GHG reduction targets. Rincon will produce both per capita and mass emission-based targets for the City to review. Per capita emissions targets are well established by the state through the 2017 and 2022 Scoping Plans and may provide a more accurate portrayal of Monterey Park's emission changes over time due to the ability to normalize population fluxes. These per person estimates can also be translated into per service person (employees + population). A complete analysis of both options will be conducted and presented to the City for approval. Rincon will generate minimum reduction targets for a qualified GHG reduction plan which includes a 40% reduction below 1990 levels by 2030 (SB-32) and carbon neutrality by 2045 (AB 1279). These goals also align with the Paris Climate Change Agreement and the latest Intergovernmental Panel on Climate Change (IPCC) projections for remaining under 1.5 degrees C (carbon neutrality by midcentury). These science-based targets go beyond what is currently established in the CAP and are currently considered best practice, as well as the minimum GHG reduction targets for consistency with the state. In addition, the City may wish to adopt more stringent targets based on the feasibility of the GHG reduction strategies. Rincon sees the goal setting process as iterative and to be informed by the strategy development phase.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (attached).
- Rincon anticipates that the targets will be consistent with current state recommendations, including SB 32 and AB 1279.

Deliverables

- Draft and Final Target Technical Memo (Word and PDF)

Task 4.5 Measure Development Support and Technical Appendix

Rincon understands that the City of Monterey Park is currently developing an updated list of sustainability and GHG emissions reduction measures. Measure development and quantification are often among the most complex phases of sustainability and climate action planning as they require a comprehensive understanding of evidence that demonstrates that the proposed emissions reductions are, in fact, achievable. For example, while a jurisdiction may want to increase active transportation by 50% by 2030 to drive a change to the status quo, there is no evidence demonstrating that this mode shift is realistic or achievable. As such, it is assumed that measures will be developed with SMART (Specific, Measurable, Achievable, Relevant, and Time-Bound), stepwise actions. Our team consists of experts in emissions quantification who understand the importance of substantial evidence for both CEQA defensibility and feasibility. We will use this expertise and work iteratively with the City to refine the Sustainability Plan measures.

As the first step in this task, Rincon will conduct a high-level review to identify whether the updated measures provided by the City are quantifiable (i.e., can reduce GHG emissions based on substantial evidence) or supportive (i.e., no substantial evidence available to demonstrate reduction in GHG) and work with the City to develop additional measures, as necessary, to ultimately reach the City's GHG targets and the state's goals. Once the measures are determined to be quantifiable (e.g., SMART

measures that align with specific emissions sectors), Rincon will calculate the emission reductions anticipated and prepare substantial evidence analysis, summarized in a memorandum, that will provide a transparent GHG reduction estimate for the staff-selected measures (up to 15 measures, with supporting actions).

Measure Development Support

Rincon has a broad range of expertise in GHG program, policy, and project development in the fields of general sustainability, carbon free electricity, building electrification, transportation decarbonization, zero waste, sequestration (including current knowledge of research and applied potentials of working lands management and urban forestry), and carbon neutral organizations. Rincon will review the existing list of measures and refine specific actions that will allow the City to reach the established targets under Task 5.4. To support this process, Rincon has developed a suite of tools designed to increase efficiency and transparency in the climate action planning process while reducing costs to the client. These tools are customizable, allowing for communities to develop and implement GHG reduction measures that best fit their needs.

The Rincon Team recognizes the importance of understanding the work that has already been done and proposes to use existing plans and programs as a foundation for future actions. Therefore, as a first step of this task, Rincon will leverage our proprietary Measure Analysis and Success Tracking (MAST) Tool to complete an analysis of GHG reduction measures/actions which are already included in plans, policies, and programs. MAST allows Rincon to evaluate the quality and progress of measures or actions included in sustainability-related planning documents in an intuitive interface. From this refined foundation of action items, we will assess any policy or program gaps and identify additional opportunities for emission reductions. Rincon will then provide a newly established core suite of draft measures that are tied to the City's GHG emissions inventory and forecast and past progress. Examples of additional measures include:

- Electrify 10% of vehicles by 2030 and 20% by 2045.
- Divert 15% of organic waste by from the landfill by 2030 and 30% by 2045.
- Electrify 15% of existing buildings by 2030 and 100% by 2045.

After reviewing and editing the measures based on coordination with internal City departments, interested parties, and community feedback, we will refine the draft emission reduction measures list to include the new suite of measures as well as previous strategies that are currently in progress.

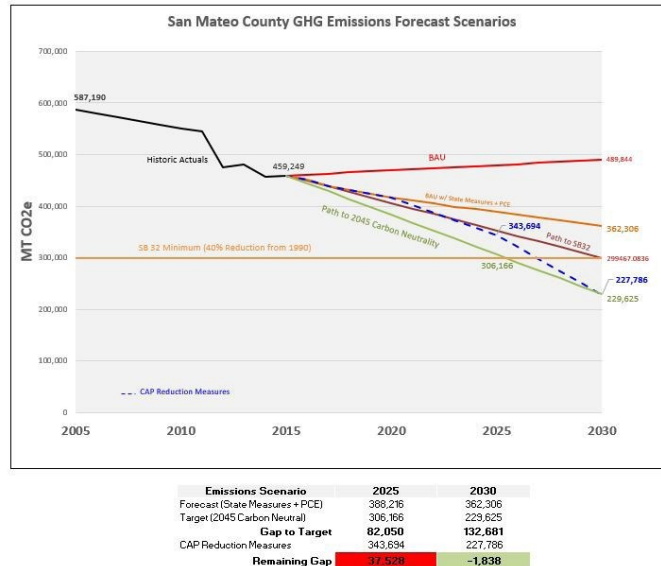
Rincon typically quantifies only those actions that result in direct GHG reduction (such as ordinances, requirements, or other commitments associated with quantifiable structural changes based on substantial evidence, such as peer reviewed case studies) - referred to as quantitative actions. This ensures that the GHG reductions are conservative estimates and thoroughly defensible. Other actions that are not associated with specific structural changes are referred to as supportive. While not quantified, supportive actions are often key to effectively achieving GHG reductions, and Rincon will gather supportive evidence, case studies, and documentation to demonstrate this.

Assuming the measures are quantifiable, Rincon will complete the GHG reduction analysis using our in-house SPARQ Tool. The SPARQ Tool provides both a tabular and visual summary of all GHG emissions quantification results, for comparison to the BAU, and adjusted forecasts, as well as the target reduction pathway. The SPARQ Tool additionally includes a simple interface for adjusting key inputs for the actions to see changes to the associated GHG reductions in real-time. This allows the user to make actions more



or less aggressive until the forecast aligns with the target reduction pathway. Using this tool has allowed Rincon and our current clients to iteratively model various measures and reduction scenarios to confirm that reduction scenarios meet GHG targets in the most effective manner (see graphic below). If the measures and actions do not align with the target reduction pathway, Rincon will provide further recommendations for adding or removing initiatives for alignment. As mentioned above, as part of this scope of work, we have budgeted 12 hours of staff time to ensure alignment; additional support would be provided at the City's request on a time and materials basis, in accordance with our standard fee schedule.

CAP Reduction Measures	2025 GHG Reductions	2030 GHG Reductions
Building Energy		
M1.1 Facilitate fuel switching from natural gas to electric in commercial and residential buildings to reduce emissions.		
Pass Electrification Ordinance for all New Residential Buildings	594	1,196
Pass Electrification Ordinance for all New Commercial/Industrial Buildings	1,922	3,891
Electrification of Existing Buildings due to Major Retrofit Code Trigger	4% 1,819	8% 3,637
M1.2 Improve residential energy efficiency X% by 2030.		
Complete additional (non-code driven) electrification retrofits to XX% of Existing Residential Buildings	10% 4,583	30% 13,679
Electrification retrofits to XX% of Existing Commercial/Industrial Buildings	8% 5,847	25% 17,210
M1.3 Improve electricity distribution systems to decrease emissions		
M1.4 Increase microgrids to reduce overall grid emissions.		
M1.5 Utilize locally sourced renewable and biogases to reduce emissions.		
Transportation		
M2.1 Increase electric vehicle adoption.		
Increase EV adoption to XX%	10% 15,722	40% 62,889
M2.4 Implement programs for shared transit that reduce VMT.		
Decrease VMT by XX%	8% 12,578	20% 31,444
Water		
M3.1 n/a		
M3.2 Reduce per capita water consumption by X% by 2030.	10% 1	20% 2
Waste		
M4.1 Reduce agricultural waste X% by 2030.		
M4.2 Reduce construction materials and waste to reduce sourcing and haul emissions X% by 2030.		
M4.3 Reduce organics in the waste stream by X% by 2030		
M4.4 Reduce waste sent to landfills by X% by 2030	25% 1,456	50% 570
Consumptive-based Measures		
Carbon Sequestration/OVL		
M6.1 Reduce emissions from working lands and working land conversion		
M6.2 Protect and grow local food sources		
Total Reduction Measure Potential	44,522	134,519



Our approach is to design climate action strategies to be defensible enough to withstand public scrutiny. The key to defensibility is our robust and technical report that includes relevant assumptions, references, and substantial evidence that serves as the legal foundation for our plans. Additionally, the technical report can be used as a methodology guidance document for future planning and tracking so that City staff can maintain consistency across documents, including future iterations of the Sustainability Plan. As part of this scope of work, we will prepare a technical report that clearly details all the evidence to demonstrate how the measures and actions developed by the City of Monterey Park may achieve the City's emission reduction targets. The GHG reductions from the specific measures will be calculated using published third-party evidence provided through controlled investigations, studies, and articles carried out by qualified experts that establish the effectiveness for measures and actions. The technical report will clearly display the estimates and work through the underlying calculations that would be provided in this report will include the substantial evidence and a transparent approach to achieving the City's GHG emissions reduction target. Rincon will complete the draft and provide it to the City for review and then address one set of consolidated comments on the document.

Measure Technical Appendix

The CEQA Guidelines Section 15183.5(b) establishes criteria to guide the preparation of a "plan for the reduction of greenhouse gas emissions." Subsection (D) notes that "measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level." Thus, the primary distinction

between a qualified emissions reduction plan and one that is not considered qualified is the level of substantial evidence that clearly demonstrates that the GHG reduction claimed is achievable. This technical appendix would clearly detail the evidence to demonstrate that the measures and actions can achieve the City's emission reduction targets for 2030. The GHG reductions from the specific measures would be calculated using published third-party evidence provided through controlled investigations, studies, and articles carried out by qualified experts that establish the effectiveness for measures and actions. The appendix will clearly display the GHG reduction estimates and underlying calculations. Rincon would complete the draft and provide it to the City for review and then address one set of consolidated comments on the document. After the comments are addressed, a finalized version would be provided to the City.

Assumptions

- Rincon will directly quantify the GHG emissions reductions associated with the quantitative measures and actions (i.e., those that will result in quantifiable changes). The quantitative analysis will be completed in a GHG Quantification Excel Workbook and summarized in the SPARQ Tool. Rincon will additionally gather supportive evidence for the supportive measures and actions, to be included in the Quantitative Report.
- If measures are not backed by substantial evidence, then emissions may not be able to be quantified.
- The City will conduct one round of review on the Draft Quantification Report and Technical Appendix and provide a consolidated set of comments, for incorporation into the Final Quantification Report.

Deliverables

- Draft and Final Quantification Report including details on the inputs, assumptions, methodology, results, and supportive evidence associated with the final measures and actions (Word and PDF)
- Draft and Final Quantification Excel Workbook
- Draft and Final Technical Appendix (Word and PDF)

Task 4.6 Implementation Plan

To facilitate implementation and monitoring of the emissions reduction measures, a key component of a CEQA qualified emissions reduction plan, Rincon will prepare an Implementation Plan that provides a summary of each of the measures, implementation timeframe, and lead department in a tabular format. In addition, the Implementation Plan will provide a column for the lead department to take notes and track progress over time. Designing a comprehensive, yet succinct Implementation Plan will provide the City with a tracking mechanism that can be used overtime as progress is made on individual measures and be updated in future iterations of the Sustainability Plan, as necessary, to ensure that the City reaches its long-term goals. It is anticipated that the Implementation Plan will be completed in either Microsoft Word or Excel, depending on the preference of the City, and will integrate all the GHG emissions reduction and adaptation measures.

Assumptions

- Upon finalization of the GHG emissions reduction measures, Rincon will complete an Implementation Plan that can be used by the City to track progress over time.



Deliverables

- Draft and Final Implementation Plan (Word/Excel and PDF)

Task 4.7 CEQA Documentation

In general, an Initial Study Negative Declaration (IS-ND) is sufficient CEQA documentation for a qualified greenhouse gas reduction plan due to the generally beneficial environmental impacts associated with the project. In our experience, it is rare that a more in depth CEQA document is required. However, if it is determined that implementation measures may result in potentially significant environmental impacts, a programmatic Environmental Impact Report (EIR) may be required. Examples of measures that may result in potential significant impacts resiliency measures for infrastructure construction, shifting of housing patterns, or large-scale renewable energy facilities. The need for a programmatic EIR will ultimately depend on the measures chosen as well as the response by the community. Therefore, Rincon proposes to start with an IS-ND and provide an optional task in the future for a more in-depth EIR analysis, if necessary. Rincon assumes that the City will prepare the Notice of Intent (NOI) to adopt an IS-ND form and will e-file the NOI and NOC forms with the State Clearinghouse and file the NOI form with the County Clerk. In addition, the City will prepare the Notice of Determination (NOD) form and e-file the NOD form with the State Clearinghouse and file the NOD form with the County Clerk and pay associated fees.

Assumptions

- All comments on the Draft CEQA document will be provided to Rincon in one consolidated set.
- No hard copies will be provided.
- The City will prepare and e-file the NOI and NOC forms with the State Clearinghouse and file the NOI form with the County Clerk. If desired, the City will also coordinate and pay for local newspaper notification of the Draft IS-ND.
- The City will prepare the Notice of Determination (NOD) form and e-file the NOD form with the State Clearinghouse and file the NOD form with the County Clerk and pay associated fees.

Deliverables

- Draft and Final IS-ND CEQA Documentation (Word and PDF)

Task 4.8 CEQA Streamlining Checklist and Locally Appropriate, Project-Level CEQA Threshold

To facilitate using the updated emissions reduction strategy for CEQA streamlining, we propose to develop a two-tiered approach including a GHG efficiency threshold for program/project based CEQA analysis based on a methodology that considers emissions against an efficiency-based service population threshold as well as a streamlining checklist. This task will provide the Planning Department with the documentation needed to utilize the City's greenhouse gas reduction plan as a tool for ensuring future projects and plans do not increase GHG emissions in the City beyond targets and provide clear instructions for planning staff and project applicants to meet the requirements of the plan.

The efficiency-based threshold assesses the GHG efficiency of a project on a per capita basis or service person basis. This approach relies on the City's GHG reduction goals to attain a future horizon year target, compares it with the economic projections and planned land use development in the region up

to specific horizon years, and allocates GHG reductions to future populations. This efficiency threshold is consistent with the 2017 Scoping Plan guidance which details the intention to accommodate population and economic growth in California but do so in a way that achieves a lower rate of GHG emissions. This methodology recognizes that highly efficient projects (e.g., compact and mixed-use development) with relatively high mass emissions may nevertheless meet the GHG reduction goals of AB and SB 32. As such, the efficiency-based threshold encourages infill and transit-oriented development. Our proposed locally-appropriate efficiency threshold will be created to comply with the CEQA Guidelines and interpretative GHG case law such as *Center for Biological Diversity v. California Department of Fish and Wildlife and Newhall Land and Farming*(2015) 224 Cal.App.4th 1105, *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068, and *Golden Door Properties, LLC v. County of San Diego/Sierra Club, LLC v. County of San Diego* (2018) 27 Cal.App.5th 892, regarding the correlation between state and local conditions.

In addition, Rincon will create a project streamlining checklist that will allow development projects within the City to tier off of the Sustainability Plan to show consistency with the state reduction targets and CEQA. Rincon has completed some of the first SB 32 streamlining checklists in California and will leverage our deep bench of in-house environmental planners to ensure consistency with the CEQA regulations under Section 15183.5.

Rincon will also prepare a concise guidance document for use by City staff in evaluating submitted CEQA GHG emissions analyses and by applicants in preparing CEQA GHG emissions analyses. The guidance document will detail a defensible approach for evaluating GHG emissions impacts in analyses prepared pursuant to CEQA. The document will also provide substantial evidence of the methodology's consideration of Statewide GHG direction provided by California Air Pollution Control Officers Association (CAPCOA), CARB, and the Office of Planning and Research (OPR) as well as relevant case law.

Assumptions

- Rincon has budgeted for receipt of one set of consolidated comments on each deliverable. Any additional revisions will be completed on a time and materials basis in accordance with our standard fee schedule (attached).
- Rincon will create a project streamlining checklist that will allow development projects within the City to tier from the Sustainability Plan to show consistency with the state reduction targets and CEQA.

Deliverables

- Draft CEQA GHG Checklist, Threshold, and Guidance Report (Word and PDF)
- Final CEQA GHG Checklist, Threshold, and Guidance Report (Word and PDF)

Task 5 HCD Letter Assistance

Rincon will prepare a revised Housing Element in response to HCD's letter dated April 1, 2022. Rincon will address one round of consolidated comments from the City on the Revised Draft Housing Element, and will then provide a Revised Final Housing Element. Rincon will also prepare a HCD comment tracker that includes HCD's comments and responses from the Housing Element team. This comment tracker will be used to create a cover letter that outlines the changes made in response to HCD comments and



can be included as part of the Housing Element resubmittal package. Rincon will address one round of comments on the cover letter and will prepare the formal submittal package to resubmit the Housing Element for HCD's 60-day review.

This cost estimate assumes that Rincon will participate in one, two-hour meeting with HCD staff to discuss HCD's letter, and a one-hour meeting with the City of Monterey Park to review HCD comments.

Assumptions

- Rincon will provide data specific to Monterey Park to assist in responding to HCD's letter.

Deliverables

- Revised Draft Housing Element
- Revised Final Housing Element
- HCD Comment Letter Tracker
- Formal Submittal Packet to HCD, including cover letter
- Participation in up to one meeting with HCD staff
- Participation in up to one meeting with City of Monterey Park staff

Task 6 Public Hearing and Adoption

Task 6.1 Planning Commission Public Hearings

Rincon will attend and assist City staff with the facilitation of up to two Planning Commission public hearings to consider recommendations to the City Council related to Task 3.1, and Tasks 3.2-3.8. Rincon will be available to answer questions at the Planning Commission meetings.

Task 6.2 City Council Public Hearings

Rincon will attend and assist City staff with the facilitation of up to four City Council public hearings related to Task 3.1, Task 5, and Tasks 3.2-3.8. Rincon will be available to answer questions at the City Council meetings.

Task 6.3 Final Document to be Provided to the City

Rincon will prepare the Final Zoning Ordinance documents in both Adobe PDF and Microsoft Word format after City Council approval for Task 3.1 and Tasks 3.2-3.8. Edits will be made as required by final City staff review, City Council action, and conditions of approval. Rincon will work with the City, and Quality Code Publishing, to publish the Municipal Code online if desired.

Assumptions

- City staff will prepare staff reports, slide decks, and conduct notification for the public hearings.
- City staff will conduct the presentations.
- Up to one consultant staff will attend, in-person, each public hearing.
- Meeting attendance is assumed to be up to two hours in length.



Deliverables

- Final Zoning Ordinance for Task 3.1 (in PDF and in Word)
- Final Zoning Ordinance for Tasks 3.2-3.8 (in PDF and in Word)
- Application materials and associated documents (if applicable)
- Consultant attendance at up to 6 public hearings

Contingency Amount

A Contingency in an amount not to exceed **\$27,415** is for additional, unforeseen and unanticipated work outside the Scope of Work, and shall not be undertaken without the express direction by the City in writing.

Optional Tasks

Optional Task A Implementation and Monitoring (CAPDash)

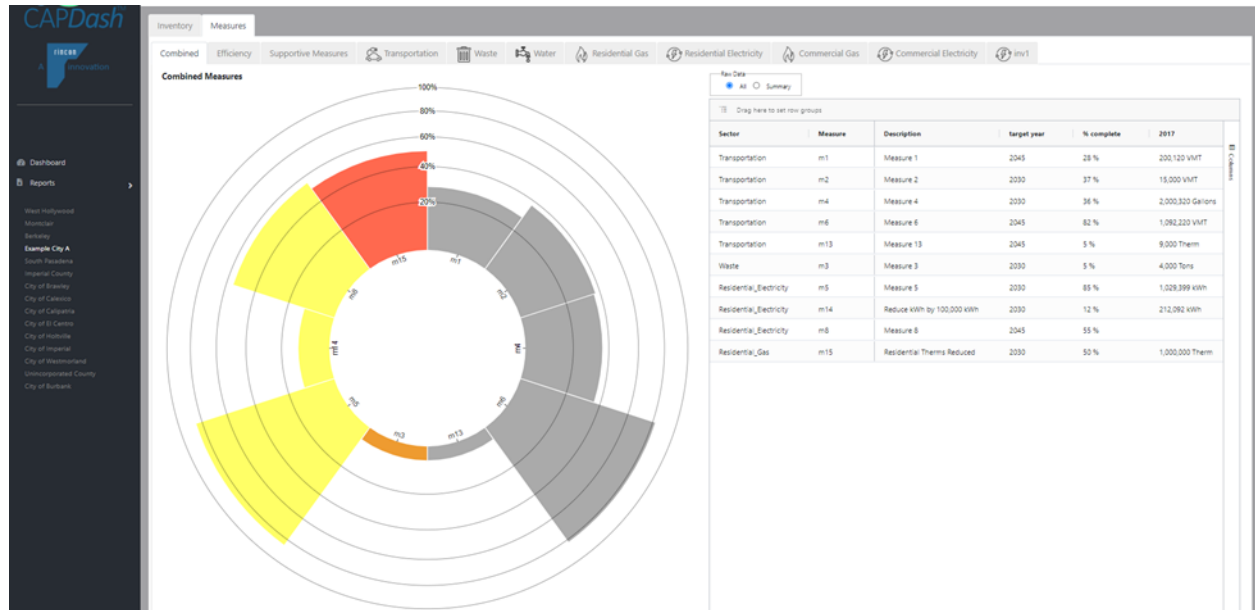
As an optional task, to facilitate implementation and monitoring of the CAP and to minimize future City staff resources needed for monitoring and reporting, Rincon has developed a user-friendly cloud based GHG Inventory and Monitoring and Reporting Tool. Rincon's fully automated web application, CAPDash, serves three purposes.

1. The first is to generate a transparent GHG inventory (Task 2) which can be updated on an annual basis simply by uploading activity data. This will allow the City to actively track its progress towards its GHG reduction targets.
2. The second major function of CAPDash is to track the implementation of the Sustainability Plan measures over time. We can upload final Sustainability Plan measures into the tool and allow the City to track activity data (kW of solar installed, etc.) for each measure and monitor progress over time.
3. Finally, the tool acts as an automatically updating dashboard which can display data both internally by easily generating reports for staff, but also to the public through a web-based dashboard.

CAPDash will allow the City to evaluate progress towards its Sustainability Plan goals in real time and provides the implementation transparency to optimize CEQA streamlining under CEQA guidelines Section 15183.5, if Optional Task A is selected.

The CAPDash tool (Figure 1) minimizes the burden of monitoring and reporting and enables City staff to more effectively utilize limited resources to implement Sustainability Plan policies. The Rincon Team will hold one virtual staff training on how to use CAPDash to effectively monitor CAP implementation and progress. This training will focus on reviewing the implementation and monitoring tables of the Sustainability Plan, confirming department leads, and clarifying roles and responsibilities for measures and actions that overlap multiple departments. The training will also include a tutorial on CAPDash, which will be used to track and report emission data.

Figure 1 CAPDash Dashboard



Example CAPDash Link: <https://cap.rinconconsultants.com/SouthPasadena>

This optional task would be completed for a total of **\$14,572**, which consists of \$7,500 for the tool and 34 hours of staff time to populate CAPDash and provide one training for City staff.

Assumptions

- Rincon will populate CAPDash with all activity data from the current inventory as well as the emissions inventories from 2009 emissions inventory.
- Rincon will provide one virtual CAPDash training (up to two hours).
- All activity data from previous inventory (2009) will be provided by the City.

Deliverables

- Attendance by up to two Rincon Team Members at the virtual CAPDash training
- CAPDash User Guide
- CAPDash tool

Cost Estimate

The total cost of the contract will not exceed **\$301,562.50** as shown below. Hourly rates are pursuant to Rincon's standard fee schedule (attached).



RINCON CONSULTANTS, INC.
**23-14030 City of Monterey Park Housing
Implementation and Climate Services
Project
Cost Estimate**

	Rate	Hours	Labor Budget	Direct Expenses	Total Budget
Task 1: Project Management/Meetings		103.00	24,493.00	0.00	24,493.00
		103.00	24,493.00	0.00	24,493.00
Task 2: Related Document Review		34.00	6,828.00	0.00	6,828.00
		34.00	6,828.00	0.00	6,828.00
Task 3: Municipal Code Preparation		504.00	106,207.00	0.00	106,207.00
Task 3.1-Monterey Park Municipal Code- Program 7		165.00	34,445.00	0.00	34,445.00
Task 3.2-Housing for Special Needs- Program 4		28.00	6,014.00	0.00	6,014.00
Task 3.3-Flexibility in Dev. Standards- Program 5		58.00	12,714.00	0.00	12,714.00
Task 3.4-Lot Consolidation-Program 6		48.00	9,994.00	0.00	9,994.00
Task 3.5-Sites Used in Previous Housing Elements-Program 10		48.00	9,994.00	0.00	9,994.00
Task 3.6-Mixed-Use Sites-Program 11		55.00	11,303.00	0.00	11,303.00
Task 3.7-Replacement Housing-Program 13		34.00	7,418.00	0.00	7,418.00
Task 3.8-Affordable Housing Development Incentives-Program 14		68.00	14,325.00	0.00	14,325.00
Task 4: Sustainability and Climate Change		507.00	103,797.00	13,920.00	117,717.00
Task 4.1 Inventory Reconciliation		29.00	5,829.00	0.00	5,829.00
Task 4.2 Current Emissions Inventory Iteris		58.00	11,448.00	13,920.00 13,920.00	25,368.00
Task 4.3 Forecast		20.00	4,195.00	0.00	4,195.00



City of Monterey Park
Proposal for the Monterey Park Municipal Code Update

Task 4.4 Target Setting	12.00	2,517.00	0.00	2,517.00
Task 4.5-Measure Development Support and Appendix	144.00	29,756.00	0.00	29,756.00
Task 4.5.1-Measure Development Support	72.00	14,864.00	0.00	14,864.00
4.5.1 Measure Technical Appendix	72.00	14,892.00	0.00	14,892.00
Task 4.6 Implementation Plan	24.00	5,034.00	0.00	5,034.00
Task 4.7 CEQA Documentation	102.00	20,838.00	0.00	20,838.00
Task 4.8 CEQA Streamlining Checklist and Threshold	118.00	24,180.00	0.00	24,180.00
Task 5: HCD Letter Assistance	43.00	8,342.00	0.00	8,342.00
	43.00	8,342.00	0.00	8,342.00
Task 6: Public Hearing and Adoption	40.00	10,102.00	0.00	10,102.00
	40.00	10,102.00	0.00	10,102.00
Contingency Amount	0.00	0.00	27,415.00	27,415.00
	0.00	0.00	27,415.00	27,415.00
Reimbursable Expense	0.00	0.00	458.50	458.50
	0.00	0.00	458.50	458.50
			0.00	
Travel - Mileage			458.50	
Project Total	1,231.00	259,769.00	41,793.50	301,562.50

Direct Expenses Summary

Contingency Amount	Amount
	27,415.00
Travel - Mileage	458.50
Iteris	13,920.00
Direct Expenses Subtotal	41,793.50



Thank you for your consideration and for this opportunity to support your project. This proposal is valid for a period of 30 days and is fully negotiable to meet City's needs. We are confident that the Rincon team will continue to meet the needs of the City, and we welcome an opportunity to meet with you to further discuss our proposal. Please do not hesitate to contact us if you have questions about this proposal or need additional information.

Sincerely,
Rincon Consultants, Inc.

A stylized, handwritten signature in blue ink, appearing to read "Reema Shakra".

Reema Shakra, AICP
Climate Adaptation Program Manager
rshakra@rinconconsultants.com
Contact for Clarification

A stylized, handwritten signature in blue ink, appearing to read "Jennifer Haddow".

Jennifer Haddow | Executive Vice President
jhaddow@rinconconsultants.com
Authorized to contractually obligate and
negotiate on behalf of Rincon Consultants,
Inc.

Attachments

Attachment 1 Fee Schedule

**Standard Fee Schedule for Environmental Sciences and Planning Services**

Professional, Technical and Support Personnel*	Hourly Rate
Principal II	\$295
Director II	\$295
Principal I	\$285
Director I	\$285
Senior Supervisor II	\$268
Supervisor I	\$250
Senior Professional II	\$234
Senior Professional I	\$218
Professional IV	\$194
Professional III	\$180
Professional II	\$160
Professional I	\$143
Associate III	\$120
Associate II	\$107
Associate I	\$100
Field Technician	\$86
Data Solutions Architect	\$180
Senior GIS Specialist	\$172
GIS/CADD Specialist II	\$153
GIS/CADD Specialist I	\$138
Technical Editor	\$135
Project Accountant	\$115
Billing Specialist	\$98
Publishing Specialist	\$110
Clerical	\$98

* Professional classifications include environmental scientists, urban planners, biologists, geologists, marine scientists, GHG verifiers, sustainability experts, cultural resources experts, and other professionals. Expert witness services consisting of depositions or in-court testimony are charged at the hourly rate of \$380.

Reimbursable Expenses

Direct Cost	Rates
Photocopies – Black and White	\$0.25 (single-sided), \$0.45 (double-sided)
Photocopies – Color	\$1.55 (single-sided), \$3.10 (double-sided)
Photocopies – 11 x 17	\$0.55 (B&W), \$3.40 (color)
Oversized Maps	\$8.50/square foot
Digital Production	\$15/CD, \$20/flash drive
Light-Duty and Passenger Vehicles*	\$90/day
4WD and Off-road Vehicles*	\$150/day

*Current IRS mileage rate for mileage over 50 and for all miles incurred in employee-owned vehicles.

Other direct costs associated with the execution of a project, that are not included in the hourly rates above, are billed at cost plus 16%. These may include, but are not limited to, laboratory and drilling services, subcontractor services, authorized travel expenses, permit charges and filing fees, mailings and postage, performance bonds, sample handling and shipment, rental equipment, and vehicles other than covered by the above charges.

Annual Escalation. Standard rates subject to 3.5% annual escalation.

Payment Terms. All fees will be billed to Client monthly and shall be due and payable upon receipt or as indicated in the contract provisions for the assignment. Invoices are delinquent if not paid within ten (10) days from receipt or per the contractually required payment terms.

Effective January 1, 2023



Equipment	Rate
Environmental Site Assessment	
Soil Vapor Extraction Monitoring Equipment	\$160
Four Gas Monitor	\$137
Flame Ionization Detector	\$110
Photo Ionization Detector	\$82
Hand Auger Sampler	\$62
Water Level Indicator, DC Purge Pump	\$46
CAPDash	\$7,500
Natural Resources Field Equipment	
UAS Drone	\$276
Spotting or Fiberoptic Scope	\$170
Pettersson Bat Ultrasound Detector/Recording Equipment	\$170
Sound Level Metering Field Package (Anemometer, Tripod and Digital Camera)	\$113
GPS(Sub-meter Accuracy)	\$67
Infrared Sensor Digital Camera or Computer Field Equipment	\$57
Scent Station	\$23
Laser Rangefinder/Altitude	\$11
Pit-fall Traps, Spotlights, Anemometer, GPS Units, Sterilized Sample Jar	\$9
Mammal Trap, Large/Small	\$1.55/\$0.55
Water and Marine Resources Equipment	
Boat (26 ft. Radon or Similar)	\$621
Boat (20 ft. Boston Whaler or Similar)	\$345
Multi Parameter Sonde (Temp, Cond, Turbidity, DO, pH) with GPS	\$170
Water Quality Equipment (DO, pH, Turbidity, Refractometer, Temperature)	\$62
Refractometer (Salinity) or Turbidity Meter	\$38
Large Block Nets	\$114
Minnow Trap	\$98
Net, Hand/Large Seine	\$57
Field Equipment Packages	
Standard Field Package (Digital Camera, GPS, Thermometer, Binoculars, Tablet, Safety Equipment, and Botanic Collecting Equipment)	\$114
Remote Field Package (Digital Camera, GPS, Thermometer, Binoculars, Tablet and Mifi, Delorme Satellite Beacon, 24-Hour Safety Phone)	\$144
Amphibian/Vernal Pool Field Package (Digital Camera, GPS, Thermometer, Decon Chlorine, Waders, Float Tube, Hand Net, Field Microscope)	\$170
Fisheries Equipment Package (Waders, Wetsuits, Dip Nets, Seine Nets, Bubblers, Buckets)	\$57
Underwater and Marine Sampling Gear (U/W Photo/Video Camera, Scuba Equipment (Tanks, BCD, Regulators, Wetsuits, etc.)	\$57/diver
Marine Field Package (PFDs – Personal Flotation Devices, 100-foot Reel Tapes with Stainless Carabiners, Pelican Floats, Underwater Slates, Thermometer, Refractometer, Anemometer, Various Field Guides)	\$57
Insurance, Hazard and Fees	
Historic Research Fees	\$55
L&H Dive Insurance	\$57/diver
Level C Health and Safety	\$70/person



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3F

TO: The Honorable Mayor and City Council
FROM: Robert Aguirre, Director of Recreation & Community Services
SUBJECT: Accept an in-kind donation of chocolate from See's Candies with a retail value of \$56,992 on behalf of the City of Monterey Park.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Accepting an in-kind donation of chocolates from See's Candies with a retail value of \$56,992 on behalf of the City of Monterey Park; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Pursuant to Resolution No. 11776, the City Council may accept donations with a value estimated at \$25,000 or greater (Attachment 1). Therefore, it is requested that the City Council accept an in-kind donation of chocolate from See's Candies.

BACKGROUND:

See's Candies is a long time supporter of the Recreation & Community Services Department. Due to recent events in the community, See's Candies contacted the department to express their condolences and offer an in-kind donation of chocolates. The chocolates cannot be sold and will be distributed to the community during recreation programming.

FISCAL IMPACT:

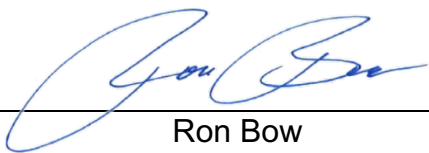
Donation is in-kind products and has no fiscal impact.

Respectfully submitted by:

A handwritten signature in blue ink, appearing to read "Robert Aguirre", is positioned above a horizontal line.

Robert Aguirre
Director of Recreation &
Community Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Resolution No. 11776

ATTACHMENT 1

Resolution No. 11776

RESOLUTION NO. 11776

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR ACCEPTING CONTRIBUTIONS, DONATIONS, GIFTS, BEQUESTS, AND DEVISES FOR PUBLIC PURPOSES.

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

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

- A. Community members seeking to improve the City's services, contribute to the construction of important public facilities, or otherwise seeking to enhance the City frequently seek to make contributions, donations, gifts, bequests, or devises (collectively, "donations") to the City;
- B. A review of the City's documents show that there are no existing policies for accepting such generous donations;
- C. It is in the public interest for the City to establish policies for accepting donations so that persons making such donations may take appropriate tax deductions, the City uses donations for the purpose for which they were intended, and so the City's administration has clear direction regarding what kinds of donations should be accepted;
- D. The City Council, or its designee, may accept or reject any donation for any public purpose. In doing so, the City may keep or dispose such donations or use them in the manner required by the donor;
- E. Unless otherwise specified by the donor, the City may use donations in any manner it chooses to promote the public interest;
- F. Contributions to the City may be tax deductible as a charitable contribution if the donation is made exclusively for a public purpose (26 U.S.C. § 170(c)(1)). For example, without limitation, art education is a legitimate public purpose (Government Code § 15813).

SECTION 2: *Definitions.* Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter.

- A. "City manager" means the city manager or designee;
- B. "Donation" means a contribution, donation, gift, bequest or devise of personal or real property, but not personal services. Donations may be solicited or unsolicited by the City;

- C. "Donor" means a person, including a corporate entity, making a donation to the City for a public purpose.

SECTION 3: Authority. Pursuant to Government Code § 37354, the city manager is authorized to accept donations in accordance with this Resolution and with applicable administrative policies and procedures that may be promulgated by the city manager.

SECTION 4: Donations. The City will accept the following donations, upon the recommendation of the city manager:

- A. *Property donations.* Donations consisting of pecuniary, real or personal property with a fair market value of less than \$25,000 shall receive a written confirmation from the City.
- B. *Donations valued over \$25,000.* At the discretion of the City Council, the City Council may accept donations with a value estimated at \$25,000 or greater.

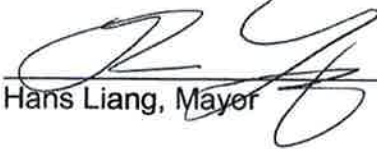
SECTION 5: Use of Donations. Pursuant to Government Code § 37355, the city manager may direct the use of donations unless a donor designated a donation for a particular use. If a donation must be used for a particular use, the city manager must ensure that the City uses the donations in the manner required by the donor.

SECTION 6: Charitable Contribution. Pursuant to 26 U.S.C. § 170(c)(1), donations made to the City may be tax deductible if made for a public purpose. Upon accepting or declining a donation, the city manager will provide donors with a written statement that includes the following information in accordance with Internal Revenue Code § 1.170A-13:

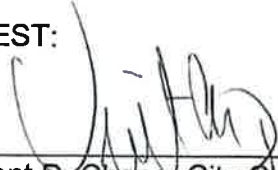
- A. Name of donor;
- B. Description of donation;
- C. Date of receipt;
- D. For personal or real property, the location of property;
- E. Use of property by the City;
- F. Whether the property is being used for exclusively public purposes; and
- G. That the City accepted or declined the donation.

SECTION 8: This Resolution will become effective immediately upon adoption and will remain effective unless superseded or repealed.

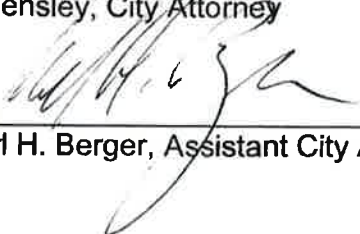
PASSED AND ADOPTED this 5th day of August, 2015.


Hans Liang, Mayor

ATTEST:


Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: 
Karl H. Berger, Assistant City Attorney

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

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 11776 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 5th day of August, 2015, by the following vote:

Ayes:	Council Members: Lam, Real Sebastian, Ing, Chan, Liang
Naes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None

Dated this 5th day of August, 2015.


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



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3G

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

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receive and File the staff report summarizing the status of emergency repairs of the Monterey Pass Road water line;
2. Adopt a resolution amending Resolution No. 2022-R32 to add the Monterey Pass Road Emergency Water Main Improvements as Project No. 99025; and
3. Taking such additional, related, action that may be desirable.

BACKGROUND:

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

On August 29, 2022, the City contracted with Cannon Corporation for professional engineering services to prepare design plans and specifications for the water pipeline replacement. Cannon provided the City with complete plans to replace the existing 12-inch water transmission line in December which was identified in the December 21, 2022 staff report update for this project.

Following the adoption of the emergency resolution, staff contacted potential contractors and identified Ferreira Coastal Construction (Ferreira) in September 2022 as a qualified contractor who also had the resources and availability for the construction phase of this project. Ferreira has experience working with other municipal agencies and the City currently contracts with Ferreira for as-needed maintenance for the City's water distribution system. Ferreira is registered with the California Department of Industrial Relations (DIR), meets the insurance requirements of the City, and can expedite completion of this emergency work based on the City's needs. Ferreira worked closely

with the City and Cannon Corporation during the design phase to provide input on design, constructability, and material availability.

Final approval of the agreement with Cannon allowed the project to move forward with the start of a full field survey to be conducted, in addition to potholing and research of underground infrastructure that affect the placement of the proposed piping system which took several months due to the existing infrastructure overlaps. Various design alternatives were studied to address conflicting utilities with the Southern California Edison substation underground electrical, storm drain lines and sewer mains which impacted the placement of the new water main. Additional research of available material and cost was conducted during the months of December and January to ensure the project could be expedited due to the significant material delivery delays. Design work of this type of project typically takes at least six months to complete, however final design was completed in under four months along with a final material list being developed, researched and evaluated, leading to an approximate reduction in four to six months of time for this project to be completed. By adopting the emergency resolution and reducing the typical timeline, impacts to essential services and damages to public and private property are being mitigated. To reduce the financial impact to the City, staff proposed direct purchase of materials for the project. This would result in an estimated 15% reduction in materials costs.

The City received pricing and lead times for material from three vendors and worked with Ferreira to evaluate the City's best option based on cost, lead time and availability of parts and material. Staff ordered the majority of the material required to start the project in January and the remainder will be purchased in the upcoming month which will align with the project schedule. Due to delays in material availability, the project is scheduled to begin by March 2023 and be complete by October 2023.

Typical emergency projects can be completed within a short period of time; however, this project is significantly different in nature as there is approximately one-mile of 12-inch water main that has failed in several locations and continues to see failure points. These failures have led to businesses that operate around the clock to be left without essential public services during these repairs in addition to limited access to their businesses. These failures have led to significant damages to the roadway which require additional work and material to restore. There were additional delays that impacted this project related to receiving material with the continued supply chain challenges that continue to impact projects such as this one.

Message boards will be placed within the project area prior to construction commencing to alert drivers of the impact to their commutes. The City will additionally provide project updates to the community for the duration of the project through the City website, social media, and City Council meetings. Staff continues to work with the Economic Development Division to conduct outreach to businesses that may be impacted by this project.

Adopting the draft resolution will add the Monterey Pass Road Emergency Water Main Improvements to the City's Capital Improvement Plan and authorize the City Engineer to approve the plans and specifications prepared by Cannon.

FISCAL IMPACT:

If adopted, the draft resolution will add the Monterey Pass Road Emergency Water Main Improvements to the FY 20-23 Capital Improvement Plan as Project No. 99025. The following is an estimated cost for the project:

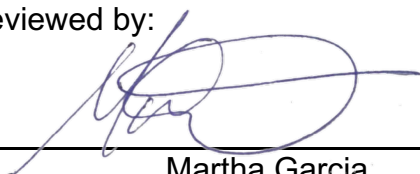
<u>CIP 99025 – Monterey Pass Road Emergency Watermain</u>	
Engineering Design	\$ 131,000
Geotechnical	\$ 100,000
Construction Cost	\$ 4,800,000
Material Cost	\$ 1,600,000
Street Rehabilitation	\$ 950,000
Construction Management and Inspection	\$ 410,000
Total	\$7,991,000

Respectfully submitted by:



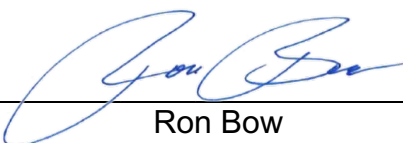
Shawn Igoe,
Director of Public Works

Reviewed by:



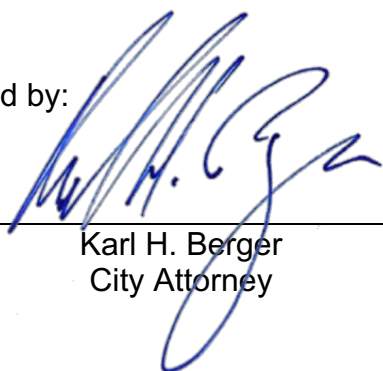
Martha Garcia
Director of Finance

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Draft Resolution

ATTACHMENT 1

Draft Resolution

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. 2022-R32 TO ADD THE MONTEREY PASS ROAD EMERGENCY WATER MAIN IMPROVEMENTS AS PROJECT NO. 99025 TO THE CAPITAL IMPROVEMENT PLAN (“CIP”) AND FINDING SUCH AMENDMENT CONFORMS WITH THE GENERAL PLAN.

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

SECTION 1: Planning Agency. Pursuant to Monterey Park Municipal Code (“MPMC”) § 2.56.020(B), the City Council is the Monterey Park Planning Agency for purposes of this Resolution. On August 17, 2022, the City Council adopted Resolution No. 2022-R69 to allow an emergency response to recurring water main leaks within the Monterey Pass Road between Vagabond Drive and Brightwood Street (“Emergency Project”). The Emergency Project was not previously included within the Capital Improvement Plan (“CIP”) as approved by Resolution No. 2022-R32 on May 4, 2022. To ensure that the CIP includes the Emergency Project in accordance with Government Code § 65401, the City Council amends Resolution No. 2022-R32 to add the Emergency Project. Pursuant to Government Code § 65103(C), the City Council finds that the CIP, as amended by adding the Emergency Project, is consistent with the Monterey Park General Plan. Among other things the CIP meets the following goals in the General Plan:

- Goal 2.0 of the Circulation Element: Provide a local street system that accommodates current and future traffic volumes;
- Goal 5.0 of the Circulation Element: Create and maintain a connected system of bicycle routes and pedestrian facilities that meets the need of City residents;
- Goal 6.0 of the Circulation Element: Ensure that all development projects provide well-designed parking facilities that are safe, convenient, and attractive;
- Goal 3.0 of the Safety and Community Services Element: Protect public and private properties from geologic hazards associated with steep slopes, unstable hillsides, and liquefaction-prone areas;
- Goal 13.0 of the Safety and Community Services Element: Provide adequate sewer, water, and drainage systems to meet the needs of City residents and businesses; and
- Goal 4.0 of the Resources Element: Conserve and protect groundwater supply and water resources.

SECTION 2: Design Immunity; City Engineer. The City Council wishes to obtain the immunities set forth in Government Code § 830.6 regarding the plans and construction

of the Emergency Project. Accordingly, in addition to the other projects in the CIP, the City Council authorizes the City Engineer to exercise discretionary approval for plans or designs for the Emergency Project in advance of the construction or improvement as set forth in Resolution No. 2022-R32.

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

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

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

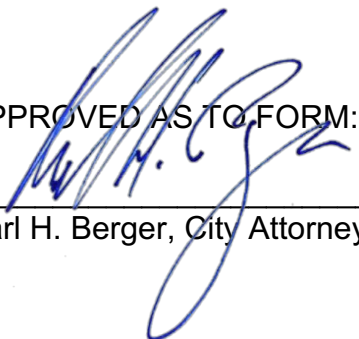
PASSED AND ADOPTED this ____ day of February, 2023.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Consent Calendar - 3H

TO: The Honorable Mayor and City Council
FROM: Shawn Igoe, Director of Public Works
SUBJECT: Emergency Repair of Water Main on La Merced Road – Adopt a Resolution authorizing the City Manager to execute a Public Works contract with W.A. Rasic without the need for competitive bidding to complete emergency water main repairs

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a Resolution authorizing the City Manager to execute a Public Works contract with W.A. Rasic Construction Company, Inc., in the amount of \$75,000, without the need for competitive bidding to complete emergency repairs of the water main on La Merced Road;
2. Appropriating \$75,000 from the Water Operation Fund for the cost of the repair work; 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

On December 13, 2022, Public Works staff responded to a water main break on La Merced Road in the City of Rosemead. Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute a Public Works contract with W.A. Rasic Construction Company, Inc. for the main line repair work without the need for competitive bidding. The contract will be for an amount not to exceed \$75,000.

BACKGROUND

On December 13, 2022, the Public Works Department received a report of a water leak on the sidewalk of the 8000 block of La Merced Road in the City of Rosemead. Staff responded to the site and found a large amount of water flowing out from beneath the concrete sidewalk.

The water leak was initially discovered the evening prior on Monday, December 12, 2022; however, the residents contacted Golden State Water which is the water purveyor for the City of Rosemead. It was later discovered that the water leak came from the City of Monterey Park's waterline that transports potable water from Monterey Park's Delta

Treatment Plant, located in the City of Rosemead, to the La Loma Reservoir in the City of Monterey Park.

City staff contacted W.A. Rasic Construction Company, Inc. to assist in the repair. W.A. Rasic was selected because it has an existing agreement with the City (Agreement No. 2324-A, dated September 1, 2022) for water infrastructure maintenance.

W.A. Rasic furnished water main pipe fittings, related material, appurtenances, labor, tools, equipment, and granular material for the repair work. It performed operations necessary to complete the excavation, chasing the leak, installation of the repair clamp, backfill and temporary paving. Other work included dewatering, sheeting and bracing to eliminate possibility of undermining or disturbing the foundation of existing structure (i.e., set up shoring, jacks and plywood), erosion control and treatment devices for dewatering discharge into storm drain, and cleanup (e.g., washing down jobsite and removal of cones, signs, and equipment).

The City would ordinarily need to comply with the competitive bidding requirements of the California Public Contracts code for this project. However, due to the immediate need to respond to the water leak, competitive bidding for these repairs would have been ineffective and impractical for the protection of public health and safety. W.A. Rasic was already vetted by City staff and under contract for water infrastructure maintenance and performed the work within the competitive unit prices listed in the existing maintenance agreement.

Staff requests City Council adopt a resolution authorizing the City Manager to execute the public works contract with W.A. Rasic Construction Company, Inc. without the need for competitive bidding for the emergency water main repair at La Merced Road. Additionally, staff requests the appropriation of \$75,000 for costs associated with this repair.

FISCAL IMPACT

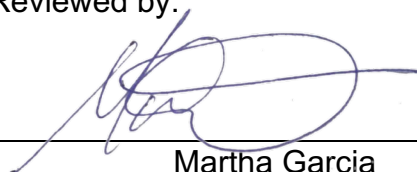
Staff recommends the appropriation of \$75,000 from the water fund operations fund to cover the costs associated with executing this public works contract.

Respectfully submitted and prepared by:



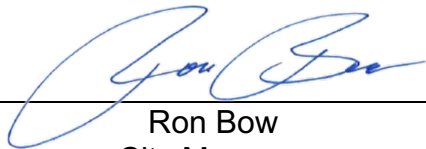
Shawn Igoe
Director of Public Works

Reviewed by:



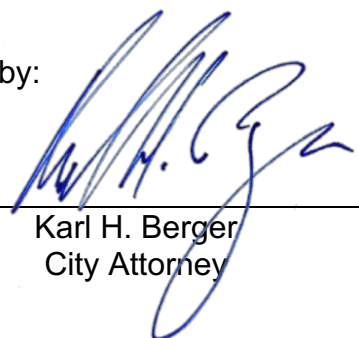
Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT

1. Resolution

ATTACHMENT 1

Resolution

RESOLUTION NO. XXX

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PUBLIC WORKS AGREEMENT WITH W.A. RASIC CONSTRUCTION COMPANY, INC. WITHOUT THE NEED FOR COMPETITIVE BIDDING FOR THE EMERGENCY REPAIR OF THE WATER MAIN AT LA MERCED ROAD

The City Council does resolve as follows:

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

- A. On December 13, 2022, the City responded to a water main break at the 8000 block of La Merced Road, Rosemead;
- B. To respond to the needs for the Project, the Public Works Department contacted W.A Rasic Construction Company, Inc. ("Rasic") to conduct immediate repair of the La Merced Road Water Main Repair (the "Project"). Rasic was selected because it has an existing agreement with the City (Agreement No. 2324-A, dated September 1, 2022) for water infrastructure maintenance;
- C. Ordinarily, the City would need to comply with the competitive bidding requirements set forth in the California Public Contracts Code for this type of project;
- D. The purpose of such bidding requirements is to guard against favoritism, improvidence, extravagance, fraud and corruption, to prevent waste of public funds, and to obtain the best economic result for the public;
- E. The facts and circumstances of this Project, however, demonstrate that competitive bids would be unavailing or would not produce an advantage, and the advertisement for competitive bid would thus be undesirable and impractical for the following reasons:
 - 1. The Project constituted an emergency at the time that Public Works personnel contacted Rasic and required an immediate response to protect public health and safety;
 - 2. Rasic was already vetted by the City, was under contract for purposes of water infrastructure maintenance, and included competitive unit prices as part of the existing maintenance agreement;
 - 3. The Contractor is registered with the Department of Industrial Relations ("DIR"); has the required insurance and bonding; is properly licensed; and is prepared to execute the City's

standard agreement for public works projects; and

4. Since Rasic already responded to complete the Project, undergoing a complete bid process at this time would be nonsensical.
- F. In waiving the competitive bid requirements otherwise required by the Public Contract Code, the City Council takes note of the analysis and decisions set forth in *Graydon v. Pasadena Redevelopment Agency* (1980) Cal.App.3d 631; *Hodgeman v. City of San Diego* (1942) 53 Cal. App.2nd 610; *Orange County Water Dist. v. Bennett* (1958) 156 Cal. App.2nd 745; and *Los Angeles G&E Corp. v. City of Los Angeles* (1922) 188 Cal. 307.

SECTION 2: Environmental Assessment. The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The Project results in minor alterations to existing public facilities involving no significant expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

SECTION 3: Actions; Authorizations. The City Council takes the following actions:

- A. The City Manager is authorized to execute a standard public works agreement with Rasic for completion of the Project in a form approved by the City Attorney without the need for additional bidding; and
- B. The City Manager, or designee, is authorized to execute change orders – in accordance with the terms of the public works agreement – as necessary to complete the Project.

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

SECTION 5: If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

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

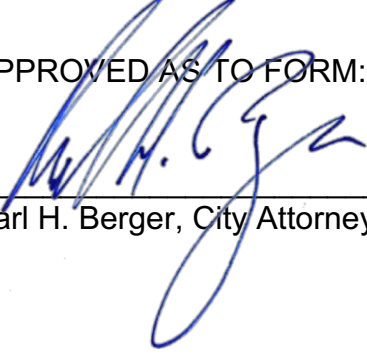
PASSED, APPROVED, AND ADOPTED this 15th day of February, 2023.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Public Hearing - 4A

TO: The Honorable Mayor and City Council

FROM: Jessica Serrano, Interim Director of Community Development

SUBJECT: A continued public hearing to consider introduction and first reading of an Ordinance (Zoning Code Amendment No. 22-03) amending Title 21 of the Monterey Park Municipal Code to clarify and complete implementation of the 2020 Monterey Park Business Recovery Program governing Outdoor Dining, allowable uses within the Central Business (C-B) zoning District, and issuing certificates of occupancy.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Opening a continued public hearing and taking testimonial and documentary evidence;
2. After closing the public hearing and considering the evidence submitted during that public hearing, introduce and waive first reading of Ordinance No. _____ amending Title 21 of the Monterey Park Municipal Code to clarify and complete implementation of the 2020 Monterey Park Business Recovery Program governing Outdoor Dining, allowable uses within the Central Business (C-B) zoning District, and issuing certificates of occupancy; and
3. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Adopting this Ordinance is exempt from further environmental review because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. The Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, adopting the ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment. Individual projects utilizing these regulations will each be separately subject to an environmental assessment. Finally, this Ordinance 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.

TYPE OF ACTION (LEGISLATIVE; QUASI-JUDICIAL; OR ADVISORY)

Legislative: The recommended action is adoption of an Ordinance that implements the Outdoor Dining component of the 2020 Monterey Park Business Recovery program. This component of the Business Recovery Program was extended by the City Council on November 16, 2022 until May 31, 2023 while it was in the process of being reviewed by the Planning Commission and when a new City Council took office. In considering such actions, the City Council acts in its discretionary legislative capacity (formulating rules that apply to all future cases). The recommended action includes an amendment to the zoning regulations via the proposed Ordinance. For the proposed Ordinance, the City Council must make these findings (MPMC § 21.38.050):

- That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;
- That the proposed amendment will not adversely affect surrounding properties; and
- That the proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC's zoning regulations.

These findings are included in the draft Ordinance; the facts upon which these findings rely are also included with the draft documents.

BOARD/COMMISSION REVIEW:

On November 8, 2022, the Planning Commission conducted a duly noticed public hearing and adopted resolutions, with a 4-0-1 vote, recommending City Council approval of the draft ordinances with permanent regulations for outdoor dining, expanding allowable uses in the C-B zoning district, among others.

EXECUTIVE SUMMARY:

Outdoor temporary event permit regulations were first adopted on July 15, 2020, as part of the 2020 Monterey Park Business Recovery Program (the "Program"). The Outdoor temporary event permit regulations remain valid until May 31, 2023. Staff prepared an Ordinance to adopt *permanent* regulations to enable outdoor dining uses to operate in commercial zones, subject to certain requirements.

Among other things, the Ordinance would expand allowable uses in the C-B zoning district; and clarify the Building Official's authority to issue Certificates of Occupancy.

BACKGROUND:

In 2020, at the onset of the COVID-19 pandemic, the City adopted a series of ordinances aimed at combating the effects of the pandemic on our local economy including the creation of the Program. The Program included temporary regulations to help local businesses recover from the devastating effects of the pandemic. The majority of the temporary regulations were codified permanently into the Monterey Park Municipal Code (the "MPMC"), except for the outdoor temporary event permit regulations. The outdoor temporary event permit regulations were first adopted on July 15, 2020 and were

extended three times. The most recent extension extended the outdoor temporary event permit regulations until May 31, 2023.

Since 2020, the City processed approximately 50 permits to allow outdoor business operations. A review of this program suggests that a permanent permit system may benefit the City's businesses for the foreseeable future.

On September 26, 2022, the Planning Commission reviewed the existing outdoor temporary event permit regulations and provided feedback regarding outdoor business operations as they relate to safety, aesthetics, noise adjacent to residential uses, parking impacts, and only allowing outdoor dining uses, among others.

Staff prepared an Ordinance to adopt *permanent* regulations for outdoor dining uses. The Ordinance would also expand allowable uses in the C-B zoning district and clarify the Building Official's authority to issue Certificates of Occupancy.

Outdoor Dining:

There are some modifications to the Outdoor Dining regulations adopted in 2020 including, without limitation, off-street parking regulations and use of public property. While certain standards are required, the draft Ordinance also authorizes the Community Development Director, or designee, to make adjustments for good cause shown.

Any approvals for outdoor dining would be accomplished by Administrative Use Permits. These permits were added to the MPMC as part of the Program. While such permits are approved administratively, they are reviewed by the Planning Commission before they become effective.

- Street level uses in the C-B Zoning District:

Various business and property owners in the C-B zoning district, which encompasses the City's Downtown extending a few blocks in either direction from the intersection of Garvey Avenue and Garfield Avenue, expressed concerns regarding challenges in leasing areas for retail sales and/or selling property. Currently, office uses are permitted only on the second floor and above.

The C-B Zone provides for development of a pedestrian-oriented downtown environment that allows for a mix of commercial and residential uses. This zone creates a vibrant pedestrian-oriented commercial district through the implementation of the following practices:

- Encourage the use of awnings and window displays that create attractive storefronts and promote walkability throughout the downtown.
- Promote a mix of retail, dining and limited service uses in which office uses are expressly prohibited on the street level.

- Promote accessory uses, such as outdoor dining, that will enhance a pedestrian friendly atmosphere.

In addition, the Land Use Element to the Monterey Park General Plan seeks to establish the downtown as a community focal point.

Based upon this feedback and the public policy for the zoning regulations, the proposed Ordinance would allow professional office uses on the street level within the C-B Zone. In doing so, certain objective standards would be applied including those associated with aesthetics; accessibility; and business hours.

- Code Cleanup – Certificate of Occupancy

Finally, the draft Ordinance will resolve a textual conflict within the MPMC regarding authority for issuing Certificates of Occupancy. The California Building Code delegates such authority to the City's Building Official. A legacy part of the MPMC includes language delegating authority to the City Planner. This conflict is resolved by removing the authority provided to the City Planner.

FISCAL IMPACT:

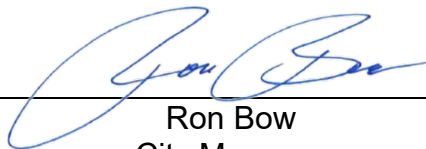
The preparation of this Ordinance is absorbed into the Community Development Department Budget. Ongoing use of staff time to review for determination and compliance will be reimbursed through appropriate land use fees.

Respectfully submitted and prepared by:



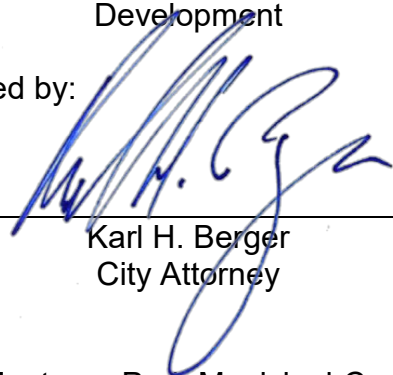
Jessica Serrano
Interim Director of Community
Development

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. Ordinance No. _____ amending Title 21 of the Monterey Park Municipal Code to clarify and complete implementation of the 2020 Monterey Park Business Recovery Program governing Outdoor Dining, allowable uses within the Central Business (C-B) zoning District, and issuing certificates of occupancy.
2. Table 21.10(A) Permitted Uses in Commercial Zones
3. Notice of Exemption

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. _____

AN OMNIBUS ORDINANCE AMENDING TITLE 21 OF THE MONTEREY PARK MUNICIPAL CODE TO CLARIFY AND COMPLETE IMPLEMENTATION OF THE 2020 MONTEREY PARK BUSINESS RECOVERY PROGRAM GOVERNING OUTDOOR DINING, ALLOWABLE USES WITHIN THE CENTRAL BUSINESS (C-B) ZONING DISTRICT, AND ISSUING CERTIFICATES OF OCCUPANCY.

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

SECTION 1: Findings. The City Council finds and declares that:

- A. In 2020, the City Council adopted a series of ordinances implementing the 2020 Monterey Park Business Recovery Program (the “Program”) to encourage economic recovery following the COVID-19 Pandemic;
- B. The Program helped streamline many aspects of the City’s processes for approving new businesses and facilitating business operations. Consequently, the City Council codified most of the Program into the Monterey Park Municipal Code (“MPMC”) as permanent regulations;
- C. One of the few remaining components of the Program that is not yet codified is Outdoor Dining. On November 8, 2022, the Planning Commission adopted Resolution No. 03-22 recommending that the City Council adopt permanent regulations for Outdoor Dining and Resolution No. 04-22 recommending that the City Council adopt additional technical changes to the MPMC. On November 16, 2022, the City Council extended this component of the Program until May 31, 2023. Thereafter, a new City Council took office in December 2022 and needed additional time to contemplate the best implementation of proposed Outdoor Dining regulations;
- D. This Ordinance expands allowable uses in the C-B Zone (as described below) and also makes minor changes to regulations regarding certificates of occupancy to remove an ambiguity within the MPMC regarding which City official may issue such certificates;
- E. The City reviewed this Ordinance 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”). CEQA and the CEQA Guidelines are collectively referred to as “CEQA Regulations”;
- F. On February 15, 2023, the City Council considered this Ordinance. Its

findings are made based on the entire administrative record including testimony and evidence presented to the Planning Commission on November 8, 2022 and to the City Council at its February 15, 2023 public hearing, including, without limitation, the staff report submitted by the Interim Director of Community Development.

SECTION 2: Zoning Findings. Pursuant to MPMC § 21.38.050, the City Council makes the following findings:

- A. The Ordinance is consistent with the goals, policies and objectives of the General Plan. It is a goal of the Land Use Element of the General Plan to ensure flexibility in zoning regulations regarding allowable uses (Policy 1.1), with the goal of providing commercial zones that are flexible in allowing a variety of uses that meet the community's needs. Goal 2 of the Land Use Element also requires the City to provide flexible and clear development standards to allow commercial business to expand and thrive economically. The proposed amendments accomplish these goals by creating a streamlined process that is clear and functional and allows businesses to expand their operations, while protecting surrounding land uses.
- B. The Ordinance will not adversely affect surrounding properties in that the proposed text amendments are aimed at improving, unifying, and complementing regulations for outdoor dining. Compliance with all applicable zoning regulations will ensure that any given project will not adversely affect adjoining properties and will not be detrimental to the area.
- C. The Ordinance is in the interest or furtherance of public health, safety and general welfare. This Ordinance is intended to encourage and accommodate new and existing businesses in commercial zones throughout the City that will fill vacant storefronts, provide opportunities for the business community to meet the community's consumer and dining needs, and create attractive public spaces that enhance the character of existing neighborhoods.

SECTION 3: Renumbering. All sections of the MPMC affected by changes implemented by this Ordinance are renumbered as appropriate.

SECTION 4: A new § 21.04.646 is added to the MPMC to read as follows:

"21.04.646 Outdoor Structure/Facilities

"Outdoor structure/facilities" means awnings or canopies made of wood, metal or similar materials; furniture; tents; shade umbrellas; and similar types of structures, including without limitation, lighting and heating improvements that can be fixed to the ground in specified locations, as determined by the Community Development Director, or designee."

SECTION 5: MPMC § 21.10.040(Y) is amended in its entirety to read as follows:

** * *

(Y) Outdoor dining/seating, upon approval of an administrative use permit is allowed as an accessory use to a restaurant and/or or retail eating establishment in compliance with the following requirements:

- (1) Notwithstanding any other provision of this Title for accessory uses, outdoor dining/seating may be determined by administrative use permit.
- (2) An applicant must submit a diagram drawn to scale and dimensioned showing the proposed location of the outdoor dining/seating with all furniture, walking paths, and signage, as applicable.
- (3) An applicant must submit a graphical depiction, such as sample photographs, depicting the appearance of the outdoor structure/facilities, and other equipment proposed to be used in the outdoor dining area.
- (4) To provide for adequate pedestrian circulation, outdoor dining/seating must maintain a minimum of four feet of clearance between dining furnishings and any curb line, street furniture, or above ground utilities. Unless otherwise approved by the Community Development Director, or designee based upon substantial evidence established by a line-of-sight study completed by licensed professionals, a minimum of 50 feet of clearance must be maintained between dining furnishings and the centerline of intersecting perpendicular driveways, alleys or streets to provide for adequate vehicle sight.
- (5) Unaffixed outdoor structure/facilities must be stored indoors after hours of operation unless otherwise permitted by an administrative use permit.
- (6) Outdoor structure/facilities must reflect an appropriate level of quality and design that contributes to the distinct identity of the neighborhood in which the business is located.
- (7) Outdoor structure/facilities may not block display windows or signage of adjacent businesses without the written consent of the affected business owner and filed with the Community Development Director, or designee.

- (8) Except as otherwise provided by applicable law, or other City Council authorized restrictions, all fees for outdoor dining/seating including, without limitation, fees for using public places, will be established by City Council resolution.
- (9) Parking for outdoor dining/seating areas must comply with nonresidential parking standards in this code, unless otherwise permitted by administrative use permit or chapter 21.22 of this code to obtain an adjustment of the parking requirements.
- (10) Outdoor dining/seating uses may be combined with alcohol licensing by administrative use permits. The Community Development Director, or designee, is authorized to promulgate standard conditions for such administrative use permits.
- (11) Administrative use permits cannot be issued for outdoor dining/seating in a street or alley.
- (12) Outdoor dining/seating also includes dining located within the City right of way pursuant to a permit.
- (13) Outdoor dining/seating is only allowed in conjunction with a permitted restaurant and is only permitted to utilize outdoor structures/facilities.

* * *

SECTION 6: *Repeal.* MPMC § 21.10.260 (Certificate of Occupancy) and § 21.28.020(a)(9)(c) are repealed in their entirety.

SECTION 7: MPMC § 21.10.020(C)(1)(b) is amended to read as follows:

“(b) Promote a mix of retail, dining and limited service uses, including, without limitation, office uses ~~in which office uses are expressly prohibited on the street level.~~”

SECTION 8: Table 21.10(A) in MPMC § 21.10.030 is amended as follows:

** * *

Office	N-S	S-C	C-B	R-S	C-S	C-P
Bank/Financial Institution (retail)	C	C	C	C	C	P
Data/Cash Processing Office	X	X	X	X	X	P
Financial Institution/ Corporate Office	X	X	X	X	X	C
Notary Public	S	S	SL	S	S	P
Office, Administrative	S	S	SL	S	S	P
Office, Professional	S	S	SL	S	S	P
Office, Service	P	S	SL	P	P	P
Stockbroker/Trader	X	X	SL	X	X	P

* * *

SECTION 9: A new MPMC § 21.10.040(GG) is added to read as follows:

“* * *

(GG) Office, (Professional, Service) in the C-B zoning district. Office (Professional, Service) uses are allowed within the C-B zoning district as follows:

- (1) Permitted by right on building second story and above.
- (2) Permitted by right on street level, subject to the following:
 - (a) Offices must have a storefront window corridor consistent with the retail nature of downtown.
 - (b) Interior building partitions are prohibited within the front 25 feet as measured from a storefront window.
 - (c) Windows facing streets may not be tinted less than 70% light transmission, unless approved by the Community Development Director, or designee.
 - (d) Storefront windows may not be obscured including, without limitation, with signage, window coverings, or other mechanism. Window coverings on street level must be approved by the Community Development Director, or designee and must enhance the appearance of an open storefront.
 - (e) Storefront security doors, gates, shutters, or grilles, must comply as follows:
 - (i) Installation is only allowed on the interior of the building and may not be visible from the storefront.
 - (ii) Security doors, gates, shutters, or grilles must be retractable and not visible when open.
 - (iii) Security doors, gates, shutters, or grilles must remain open during normal business hours.”

SECTION 10: MPMC § 21.32.200(A) is amended to add “outdoor dining/seating” as a use subject to administrative use permit to read as follows:

“ * * *

- (2) Drive-throughs; and
- (3) Outdoor dining/seating; and
- (4) Setbacks.

* * *

SECTION 11: ***Environmental Assessment.*** This Ordinance was reviewed pursuant to CEQA. Adopting this Ordinance is exempt from further environmental review because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. The Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, the adopting the ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment. Individual projects utilizing these regulations will each be separately subject to an environmental assessment. Finally, this Ordinance 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.

SECTION 12: ***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 13: ***Enforceability.*** Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this 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 14: ***Validity of Previous Code Sections.*** If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 15: ***Reliance on Record.*** Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 16: ***Limitations.*** The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are limitations on the City's ability to solve what are in effect regional, state, and National problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 17: ***Summaries of Information.*** All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 18: ***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 19: ***Recording.*** The City Clerk, or her duly appointed deputy, 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 20: ***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 21: ***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 22: ***Effective Date.*** This Ordinance becomes effective on the 30th day following its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2023.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

ATTACHMENT 2

Table 21.10(A) Permitted Uses in Commercial Zones

21.10.030 Land Use Regulations.

(A) Permitted Uses. The land uses listed in Table 21.10(A) are permitted in one or more of the commercial districts as indicated in the columns corresponding to each commercial district. Where indicated with a “P,” the use is permitted. Where indicated with an “X,” the use is expressly prohibited. The letter “A” indicates the use is permitted only as an accessory use. The letter “C” indicates the use is conditionally permitted subject to the approval of a conditional use permit. The letter “L” indicates the use is permitted subject to limitations described in Section 21.10.040. The letter “S” indicates the use is permitted only on the second floor or above.

(B) All uses must be conducted totally within a completely enclosed building with the exception of City-approved outdoor dining, temporary special events, and uses customarily conducted in the open as determined by the City Planner, such as a carwash or nursery.

(C) Storage is permitted only within an entirely enclosed building and is limited to accessory storage of commodities sold or utilized in the conduct of a permitted use, on the premises.

(D) Uses producing, causing or emitting dust, gas, smoke, glare, noise, fumes, odors, electromagnetic emanations or vibrations which are or may be detrimental to the safety, welfare, health and peace of the City and its residents are prohibited.

(E) Overnight parking of vehicles, except those used in conjunction with a permitted use, are prohibited. The vehicles must be maintained in proper working order and remain free of graffiti at all times. Any such vehicle deemed to be a public nuisance is prohibited from parking on-site.

Table 21.10(A)

Permitted Uses in Commercial Zones

Legend:

- A As an accessory use only
- C Permitted subject to approval of a conditional use permit
- L Permitted subject to limitations or special standards as described in Section 21.10.040
- P Permitted
- S Permitted on the second floor or above

X Expressly prohibited

Land Uses						
Retail	N-S	S-C	C-B	R-S	C-S	C-P
Appliance or Electronics Sale and Repair	P	P	P	P	P	X
Art Gallery	P	X	P	P	P	X
Art Supplies Store	P	P	P	P	P	X
Auto Parts Store, retail only	P	P	X	P	P	X
Auto Sales – New	X	P	X	L	P	X
Auto Sales – Used	X	P	X	L	P	X
Bakery, Retail Sales Only	P	P	P	P	P	X
Beauty Supplies Store	X	P	P	P	P	X
Boat, Trailer, Motorcycle, Motor Scooter Sales	X	X	X	L	P	X
Book Store, including Newsstand	P	P	P	P	P	P
Catering Service, Food (not truck catering)	X	X	X	A	A	X
Cellular Phone Store, including Accessories	P	P	P	P	P	P
Clothing/Shoe Retail and Service	P	P	P	P	P	P
Drugstore/Pharmacy	P	P	P	P	P	L
Florist	P	P	P	P	P	P
Furniture Store	X	P	P	P	P	X
Grocery/Food Store/ Supermarket	P	P	P	P	P	L
Hardware/Home Improvement Store (less than or equal to 10,000 sq. ft.)	P	P	P	P	P	X
Hardware/Home Improvement Store (more than 10,000 sq. ft.)	X	P	X	P	P	X
Hobby/Specialty Store	P	P	P	P	P	X
Jewelry Store	X	P	P	P	P	P
Major Development	C	C	C	C	C	C
Medical Equipment and Supplies (sales and service)	X	P	X	P	P	P
Medical Marijuana Dispensaries	X	X	X	X	X	X
Music Store (sales, service and instruction)	X	P	X	P	P	X
Music Store (retail sales only with service and instruction expressly prohibited)	X	P	P	P	P	X
Music/Movie Sale and Rental	P	P	P	X	P	P

Office Supply Store (less than or equal to 10,000 sq. ft.)	X	P	P	P	P	P
Office Supply Store (more than 10,000 sq. ft.)	X	P	X	P	P	P
Pet Store and Supplies	P	P	P	P	P	X
Photo Processing Shop (contained within automated equipment only)	X	P	P	P	P	X
Plant Nursery	X	X	X	X	P	X
Retail, General (≤10,000 sq. ft.)	P	P	P	P	P	X
Retail, General (large) (>10,000 sq. ft.)	X	P	P	P	P	X
Specialty Retail	P	P	P	P	P	P
Sporting Goods Store	X	P	P	P	P	X
Swap Meet	X	X	X	X	X	X
Swimming Pool Sales and Service	X	X	X	P	P	X
Service Business	N-S	S-C	C-B	R-S	C-S	C-P
Adult Care Facility	X	X	X	X	C	C
Animal Grooming	P	P	P	P	P	X
Animal Hospital	X	C	X	X	P	X
Animal Shelter	X	X	X	X	X	X
Auto Detailing	X	X	X	X	X	X
Auto Dismantling	X	X	X	X	X	X
Auto Rental	X	X	X	L	L	X
Auto Repair	X	X	X	X	X	X
Auto Salvage and Wrecking	X	X	X	X	X	X
Barber Shop	P	P	P	P	P	P
Beauty Salon	P	P	P	P	P	P
Car Wash	C	X	X	X	C	X
Cemetery	X	X	X	X	X	X
Check Cashing Facility	X	X	X	X	C	X
Collection Facility	C	C	X	C	C	X
Community Care Facility	X	X	X	X	C	C
Copy Center	P	P	P	P	P	P
Day Care Center	C	C	C	X	C	C
Day Health Spa (excluding massage)	P	P	P	P	P	P
Dry Cleaning (including laundry)	X	P	X	P	P	X

Dry Cleaning (including laundry less than or equal to 2,000 sq. ft.)	P	P	P	P	P	P
Employer-Sponsored Child Care	L	L	L	L	L	L
Service Business (cont'd)	N-S	S-C	C-B	R-S	C-S	C-P
Extended Lodging Facility	X	X	X	L	L	L
Fitness Center (less than or equal to 5,000 sq. ft.)	L	L	L	L	L	L
Fitness Center (more than 5,000 sq. ft.)	C	C	C	C	C	C
Gunsmith	X	X	P	P	P	X
Hotel	X	X	L	L	L	L
Kennel/Animal Boarding	X	X	X	X	X	X
Laundromat	P	P	P	X	X	X
Locksmith/Keys	P	P	X	P	P	X
Mail Boxes (accessory to parcel service or contract postal station only)	A	A	A	A	A	A
Massage Establishment	L	L	L	L	L	L
Money Transfer Facility	X	X	X	X	C	X
Mortuary/Funeral Home	X	X	X	C	C	C
Motel	X	X	X	L	L	X
Parcel Service/Contract Postal Station	P	P	P	P	P	P
Photo Processing Shop	P	P	P	P	P	P
Photocopying/Reproduction	X	P	P	P	P	P
Picture Framing as Accessory to Art Supplies Store and/or Art Gallery	A	A	A	A	A	X
Printing and Publishing	X	X	X	P	P	X
Public Storage (Mini-Storage)	X	X	X	X	C	X
Salvage Yard	X	X	X	X	X	X
Service Station	C	C	X	C	C	X
Studio (Martial Arts/Dance/Photo/Music)	X	L	L	L	L	L
Tailor	P	P	P	P	P	X
Tattoo Parlors and Body Piercing Shops	X	X	X	X	X	X
Tutoring	L	X	X	L	L	X
Veterinary Services, Domestic	X	C	X	X	P	X
Eating & Drinking Establishment	N-S	S-C	C-B	R-S	C-S	C-P

Alcohol Sales (on-sale and off-sale)	L	L	L	L	L	L
Bar, Tavern or Cocktail Lounge	X	X	L	L	X	X
Outdoor Dining	A	A	A	A	A	A
Restaurant	P	P	P	P	P	P
Retail Eating Establishment	P	P	P	P	P	P
Entertainment/Cultural	N-S	S-C	C-B	R-S	C-S	C-P
Adult Oriented Business	X	X	X	X	X	X
Amusement or Game Arcade	X	C	C	C	C	X
Auditorium, including Performing Arts Center	X	X	X	C	C	A
Concert Hall	X	C	C	C	X	X
Comedy Club	X	C	C	C	X	X
Commercial Recreation – Indoor	C	C	C	C	C	C
Commercial Recreation– Outdoor	X	C	C	C	C	X
Entertainment (cont'd)	N-S	S-C	C-B	R-S	C-S	C-P
Community Center	X	C	C	C	X	X
Cultural Institution	X	X	X	P	P	P
Golf Driving Range	X	X	X	X	C	X
Internet Arcade	X	L	X	X	L	X
Library	X	X	X	P	P	P
Miniature Golf	X	C	X	C	C	X
Museum	X	X	P	P	P	X
Theater (theatrical and motion picture)	X	C	C	C	X	X
Office	N-S	S-C	C-B	R-S	C-S	C-P
Bank/Financial Institution (retail)	C	C	C	C	C	P
Data/Cash Processing Office	X	X	X	X	X	P
Financial Institution/ Corporate Office	X	X	X	X	X	C
Notary Public	S	S	S	S	S	P
Office, Administrative	S	S	S	S	S	P
Office, Professional	S	S	S	S	S	P
Office, Service	P	S	S	P	P	P
Stockbroker/Trader	X	X	S	X	X	P
Medical Uses	N-S	S-C	C-B	R-S	C-S	C-P

Acupuncture or Acupressure Clinic/Office	X	X	X	X	L	L
Alcoholism Hospital	X	X	X	X	C	C
Ambulance Service	X	X	X	X	C	P
Clinic (including medical, dental, psychologist, social work)	X	X	X	X	P	P
Day Treatment Hospital	X	X	X	X	C	C
Hospital (including psychiatric)	X	X	X	X	C	P
Long-Term Facility	X	X	X	X	C	C
Medical or Dental Laboratories	X	X	X	X	L	L
Nursing and Convalescent Hospital	X	X	X	X	C	L
Optometrist/Ophthalmologist	X	X	X	P	P	P
Out-Patient Facility (Drug and Alcohol)	X	X	X	X	L	L
Educational Institutions	N-S	S-C	C-B	R-S	C-S	C-P
Business College (Office or Medical/Dental)	X	X	X	X	X	C
School, Commercial	X	X	X	X	X	C
School, Driving/Traffic (passenger vehicles and motorcycles)	X	X	X	X	C	C
School, Accessory Use to Church	X	C	C	X	X	X
School, Private	C	X	X	C	C	X
School, Public	P	P	P	P	P	P
School, Vocational or Trade School	C, S	X	C, S	X	C	C, S
Swimming Pool School	P	X	X	X	X	X
Additional/Accessory Uses	N-S	S-C	C-B	R-S	C-S	C-P
Alcohol Sales	A	A	A	A	A	A
Assembly Hall	P	X	P	X	P	P
ATM Kiosk	L	L	L	L	L	L
Additional/Accessory Uses (cont'd)	N-S	S-C	C-B	R-S	C-S	C-P
Boarding House (see also Section 21.04.075)	X	X	X	C	C	C
Buildings Exceeding Height Limit	X	X	X	X	X	L
Community Facility	X	C	C	C	X	X
Drive-Through Business	L	L	X	L	L	X
Dump, Inert Solid	X	X	X	X	X	X
Dump, Rubbish and Refuse	X	X	X	X	X	X
General Research and Development Facility	X	X	X	L	L	L

Government or Public Facility	C	C	C	C	C	C
Government or Public Facility (owned or operated by the City of Monterey Park)	P	P	P	P	P	P
Live/Work Unit	L	X	L	L	L	X
Manufacturing, Heavy or Light	X	X	X	X	X	X
Mixed Uses (Residential & Commercial)	L	X	L	L	L	X
Parking Lot/Structure	X	X	A	A	A	A
Public Utility Office	C	C	X	C	C	C
Public Utility Substation	X	X	X	P	P	X
Quarry	X	X	X	X	X	X
Recycling Center	X	C	X	X	C	X
Refuse Collection	X	X	X	X	X	X
Rehabilitation Facility	X	X	X	X	C	C
Single Room Occupancy	X	X	X	L	L	L
Supportive Housing	X	X	X	X	C	C
Transitional Housing	X	X	X	X	C	C
Transfer Station	X	X	X	X	X	X
Warehouse	X	X	X	X	X	X
Warehouse and Sales Outlet	X	X	X	X	X	X
Wireless Communications & Telecommunications Facility	L	L	L	L	L	L
Wholesale/Distribution	X	X	X	X	X	X

(Ord. 2203 § 2, 2021; Ord. 2138 § 4, 2016; Ord. 2135 § 4, 2016; Ord. 2131 § 4, 2016; Ord. 2097 § 3, 2013)

Contact:

City Clerk: (626) 307-1359, mpclerk@montereypark.ca.gov

Published by [Quality Code Publishing, Seattle, WA](#). By using this site, you agree to the [terms of use](#).

ATTACHMENT 3

Notice of Exemption

Notice of Exemption

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

To:

- ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
- ☐ Los Angeles, County Clerk
Environmental Filings
12400 Imperial Highway #1201
Norwalk, CA 90650
Attn: Business Filings and Registration

Project Title: Zoning Code Amendment (ZCA 22-03)
Project Location - Specific: Citywide
Project Location - City: Monterey Park
Project Location - County: Los Angeles

Description of Project:

Approval of an Ordinance (Zoning Code Amendment No. 22-03) amending Title 21 of the Monterey Park Municipal Code to clarify and complete implementation of the 2020 Monterey Park Business Recovery Program governing Outdoor Dining, allowable uses within the Central Business (C-B) zoning District, and issuing certificates of occupancy.

Name of Public Agency Approving Project: City of Monterey Park
Name of Person or Agency Carrying Out Project: City of Monterey Park

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number: §§ 15301; 15303, 15304(e); 15305; and 15311

☒ Statutory Exemptions. State code number: §§ 15061(b)(3); and 15269(a)

Reasons why project is exempt:

Adopting this Ordinance is exempt from further environmental review because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. The Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, adopting the ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the ordinance is for general policies and procedure-making. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment. Individual projects utilizing these regulations will each be separately subject to an environmental assessment. Finally, this Ordinance 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.

Lead Agency Contact Person: Jessica Serrano Telephone (626) 307-1315

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: Interim Director of Community Development

- ☐ Signed by Lead Agency Date received for filing at OPR:
- ☐ Signed by Applicant



City Council Staff Report

DATE: February 15, 2023

AGENDA ITEM NO: Public Hearing - 4B

TO: The Honorable Mayor and City Council
FROM: Scott Wiese, Chief of Police
SUBJECT: Public Hearing and approval of the Substantial Amendment to the 2021- 2022 HUD Annual Action Plan to receive and administer the HOME Investment Partnerships Program (HOME)-American Rescue Plan (ARP) Program.

RECOMMENDATION:

It is recommended that the City Council consider:

- 1) Opening the public hearing to receive testimonial and documentary evidence;
- 2) Closing the public hearing and approving the Substantial Amendment to the 2021- 2022 One-year Action Plan (Action Plan) to include the HOME-ARP Program ("HOME-ARP");
- 3) Directing staff to prepare and transmit the final documents to the U.S. Department of Housing and Urban Development ("HUD");
- 4) Authorizing the City Manager, or his designee, to take all actions necessary or desirable to implement the HOME-ARP Programs, and Subrecipient Agreements; and
- 5) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The U.S. Department of Housing and Urban Development provides funding to states, counties and cities in the form of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds.

In 2021, the American Rescue Plan Act was enacted by Congress. The American Rescue Plan (ARP) provides funds to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, by providing housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability across the country. These grant funds will be administered through HUD's HOME Investment Partnerships Program (HOME-ARP). Since the City of Monterey Park is an Entitlement City, the City is eligible to receive HOME-ARP funds.

Before Monterey Park can receive these funds, the City must develop a HOME-ARP Allocation Plan that meets the requirements in the HOME-ARP Notice.

To receive its HOME-ARP allocation, the City of Monterey Park must:

- Engage in consultation with at least the required organizations;
- Provide for public participation including a 15-day public comment period and one public hearing, at a minimum; and
- Develop a plan that meets the requirements in the HOME-ARP Notice.

BACKGROUND:

On March 11, 2021, President Biden signed ARP into law, which provides over \$1.9 trillion in relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses.

To address the need for homelessness assistance and supportive services, Congress appropriated \$5 billion in ARP funds to be administered through HOME to perform four activities that must primarily benefit qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations. These activities include: (1) development and support of affordable housing, (2) tenant-based rental assistance (TBRA), (3) provision of supportive services; and (4) acquisition and development of non-congregate shelter units. The program described in this notice for the use of the \$5 billion in ARP funds is the HOME-American Rescue Plan or "HOME-ARP."

To receive the HOME-ARP funds, the City must comply with the following requirements of the Consolidated Plan final rule regarding pre-submission requirements:

- Fulfill citizen participation requirements by conducting a public hearing to receive citizen input regarding annual funding needs;
- Publish a Draft Annual Action Plan for a 15-day comment period in order to receive citizen input regarding the final document; and
- Conduct a public hearing adopting the final HOME Investment Partnerships Program (HOME)-American Rescue Plan Program.

On January 9, 2023, HUD notified the City that the HOME-ARP Allocation Plan was substantially incomplete because it did not allocate its full allocation of \$1,175,039 to programs/activities. In order to deem the Plan as substantially complete, the City must allocate the full HOME-ARP allocation in the public notice and resubmit for an additional 15-day public comment period. While the City does not need to identify specific projects at the time of submission, the plan must identify the general use of the entire grant amount. The City can revise its budget later through a substantial amendment process if it decides there is a need to redistribute some of its HOME-ARP funding.

HOME-ARP Allocation Plan

As a result of the ever-worsening homeless crisis which has greatly impacted the quality of life and public health of the Monterey Park community and first responders. The City of Monterey Park and the police department's leadership are committed to combating homelessness but continue to face challenges which include access to lack of bed availability and resources in the San Gabriel Valley along with lack of funding allocated to address the cultural competency of the unsheltered Monterey Park population and those on the verge of becoming homeless engagement, with the objective to reduce homelessness and increase housing stability among individuals and families who are experiencing homelessness or on the verge of experiencing homelessness through support from a homeless service system that work in collaboration with the broader Continuum of Care (CoC) system in Los Angeles County. Interim housing in a motel/hotel setting with case management and supportive activities would assist the qualifying population with appropriate services to their specific situation to find a long-term solution.

The HOME-ARP regulations do not allow more than 15% (\$176,255) to be used for Planning and Administrative services. In addition, HOME-ARP can provide up to 5% of its allocation for operating costs of Community Housing Development Organizations (CHDOs), other non-profit organizations, and homeless providers. Additional HOME ARP funding is available to these organizations for capacity building activities.

In accordance with HOME-ARP Program regulations, Monterey Park proposes the utilization of HOME-ARP funds to implement the programs listed below:

Proposed Programs	Description	Amount
Administration	The City will provide planning and administration services required to manage and operate the HOME-ARP program.	\$176,255
Homeless Assistance and Supportive Services	Provide supportive services, such as housing counseling, homelessness prevention, childcare, job training, legal services, case management, moving costs, rental applications and rent assistance.	\$998,784
TOTAL		\$1,175,039

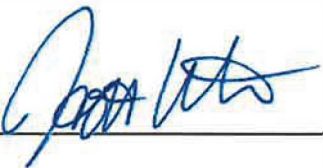
The public notice was published on January 26, 2023 in the Monterey Park Progress newspaper to inform the public of the 15-day public review period and February 15, 2023 Public Hearing for discussions on the HOME-ARP Allocation Plan. At the time of preparing this staff report, City staff has not received any written comments concerning the HOME-ARP Allocation Plan.

FISCAL IMPACT:

There is no fiscal impact to the General Fund.

Respectfully submitted:

By:

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

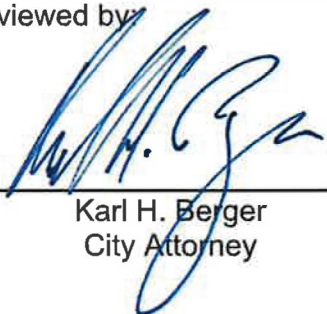
Scott Wiese,
Chief of Police

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

ATTACHMENT:

1. HOME-ARP Allocation Plan

Staff Report
February 15, 2023

ATTACHMENT 1

HOME-ARP Allocation Plan

City on Monterey Park HOME-ARP Allocation Plan (draft)

Consultation

Before developing its plan, a PJ must consult with the CoC(s) serving the jurisdiction's geographic area, homeless and domestic violence service providers, veterans' groups, public housing agencies (PHAs), public agencies that address the needs of the qualifying populations, and public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities, at a minimum. State PJs are not required to consult with every PHA or CoC within the state's boundaries; however, local PJs must consult with all PHAs (including statewide or regional PHAs) and CoCs serving the jurisdiction.

Summarize the consultation process:

The City of Monterey Park held 8 virtual consultation sessions with key stakeholders to best discuss the best use of HOME-ARP funds. The consultations sessions were conducted remotely on 03/24/22, 03/31/22, 04/06/22, 04/07/22, 04/12/22, 04/21/22, 04/25/22 and 17 people were involved in the interview process. Prior to the consultation meetings, the stakeholders were provided with an overview and description of the project including the activities that will be provided with the funding. The stake holders were asked for ideas and recommendations on how to best use the funds and the current gaps in service each organization is currently facing.

Through the consultation process, the stakeholders that manage homeless and public benefit programs emphasized that a huge barrier within the homeless service systems in the San Gabriel Valley is lack of bed availability and affordable housing. The rapid escalation of rents is also placing a strain on Los Angeles County residents. In 2018 Los Angeles Homeless Services Authority reported a housing gap for individuals at 40,764, families as 5,069 and for individual veterans as 2,928.

Due to lack of bed availability in shelters and permanent housing the program would use the funds to provide emergency and/or interim housing along with client supportive services in a hotel/motel setting. Through case management, a housing navigator will identify and assist the client's needs and barriers to find a long-term solution.

The program's qualifying population also includes residents on the verge of becoming homeless, veterans and victims of domestic violence, sexual assault and human trafficking. The program's activities include assisting clients with obtaining legal documents, resource referrals to mental health providers, full service partnerships, rapid re-housing, emergency hotel vouchers, substance abuse, debt resolution, utility arrears and assisting with the client's income.

Through the consultation process it was found that people are more respective to living in a single room due to the fact that some individuals have past trauma with living in communal

areas. The program allows the clients to be more open to different services and lower their barriers. Also, some unhoused residents are not willing to leave an area they are familiar due to cultural competency. This program would allow unhoused residents to be able to get the services they need and stay in the community they know.

List the organizations consulted, and summarize the feedback received from these entities.

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Los Angeles Homeless Service Authority	CoC, homeless service provider	Virtual meeting on 04/21/22	Lack of available resources in SPA 3. Must address all of client's challenges. Ex: substance abuse, mental health, etc. Increase awareness among the community.
ChinaTown Services Center	Chinese-American health and human service organization	Virtual meeting on 03/24/22	Lack of bed availability in SPA 3. Shelters should be staffed with individuals who are educated in the nuances with the sheltered population. List of resources should be made available in multiple commonly spoken language.
Union Station Homeless Services	Homeless service provider	Virtual meeting on 04/12/22	Aware of lack of bed availability in SPA 3. Provide substance abuse resources.
East Los Angeles Women's Center	Domestic Violence and Housing Services	Virtual meeting 03/31/22	Access to service is key when servicing domestic violence victims. East LA Women's Center get about 70 calls a week related to housing.
StarView Behavioral Health Urgent Care Center	Behavior Mental Health	Virtual meeting on 04/06/22	Lack of bed availability in SPA 3. Not enough locations are willing take an individual that isn't med complaint, have their prescription, or allow client's to be able to take their medication in a safe location.
Neighborhood Legal Services	Legal services and housing services	Virtual meeting on 04/07/22	Lack of bed availability in SPA 3.

Veterans Administration	Veterans service organization	Virtual meeting on 04/12/22	Lack of bed availability in SPA 3. Barriers finding landlords willing to house clients. Barrier – Veterans becoming eligible for services. Ex. Must be chronically homeless with a disability diagnosis.
LACDA	Local government, fair housing and civil rights	Virtual meeting on 04/25/22	Not limited to just the homelessness population but look into other “qualifying populations” that are on the verge of become homeless and/or victims of domestic violence, college students living in their vehicles and human trafficking. Awareness of legal services is important. Funding should support prevention activities.

Public Participation

The ensure the HOME-ARP Action Plan addresses the needs in the City of Monterey Park, the citizen participation and consultation processes were designed to gather public input on the development of the Action Plan. The City of Monterey Park held 8 consultation sessions with key stakeholders including the Continuum of Care agency which services the area on the following dates: 03/24/22, 03/31/22, 04/06/22, 04/07/22, 04/12/22, 04/21/22, 04/25/22 and 17 people were interviewed during that consultation process. The draft Action Plan was made available for public comment during a 15-day public review and comment Period which commenced on January 26, 2023. An in-person public hearing was held on February 15, 2023. Details about the public hearing and how the public can submit comments are provided in the Public Notice.

On February 15, 2023 the City of Monterey Park plans on hosted a public hearing on the HOME-ARP Allocation Plan. Monterey Park Police Chief Wiese will present the amount of HOME-ARP City of Monterey Park will receive and stated that the planned range of activities include interim housing, case management and diversion and prevention activities to serve Qualified Populations.

Describe any efforts to broaden public participation:

The ensure the HOME-ARP Action Plan addresses the needs in the City of Monterey Park, the citizen participation and consultation processes were designed to gather public input on the development of the Action Plan. The draft Action Plan was made available for public comment during a 15-day public review and comment Period which commenced on January 26, 2023. An in-person public hearing will be held on February 15, 2023. Details about the public hearing and how the public can submit comments are provided in the Public Notice.

A PJ must consider any comments or views of residents received in writing, or orally at a public hearing, when preparing the HOME-ARP allocation plan.

Summarize the comments and recommendations received through the public participation process:

The draft Action Plan was made available for public comment during a 15-day public review and comment period which commenced on January 26, 2023. An in-person public hearing will be held on February 15, 2023 regarding the draft Action Plan. No comments and/or recommendations were received through the process.

Summarize any comments or recommendations not accepted and state the reasons why:

The draft Action Plan was made available for public comment during a 15-day public review and comment period which commenced on January 26, 2023. An in-person public hearing will be held on February 15, 2023 regarding the draft Action Plan. No comments and/or recommendations were received through the process.

Needs Assessment and Gaps Analysis

PJs must evaluate the size and demographic composition of qualifying populations within its boundaries and assess the unmet needs of those populations. In addition, a PJ must identify any gaps within its current shelter and housing inventory as well as the service delivery system. A PJ should use current data, including point in time count, housing inventory count, or other data available through CoCs, and consultations with service providers to quantify the individuals and families in the qualifying populations and their need for additional housing, shelter, or services. The PJ may use the optional tables provided below and/or attach additional data tables to this template.

OPTIONAL Homeless Needs Inventory and Gap Analysis Table

Homeless													
	Current Inventory					Homeless Population				Gap Analysis			
	Family		Adults Only		Vets	Family HH (at least 1 child)	Adult HH (w/o child)	Vets	Victims of DV	Family		Adults Only	
	# of Beds	# of Units	# of Beds	# of Units	# of Beds					# of Beds	# of Units	# of Beds	# of Units
Emergency Shelter	8,650	2,861	6,237	6,237	149								
Transitional Housing	1,528	502	2619	2,619	535								
Permanent Supportive Housing	5,934	1,862	16,979	16,979	6,287								
Other Permanent Housing						752	1,278	0	42				
Sheltered Homeless						3,140	8,664	984	922				
Unsheltered Homeless						883	44,955	2,918	3,434				
Current Gap										#	#	#	#

Suggested Data Sources: 1. Point in Time Count (PIT); 2. Continuum of Care Housing Inventory Count (HIC); 3. Consultation

Describe the size and demographic composition of qualifying populations within the PJ's boundaries:

The residents of the City of Monterey Park have been greatly affected by the growing number of individuals experiencing homelessness. This issue impacted not only the quality of life for the community but also caused an increase in police service calls.

The City of Monterey Park is in the western San Gabriel Valley region of Los Angeles County and lies within the Los Angeles County Continuum of Care (CoC). Within the CoC, the County of Los Angeles is divided into eight Service Planning Areas (SPA). The City of Monterey Park is in Service Planning Area 3 (SPA 3).

In 2018 Los Angeles Homeless Services Authority reported a housing gap for individuals at 40,764, families at 5,069 and for individual veterans at 2,928.

According to the 2020 Point In Time Count, Los Angeles County including the San Gabriel Valley, saw an increase in people experiencing homelessness.

2020 Greater Los Angeles Homeless Point in Time Count:

Los Angeles County: 66,436 homeless population

San Gabriel Valley (SPA 3): 5,082 homeless population

Monterey Park: 37 people were experiencing unsheltered homelessness

Compared to the overall population of Los Angeles County, homelessness disproportionately impacts both the Black/African American (34% of the homeless population) and Hispanic/Latino (36% of the homeless population), homeless population. Males also experience higher rates of homelessness compared to female, transgender, and gender non-binary groups.

4,023 family households representing 12,817 adults and children were experiencing homelessness.

4,356 individuals experiencing homelessness were fleeing from domestic violence in 2020. This is about 40% of the homeless population.

3,902 veterans were experiencing homelessness. Approximately 984 were sheltered and 2,918 were unsheltered.

Through the consultation process, the stakeholders that manage homeless and public benefit programs emphasized that a huge barrier within the homeless service systems in the San Gabriel Valley is lack of bed availability and affordable housing. The rapid escalation of rents is also placing a strain on Los Angeles County residents.

Describe the unmet housing and service needs of qualifying populations, including but not limited to:

The Point in Time Count and the Housing Inventory Count are two assessments that analyze affordable and supportive housing needs.

The CoC analysis in the 2021 Housing Inventory Count (HIC) found the following:

Annually, the CoC has a gap of 44,106 Permanent Supportive Housing (PSH) units for individuals and 1,694 units for families. This includes people who are chronically homeless, sheltered and unsheltered individuals with disabling conditions who are unlikely to exit homelessness without supportive housing intervention.

The annual Rapid Rehousing need for literally homeless population is 7,191 households.

Affordable housing units needed for literally homeless populations are 2,724 units.

Annual estimates of unsheltered individuals is 43,147 and chronically homeless is 21,285.

The 2021 Los Angeles County Affordable Housing Needs Report found the following:

499,430 low-income renter households in Los Angeles County do not have access to an affordable home.

78% of extremely low-income households in Los Angeles County are paying more than half of their income on housing costs compared to just 2% of moderate-income housing.

Renters need to earn 2.5 times minimum wage to afford the average asking rent in Los Angeles County.

Throughout the consultation process, stakeholders that manage homelessness and public benefit programs emphasized that there is not enough housing options in SPA 3 for people experiencing homelessness or for people who are at risk of experiencing homelessness due to rapid escalation of rents and affordable housing.

Due to lack of bed availability in shelters and permanent housing the program would use the funds to provide emergency and/or interim housing along with client supportive services in a hotel/motel setting. Through case management, a housing navigator will identify and assist the client's needs and barriers to find a long-term solution.

The program's qualifying population also includes residents on the verge of becoming homeless, veterans and victims of domestic violence, sexual assault and human trafficking. The program's activities include assisting clients with obtaining legal documents, resource referrals to mental health providers, full service partnerships, rapid re-housing, emergency hotel vouchers, substance abuse, debt resolution, utility arrears and assisting with the client's income.

Identify and consider the current resources available to assist qualifying populations, including congregate and non-congregate shelter units, supportive services, TBRA, and affordable and permanent supportive rental housing:

The Homeless Needs Inventory and Gaps table includes the Housing Inventory Chart (HIC) data from 2021. On shelter capacity, there are 21,107 emergency shelters, 708 winter shelter beds and 4,170 emergency vouchers. These included emergency hotel/motel vouchers which is redeemable at nearby motels, and are an alternate emergency shelter solution for both single adults and families. The Winter Shelter Program (WSP) provides additional shelter beds in

temporary facilities during the winter months.

In the fiscal year 2018-2019, the Los Angeles County Permanent Supportive Housing Program placed 3,024 people in Measure H-funded permanent housing.

A growing number of vulnerable individuals are finding shelter or bridge housing instead of being discharged onto the streets. In the fiscal year 2018-2019, 861 homeless individuals released from detention were served in interim housing; 1,037 individuals were discharged from hospitals into interim housing; 926 individuals were discharged from substance abuse treatment into interim housing; and 138 individuals were discharged from other interim or transitional housing into more specialized interim housing.

Low-Income Housing Tax credit production and preservation in Los Angeles County increased by 69% between 2019-2020.

State funding increased 108% and federal funding increased 48% for housing production and preservation in Los Angeles County from FY 2018-19 to FY 2019-20.

The Section 8 program currently has a waiting list of 37,228 applicants. The amount of time spent on the waiting list often varies and can be as long as 14 years.

The Public Housing program currently has a waiting list of 24,685 applicants. The waiting period for public housing applicants is about 3-5 years, depending on household member size.

The LACDA (Los Angeles County Development Authority) provides a homeless admissions preference countywide limited to 30% of the number of vacant general occupancy public housing units available on July 1st of each Fiscal Year. Since 2016, the LACDA expanded its homeless preference to include 100% of all South Scattered Sites (SSS) family vacancies and are first offered to homeless applicants through a Los Angeles Homeless Service Authority (LAHSA) Memorandum of Understanding.

Identify any gaps within the current shelter and housing inventory as well as the service delivery system:

Within Monterey Park, there are no shelters or emergency housing resources. This is a large unmet need. Additionally, within existing shelters and housing, there a lack of knowledge of how to best serve and provide support for those with lived experiences that may affect their mental health i.e., survivors of domestic violence (DV), those with substance use disorder (SUD), those with severe mental illness (SMI), those with symptoms of post-traumatic syndrome (PTSD).

Due to lack of bed availability in shelters and permanent housing the program would use the funds to provide emergency and/or interim housing along with client supportive services in a hotel/motel setting. Through case management, a housing navigator will identify and assist the

client's needs and barriers to find a long-term solution.

In additionally, there are individuals experiencing homelessness not able to progress in further housing solutions.

Identify the characteristics of housing associated with instability and an increased risk of homelessness if the PJ will include such conditions in its definition of “other populations” as established in the HOME-ARP Notice:

As previously noted, the high rising cost of housing in Los Angeles County places all eligible populations described in the 2021 Los Angeles County affordable Housing Needs Report at increased risk of homelessness.

Identify priority needs for qualifying populations:

Increased availability at emergency shelters and/or interim housing for qualifying populations in SPA 3 and Los Angeles County, emerged as a priority need among all participants in the consultation process. Along with affordable housing which aligned with the Los Angeles County Affordable Housing report.

In addition to supportive and affordable housing, supportive services are also vitally important to ensure individuals experiencing homelessness can remained housed and avoid becoming homeless again. These services include intensive case management for high need individuals, as well as housing navigation and care coordination services that can be paired with rapid rehousing or other rental assistance programs operating in Los Angeles County.

Due to lack of bed availability in shelters and permanent housing the program would use the funds to provide emergency and/or interim housing along with client supportive services in a hotel/motel setting. Through case management, a housing navigator will identify and assist the client's needs and barriers to find a long-term solution.

The program's qualifying population also includes residents on the verge of becoming homeless, veterans and victim's of domestic violence, sexual assault and human trafficking. The program's activities include assisting clients with obtaining legal documents, resource referrals to mental health providers, full service partnerships, rapid re-housing, emergency hotel vouchers, substance abuse, debt resolution, utility arrears and assisting with the client's income.

Explain how the level of need and gaps in its shelter and housing inventory and service delivery systems based on the data presented in the plan were determined:

The gaps analysis was based by the 2021 CoC data and 2021 Los Angeles County Affordable Housing needs assessment. The needs information was also informed by the feedback received during 8 virtual consultation sessions.

HOME-ARP Activities

Describe the method for soliciting applications for funding and/or selecting developers, service providers, subrecipients and/or contractors and whether the PJ will administer eligible activities directly:

The City of Monterey Park posted the application to qualifying service providers who have access to the Homeless Management Information System (HMIS) and Coordinated Entry System (CES) through a Notice of Funding Availability. The City of Monterey Park received 3 proposals from non-profit organizations that qualified to administer eligible activities as a part-time housing navigator. The program's activities include assisting clients with obtaining legal documents, resource referrals to mental health providers, full-service partnerships, rapid re-housing, emergency hotel vouchers, substance abuse, debt resolution, utility arrears and assisting with the client's income. The City of Monterey Park held 2 interviews based on the proposals for a part-time housing navigator.

If any portion of the PJ's HOME-ARP administrative funds were provided to a subrecipient or contractor prior to HUD's acceptance of the HOME-ARP allocation plan because the subrecipient or contractor is responsible for the administration of the PJ's entire HOME-ARP grant, identify the subrecipient or contractor and describe its role and responsibilities in administering all of the PJ's HOME-ARP program:

N/A

Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 998,784.00		
Acquisition and Development of Non-Congregate Shelters	\$ #		
Tenant Based Rental Assistance (TBRA)	\$ #		
Development of Affordable Rental Housing	\$ #		
Non-Profit Operating	\$ 0	0 %	0%
Non-Profit Capacity Building	\$ #	0 %	5%
Administration and Planning	\$ 176,255.00	15 %	15%
Total HOME ARP Allocation	\$ 1,175,039.00		

Additional narrative, if applicable:

Supportive services include transitional housing along with eligible cost services to include homeless prevention.

Describe how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities:

During the consultation process and analysis of the CoC's housing needs, supportive and affordable housing emerged as the community's most pressing need. Specifically, within Monterey Park, there are no shelters or emergency housing resources. This is a large unmet need. Additionally, within existing shelters and housing in Los Angeles County, there a lack of knowledge of how to best serve and provide support for those with lived experiences that may affect their mental health i.e., survivors of domestic violence (DV), those with substance use disorder (SUD), those with severe mental illness (SMI), those with symptoms of post-traumatic syndrome (PTSD). Supportive services are also included as they are essential to interim housing program. The City of Monterey Park will work with the service provider to administer the activities. The program's activities include assisting clients with obtaining legal documents, resource referrals to mental health providers, full service partnerships, rapid re-housing, emergency hotel vouchers, substance abuse, debt resolution, utility arrears and assisting with the client's income.

HOME-ARP Production Housing Goals

Estimate the number of affordable rental housing units for qualifying populations that the PJ will produce or support with its HOME-ARP allocation:

N/A

Describe the specific affordable rental housing production goal that the PJ hopes to achieve and describe how it will address the PJ's priority needs:

N/A

Preferences

Identify whether the PJ intends to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project:

There will be no additional preferences. Projects funded by these HOME-ARP dollars will use project-specific affirmative marketing and waitlists, and they will serve Qualified Populations by utilizing Coordinated Entry System to enroll participants.

If a preference was identified, explain how the use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the qualifying population or category of qualifying population, consistent with the PJ's needs assessment and gap analysis:

N/A

If a preference was identified, describe how the PJ will use HOME-ARP funds to address the unmet needs or gaps in benefits and services of the other qualifying populations that are not included in the preference:

N/A

HOME-ARP Refinancing Guidelines

N/A

State whether the new investment is being made to maintain current affordable units, create additional affordable units, or both.

N/A

Specify the required compliance period, whether it is the minimum 15 years or longer.

N/A

State that HOME-ARP funds cannot be used to refinance multifamily loans made or insured by any federal program, including CDBG.

N/A

Other requirements in the PJ's guidelines, if applicable:

N/A