

**CITY COUNCIL OF MONTEREY PARK
THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY
AND THE MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT¹
OF THE FORMER REDEVELOPMENT AGENCY AND THE MONTEREY PARK FINANCING
AUTHORITY
AGENDA**

REGULAR CITY COUNCIL MEETING

**Wednesday
September 15, 2021
6:30 p.m.**

EXECUTIVE ORDER NO. N-29-20

These meetings will be conducted pursuant to Section 3 of Executive Order No. N-29-20 issued by Governor Newsom on March 17, 2020.

Accordingly, Councilmembers will be provided with a meeting login number and conference call number; they will not be physically present at Council Chambers.

Pursuant to the Governor's order, the public may provide public comment utilizing the methods set forth below.

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

MISSION STATEMENT

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

GENERAL INFORMATION

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

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

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

¹ If formed as recommended in Agenda Item No. 4-C.

PUBLIC PARTICIPATION

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed in the following ways:

Via Email (Written Communications)

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

Via Telephone

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

Important Disclaimer

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

CALL TO ORDER **Mayor**

FLAG SALUTE **Mayor**

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

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS:

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

[1.] PRESENTATION – None.

[2.] OLD BUSINESS – None.

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

3-A. MINUTES

It is recommended that the City Council (and the City Council acting on behalf of the Successor Agency, the Financing Authority Board of Directors, and the Housing Authority Board of Directors) consider:

- (1) Approving the minutes from the regular meetings of August 4, 2021 and August 18, 2021; and
- (2) Taking such additional, related, action that may be desirable.

3-B. MONTHLY INVESTMENT REPORT – AUGUST 2021

It is recommended that the City Council consider:

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

3-C. ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY AND RECEIVE GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, PROPOSITION 68 PER CAPITA PROGRAM

It is recommended that the City Council consider:

- (1) Adopting a Resolution authorizing the City Manager, or designee, to apply and receive grant funds from the Proposition 68 Per Capita Program; and
- (2) Taking such additional, related, action that may be desirable.

3-D. REQUESTING CITY COUNCIL TO AUTHORIZE THE EXTENSION OF THE SUB-LEASEHOLD AGREEMENT BETWEEN CASUDA CANYON RESTAURANT AND VERIZON WIRELESS IN A PORTION OF THE CITY PROPERTY LOCATED AT 3500 WEST RAMONA BOULEVARD, MONTEREY PARK FOR THE PURPOSE OF IMPROVING THE TELECOMMUNICATION FACILITY OPERATED BY VERIZON WIRELESS

It is recommended that the City Council consider:

- (1) Authorizing the City Manager consent for Casuda Canyon Restaurant to extend its Sub-leasehold with Verizon Wireless for two additional terms of five years each for the purpose of improving Verizon's telecommunications facility located in the Casuda property within the City property on 3500 West Ramona Boulevard in Monterey Park.
- (2) Taking such additional, related, action that may be desirable.

3-E. REPLACEMENT OF TWO FIRE DEPARTMENT VEHICLES (FIRE CHIEF'S AND DIVISION CHIEF'S VEHICLES)

It is recommended that the City Council consider:

- (1) Authorize the Fire Department (Department) to purchase two new vehicles under the State of California Cooperative 3Purchase Agreement without bidding pursuant to MPMC § 3.20.050(4) for a total amount of \$209,403.90 (Account No. 3633201-5221);
- (2) Taking such additional, related, action that may be desirable.

3-F. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING CHAPTER 21.34 OF THE MONTEREY PARK MUNICIPAL CODE REGARDING THE INSTALLATION OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY, AND AMENDING § 9.66.010 REGARDING REGULATING INTERFERENCE WITH RADIO COMMUNICATIONS

It is recommended that the City Council consider:

- (1) Waiving further reading and adopting an ordinance amending Chapter 21.34 of the Monterey Park Municipal Code ("MPMC") regulating installation of wireless telecommunications facilities in the public rights-of-way and amending MPMC § 9.66.010 regulating interference with radio communications; and
- (2) Taking such additional, related, action that may be desirable.

3-G. WAIVE FURTHER READING AND ADOPT AN ORDINANCE ENACTING WATER CONSERVATION MEASURES AND REQUIREMENTS THAT ADDS MONTEREY PARK MUNICIPAL CODE CHAPTER 14.25

It is recommended that the City Council consider:

- (1) Waiving the second reading and adopting the Ordinance amending the Monterey Park Municipal Code ("MPMC") to add Chapter 14.25 that enacts water conservation regulations; and
- (2) Taking such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

4-A. CONTINUATION OF PUBLIC HEARING REGARDING MODIFYING PRECISE PLAN (PP-14-02) CONDITIONS OF APPROVAL FOR A HOTEL LOCATED AT 555 N. ATLANTIC BOULEVARD

It is recommended that the City Council consider:

- (1) Continuing the public hearing originally noticed for August 18, 2021 to November 3, 2021; and
- (2) Taking such additional, related, action that may be desirable.

4-B. ADOPTION OF A RESOLUTION UPDATING USER FEES AND CHARGES

It is recommended that the City Council consider:

- (1) Opening the public hearing for updating Master Fees and Charges;
- (2) Adopting a Resolution for Citywide user fees and charges; and
- (3) Taking such additional, related, action that may be desirable.

4-C. MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT (“MPK GHAD”)

It is recommended that the City Council consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting a Resolution forming the MPK GHAD (Exhibit A);
- (5) As the GHAD Board of Directors, adopting a Resolution adopting the Plan of Control, appointing officers, adopting rules and setting a public hearing on a proposed assessment (Exhibit B);
- (6) As the GHAD Board of Directors, adopting a Resolution ordering the installation of the maintenance activities and reimbursement (Exhibit C) and setting a public hearing for November 3, 2021 to consider imposition of assessments; and
- (7) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Formation of the proposed MPK GHAD was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*; the “CEQA Guidelines”). Forming the MPK GHAD 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. This action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, forming the MPK GHAD is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because this Resolution is for establishing a new public entity. It can be seen with certainty that there is no possibility that formation of the MPK GHAD may have a significant effect on the environment. Individual projects considered by the MPK GHAD will each be separately subject to an environmental assessment. Finally, forming the MPK GHAD is exempt from further review pursuant to CEQA Guidelines § 15269(a) because forming the MPK GHAD is an action taken to protect public and private property and necessary to maintain services essential to the public, health and welfare (*see Ca/Beach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529: CEQA findings regarding an anticipated imminent emergency are valid).

[5.] NEW BUSINESS

5-A. 2020-2021 ANNUAL INVESTMENT REPORT

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

- (1) Receive and file the 2020-21 Annual Investment report;
- (2) Adopting a Resolution authorizing the Treasurer to implement the City’s Investment Policy for FY 2021-22; and
- (3) Taking such additional, related, action that may be desirable.

[6.] CITY COMMUNICATIONS (CITY COUNCIL)

[7.] FUTURE AGENDA ITEMS

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

ADJOURN



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item 3A

TO: The Honorable Mayor and City Council

FROM: Vincent D. Chang, City Clerk

SUBJECT: Minutes

RECOMMENDATION:

It is recommended that the City Council (and the City Council acting on behalf of the Successor Agency), the Financing Authority Board of Directors and the Housing Authority Board of Directors consider:

1. Approving the minutes from the regular meetings of August 4, 2021 and August 18, 2021; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

None.

BACKGROUND:

None.

FISCAL IMPACT:

None.

Respectfully submitted,

Prepared by:

Handwritten signature of Vincent D. Chang in blue ink.

Vincent D. Chang
City Clerk

Handwritten signature of Helena Cho in blue ink.

Helena Cho
Assistant Deputy City Clerk

Approved By:

Handwritten signature of Ron Bow in blue ink.

Ron Bow
City Manager

ATTACHMENT(S):

1. Draft Minutes

ATTACHMENT 1

Draft Minutes

**MINUTES
MONTEREY PARK CITY COUNCIL
HOUSING AUTHORITY
SUCCESSOR AGENCY (SA)
AUGUST 4, 2021**

The City Council and the Financing Authority of the City of Monterey Park held a Regular Teleconference Meeting via Zoom on Wednesday, August 4, 2021 at 6:30 p.m. The regular meeting was conducted pursuant to Section 3 of Executive Order No. N-29-20 issued on March 17, 2020. Accordingly, Council Members were provided a meeting login number and conference call number and were not physically present at Council Chambers.

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

PUBLIC PARTICIPATION

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation was allowed in the following ways:

Via Email

Public comment were accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov and, when feasible, read into the record during public comment. Written communications are limited to not more than 50 words.

Via Telephone

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MISSION STATEMENT

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

CALL TO ORDER:

Mayor Yiu called the meeting to order at 6:31 p.m.

FLAG SALUTE:

Mayor Yiu led the Flag Salute.

ROLL CALL:

City Clerk Vincent Chang called the roll:

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

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Karl Berger, City Treasurer Joseph Leon, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Police Chief Kelly Gordon, City Librarian Diana Garcia, Director of Human Resources & Risk Management Christine Tomikawa, Director of Management Services Martha Garcia, Director of Public Works Frank Lopez, Director of Recreation & Community Services Robert Aguirre, Police Captain Scott Wiese, Economic Development Manager Joseph Torres, Water Utility Manager Richard Gonzales, Program Coordinator Guillermo Chavez, Community Communications Coordinator Randy Ishino, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

PUBLIC COMMUNICATIONS

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

- Andre Reyes Martinez, member of CORE (Community Organized Relief Effort), announced that they will host a mobile Covid-19 testing site at Barnes Park every Saturday from 10:00 a.m. – 4:00 p.m. until the end of August and the service is free to everyone with no registration or insurance required.
- Robert Aguirre, Director of Recreation & Community Services, reminded residents that on August 5, 2021, there will be Concert in the Park at the Farmers Market located in George Elder Park and Movies in the Park on August 6, 2021, at Barnes Park. He encouraged the public to attend the events.
- Alexander Fung, Chair of Economic Development Advisory Commission, spoke in opposition of Agenda Item No. 5A from the July 21, 2021 Regular City Council meeting. He urged City Council to oppose the dissolution and consolidation of certain commissions if the Council brings it back for consideration at a future City Council meeting.

- Victoria Chavez, Community Participation Commission commissioner, spoke about Agenda Item No. 5A from the July 21, 2021 Regular City Council meeting regarding the dissolution and consolidation of certain commissions. She stated that she did not receive any notifications regarding the dissolution and consolidation of commissions. She urged City Council to inform all commissioners if they consider dissolving or consolidating commissions.
- City Clerk Chang received, filed, and read into the record three written communications that spoke in opposition of Agenda Item No. 5A from the July 21, 2021, Regular City Council meeting. All three written communications urged the City Council to oppose the dissolution and consolidation of certain commissions from: Belinda Mei Nar Lau, Kenny Man Kit Fung, and Jennifer Tang.

1. PRESENTATION

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

1A. GENERAL CRIME STATISTICS

Police Chief Gordon presented a PowerPoint presentation on General Crime Statistics in the City of Monterey Park.

1B. TRIP REDUCTION INSPECTION PROGRAM (TRIP) – PILOT SIDEWALK INSPECTION PROGRAM

Fire Chief Hallock and Jared Milkes, volunteer, presented a PowerPoint presentation regarding the Trip Reduction Inspection Program (TRIP).

2. OLD BUSINESS

None.

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

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 and the City Council, acting on behalf of the Successor Agency, approved and adopted Agenda Item No. 3A-3C on Consent Calendar, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

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

3A. MINUTES

Approve the minutes from the regular meeting of June 16, 2021, and the special meeting of July 24, 2021.

Action Taken: The City Council (and the City Council acting on behalf of the Successor Agency) and the Housing Board of Directors approved the minutes from the regular meeting of June 16, 2021 and the special meeting of July 24, 2021 on Consent Calendar.

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

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

Action Taken: The City Council adopted Resolution No. 12261 identifying the amount of tax revenue required to fulfill the voters' intent in funding the City's retirement system on Consent Calendar.

Resolution No. 12261, entitled:

A RESOLUTION IDENTIFYING THE AMOUNT OF TAX REVENUE REQUIRED TO FULFILL THE VOTERS' INTENT IN FUNDING THE CITY'S RETIREMENT SYSTEM DURING FISCAL YEAR 2021-2022 AND AUTHORIZING THE LEVY OF APPROPRIATE TAXES

3C. PROPOSITION A – DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING (MOU)

Each year, the City of Monterey Park voluntarily collects and reports data for the National Transit Database (NTD) to the Federal Transit Administration (FTA). The NTD data includes ridership and financial information for the City's fixed-route transit system, Spirit Bus, as well as the Dial-A-Ride program. In return, the Los Angeles County Metropolitan Transportation Authority (LACMTA) authorizes payment of Proposition A (Prop A) Discretionary Incentive funds to each participating agency in an amount equal to the Federal Funds generated for the region by each agency's reported data. A Memorandum of Understanding (MOU) will then be approved by LACMTA after agencies successfully meet all NTD and FTA requirements in order to generate Federal 5307 funds for the LA County region. Once the MOU is executed, agencies can invoice LACMTA and receive the revenue payment.

The City of Monterey Park provided FTA with NTD data during FY 2018-19 and is now requesting funds under this Prop A Discretionary Incentive Program in the amount of \$154,156 that will become the City's Prop A revenue for FY 2021-22; there is no fiscal impact to the General Fund. By executing the MOU with LACMTA, the City will receive \$154,156 in Prop A revenue funds for FY 2021-22. Staff recommends the City Council authorize the City Manager to execute the LACMTA agreement.

Action Taken: The City Council authorized the City Manager to execute a Memorandum of Understanding (MOU), in a form approved by the City Attorney, with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to receive Proposition A (Prop A) Discretionary Incentive grant program revenue in the amount of \$154,156 for FY 2021-22 as a result of collecting and reporting data for the National Transit Database (NTD) for Report Year 2019 (MOUPAIMONP21000) on Consent Calendar.

4. PUBLIC HEARING

4A. CONSIDERATION OF COSTS RESULTING FROM WEED NUISANCES & AUTHORIZING COLLECTION VIA SPECIAL ASSESSMENT

On February 17, 2021, the City Council determined that weeds, brush, rubbish, refuse and dirt maintained on certain private properties in the City constitute a public nuisance. The Los Angeles County Department of Agriculture Commissioner/Weights and Measures ("County") is contracted to provide weed abatement services to the City. The County compiled its annual list of properties within the City which contain, or have the potential to contain, weeds, brush or other flammable materials sufficient to be considered a fire hazard (the "Weed Abatement Declaration List"). Persons identified as owning property on the Weed Abatement Declaration List were provided sufficient notice to either protest their inclusion thereon, or voluntarily remove the nuisance conditions identified on their property. The deadlines for voluntary compliance or protest have passed, and the County has abated the noncompliant properties on the Weed Abatement Declaration List.

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

Public Speakers:

- C. Burton, Agricultural Commissioner Weights & Measures inspector, was present and available for questions.

Action Taken: The City Council opened the public hearing at 7:39 p.m. to receive public comment, noting that there were no public speakers, closed the public hearing at 7:44 p.m.; and adopted Resolution No. 12262 approving the Weed Abatement Clearance Charge List and authorized collection of such costs through special assessment.

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

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

Resolution No. 12262, entitled:

A RESOLUTION CONFIRMING THE ITEMIZED WEED ABATEMENT CHARGE LIST OF WEED ABATEMENT COSTS AND DIRECTING THE LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER TO COLLECT THESE COSTS THROUGH PROPERTY TAX BILLINGS

4B. ADOPT RESOLUTIONS APPROVING THE ISSUANCE AND SALE OF MONTEREY PARK FINANCING AUTHORITY SALES TAX REVENUE BONDS, SERIES 2021 TO BE USED FOR CITYWIDE STREET IMPROVEMENTS AND AUTHORIZE THE CITY MANAGER AND HIS DESIGNEES TO UNDERTAKE ALL NECESSARY ACTIONS TO CAUSE THE ISSUANCE AND SALE OF SUCH BONDS

As directed by the City Council at the July 7, 2021 City Council meeting, staff has engaged a team to present a financing mechanism to begin the Citywide Pavement Management Plan (PMP) that will improve the condition of streets throughout the City. Given the size, scope and nature of this capital project, it is necessary to finance the estimated \$20 million cost. In order to accomplish this financing plan, staff is proposing that the Monterey Park Financing Authority (Authority) issue Monterey Park Financing Authority Sales Tax Revenue Bonds, Series 2021 (Bonds). Proceeds from the Bonds will be used for certain roadway improvements and street resurfacing.

Public Speakers:

- Michael Busch, Municipal Advisor from Urban Futures Inc., presented a PowerPoint presentation and was available for questions.
- Michael Mejia, Senior Vice President at Samuel A. Ramirez & Co., Inc, presented a PowerPoint presentation and was available for questions

- Vanessa S. Legbandt, Bond and Disclosure Counsel from Stradling Yocca Carlson & Rauth, was present and available for questions.

Action Taken: The City Council and Financing Authority Board of Directors (1) opened the public hearing at 7:42 p.m. to receive public comment and closed the public hearing at 8:08 p.m.; (2) adopted Resolution No. 12263 and Financing Authority Resolution MPFA-2 approving the issuance and sale of Monterey Park Financing Authority Sales Tax Revenue Bonds, series 2021 (Enclosure 2 and 3 to the staff report); (3) adopted and approved documents authorizing the execution and delivery of a Trust Agreement, an Installment Sale Agreement, a Bond Purchase Agreement, and a Continuing Disclosure Agreement (Enclosure 4, 5, 7, and 8 to the staff report); (4) approved the form of and authorizing distribution of a Preliminary Official Statement (Enclosure 6 to the staff report); and (5) authorized the City Manager and his designees to approve and execute documents in connection with the offering, sale and issuance of Monterey Park Financing Authority Sales Tax Revenue Bonds, Series 2021 and to undertake all necessary actions to cause the issuance and sale of said Bonds.

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

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

Resolution No. 12263, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA APPROVING THE ISSUANCE BY THE MONTEREY PARK FINANCING AUTHORITY OF SALES TAX REVENUE BONDS, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$20,000,000, FOR THE FINANCING OF CERTAIN PUBLIC CAPITAL IMPROVEMENTS IN THE CITY, AUTHORIZING THE FORMS OF AND DIRECTING THE EXECUTION AND DELIVERY OF A TRUST AGREEMENT, INSTALLMENT SALE AGREEMENT, BOND PURCHASE AGREEMENT, PRELIMINARY OFFICIAL STATEMENT AND CONTINUING DISCLOSURE CERTIFICATE; AND AUTHORIZING NECESSARY ACTIONS AND EXECUTION OF OTHER NECESSARY DOCUMENTS IN CONNECTION THEREWITH

Financing Authority Resolution No. MPFA-2, entitled:

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PARK FINANCING AUTHORITY AUTHORIZING THE ISSUANCE OF THE MONTEREY PARK FINANCING AUTHORITY SALES TAX REVENUE BONDS; THE EXECUTION AND DELIVERY BY THE AUTHORITY OF AN INSTALLMENT SALE AGREEMENT, TRUST AGREEMENT AND BOND PURCHASE AGREEMENT, AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF THE BONDS; AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

5. NEW BUSINESS

5A. AMERICAN RESCUE PLAN ACT ALLOCATION RECOMMENDATIONS AND RELATED BUDGET ADJUSTMENTS

On March 11, 2021, President Joseph R. Biden signed into law the American Rescue Plan Act (ARPA) of 2021, a \$1.9 trillion federal aid package designed to help the American people and American economy recover from the prolonged impacts felt from COVID-19. The bill includes \$350 billion in direct financial relief for all state, local, tribal, and territorial governments known as the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), \$15,043,184 of which has been allocated to the City of Monterey Park.

While there are limitations on the use of the direct aid funds allocated to cities, they may be used to support a city's operations to the extent that the city lost the equivalent amount of revenue. The term for use of ARPA funds is from March 2021 to December 2024.

Action Taken: The City Council reviewed, discussed, and provided direction on the allocation of American Rescue Plan Act funding and authorized budget and staffing changes as outlined in the financial Impacts and Budget Actions section of the staff report.

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

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

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Chan said he attended the opening of El Encanto, the opening of a charter school in Montebello, and the National Night Out event. He reported that he attended California State Senator Susan Rubio and California State Assembly Member Blanca Rubio press conference regarding 20 million dollar funding for the San Gabriel Valley Regional Housing Trust which was held at the Mosaic Gardens in Monterey Park. He encouraged the public to get vaccinated because the Covid-19 Delta variant is surging.

Council Member Liang reported that he attended the National Night Out event and encouraged the public to stay safe and be vigilant during the pandemic.

Council Member Sornoso implored for City Council support regarding secondhand smoke in multi-family housing units, alley improvements and to consider plan to convert the unused street near a church into something the public can use.

Mayor Pro Tem Lo said he received the survey regarding indoor secondhand smoking in multi-family housing units from the HEARTS (Healthy Environment Against Residential Tobacco Smoke) coalition and that he is in support of adopting an ordinance. He reported that on July 23, 2021, the city had a partnership with California State Assembly Member Ed Chau, Los Angeles County Supervisor Hilda Solis, and the Chinatown Service Center to provide a mobile Covid-19 vaccination clinic at Barnes Park where approximately 50 vaccines were administered. He said he was also in attendance of the press conference at the Mosaic Gardens.

Mayor Yiu stated she attended the Movies in the Park event. She talked about the July 24, 2021 Special City Council meeting held at the Courtyard by Marriot and reported also in attendance of the press conference at the Mosaic Gardens.

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 10:06 p.m.

Vincent D. Chang
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY
SUCCESSOR AGENCY (SA)
AUGUST 18, 2021**

The City Council and the Financing Authority of the City of Monterey Park held a Regular Teleconference Meeting via Zoom on Wednesday, August 18, 2021 at 6:30 p.m. The regular meeting was conducted pursuant to Section 3 of Executive Order No. N-29-20 issued on March 17, 2020. Accordingly, Council Members were provided a meeting login number and conference call number and were not physically present at Council Chambers.

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

PUBLIC PARTICIPATION

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation was allowed in the following ways:

Via Email

Public comment were accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov and forwarded to the City Council. Written communications WILL NOT BE READ; they will, however, be filed as part of the City’s administrative record.

Via Telephone

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

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

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

CALL TO ORDER:

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

FLAG SALUTE:

Mayor Yiu led the Flag Salute.

ROLL CALL:

City Clerk Vincent Chang called the roll:

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

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Karl Berger, City Treasurer Joseph Leon, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Police Chief Kelly Gordon, City Librarian Diana Garcia, Director of Human Resources & Risk Management Christine Tomikawa, Director of Management Services Martha Garcia, Director of Public Works Frank Lopez, Director of Recreation & Community Services Robert Aguirre, Economic Development Manager Joseph Torres, Acting City Planner Jon Turner, Community Communications Coordinator Randy Ishino, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Attorney Berger recommended considering combining Agenda Item Nos. 4A and 5A together. He proposed to open the public hearing for Agenda Item 4B and continue the public hearing to September 15, 2021.

City Manager Bow requested Agenda Item No. 2A be moved to the September 1, 2021 regular City Council meeting.

PUBLIC COMMUNICATIONS

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

- Diana Garcia, City Librarian, reminded the community that the Bruggemeyer Library is open to the public from Tuesdays – Saturday from 1:00 – 5:00 p.m. for all services. Appointments can be made on the city's website.
- Matt Hallock, Fire Chief, provided updates regarding Covid-19 testing and vaccination. He announced that the free weekly Covid-19 testing at Barnes Park will be extended until the end of September every Saturdays, from 9:00 a.m. – 3:00 p.m. He reported that Los Angeles County Department of Public Health will be offering free Covid-19 vaccination on August 21, 2021 at Barnes Park from 9:00 a.m. – 4:00 p.m.

- Vincent Chang, City Clerk, spoke about the provision regarding written communication to be filed with the administrative records and not read during city council meetings. He stated that this provision would be a disservice to the community. He urged the City Council to reconsider the negative consequences this may have.
- Maxwell Jen, Board Certified Physician and Medical Director at SCMG Medical Group, stated that they will be offering a free Covid-19 testing site located at the Langley Senior Center from Wednesday – Sunday, between 10:00 a.m. – 4:30 p.m. beginning Sunday, August 22, 2021.
- Cindy Trang, Deputy City Clerk, announced that the City Clerk’s Office will be hosting a series of virtual informational meeting via Zoom regarding the redistricting 2021 process. The next meeting will be on Monday, August 30, 2021 at 6:30 p.m. She encouraged the public to join the City Clerk’s office and learn about the redistricting process.

1. PRESENTATION

None.

2. OLD BUSINESS

2A. DISSOLUTION OF THE PERSONNEL BOARD AND EXTENDING TERMS OF APPOINTED OFFICIALS

Beginning in 2013, the City Council undertook a series of actions to make the City’s commissions, boards and committees more efficient (collectively, the “commissions”). Among other things, the City Council significantly reduced the number of commissions and also clarified their responsibilities. Monterey Park Municipal Code (“MPMC”) Chapter 2.82 was adopted in 2013 to facilitate the creation of commissions – when the City Council found such action desirable – and also establish uniformity as to membership, terms, and procedures. Most recently, the City Council adopted Ordinance No. 2209 in June 2021 to clarify the terms of persons serving on commissions and the number of commissioners needed to form a quorum.

In 2020, the COVID-19 emergency provided an opportunity for City staff to further evaluate efficiencies. The message championed by the City Council – as exemplified by the 2020 Monterey Park Business Recovery Program – was to “cut through the red tape” and make things easier for businesses, and residents, to obtain City services.

A review of the various commissions suggests that the City may reduce resource expenditures – both staff and money – by further consolidating, revising, and dissolving certain commissions. The City Council may always create ad hoc commissions or establish new standing commissions when the need arises.

Maintaining a multitude of standing commissions, however, requires the City to prepare agenda packets; pay for noticing; pay for staffing at commission meetings; recruit for persons to fill vacancies; utilize meeting rooms that could be used for other community events; and engage in other, similar, administrative activities.

Certainly, several commissions are necessary for the ongoing functions of municipal government. The Planning Commission and Library Board, as examples, serve central functions for the City. At least one commission can be dissolved as there are more efficient ways to address matters related to City personnel.

The Personnel Board's responsibility is different than other City commissions and boards. The role for the Personnel Board volunteers is not to provide community input but to evaluate and interpret federal law, state law and City policies and procedures. Since the Personnel Board was established, California law and federal law have changed to provide more personnel processing options and established laws to protect the employee's rights. Staff's recommendation to dissolve the Personnel Board is based on employee rights based in the law, efficiencies of Human Resources processes and procedures that are duplicated with the Personnel Board and confidential personnel issues that are not protected when matters are brought before the Personnel Board. The draft ordinance, if adopted, would dissolve the personnel board. All bargaining units (i.e., the unions) and current Board members were consulted regarding the dissolution and expressed no objection.

Recommendation: The City Council consider: (1) introducing and waiving first reading of an ordinance amending the Monterey Park Municipal Code to dissolve the personnel board and extended the terms of appointed officials on any remaining commissions; (2) if desirable, extending the terms of appointed officials on any remaining commissions; and (3) taking such additional, related, action that may be desirable.

Action Taken: By consensus, the City Council continued this agenda item to the September 1, 2021 regular City Council meeting.

Draft Ordinance, entitled:

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE § 2.08.070; CHAPTERS 2.28 AND 2.36 TO DISSOLVE THE PERSONNEL BOARD

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

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

Action Taken: The City Council and the City Council, acting on behalf of the Successor Agency, approved and adopted Agenda Item Nos. 3A, 3D, 3E, 3F, and 3G on Consent Calendar, excluding Agenda Items Nos. 3B and 3C which were

pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

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

3A. MINUTES

Approve the minutes from the July 7, 2021, City Council meeting.

Action Taken: The City Council (and the City Council acting on behalf of the Successor Agency) and the Financing Board of Directors approved the minutes from the regular meeting of July 7, 2021 on Consent Calendar.

3B. MONTHLY INVESTMENT REPORT – JULY 2021

As of July 31, 2021 invested funds for the City of Monterey Park is \$89,486,569.03.

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

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

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

3C. RECEIVE AND FILE ADMINISTRATIVE USE PERMIT NO. 21-02

On August 4, 2021, the City Planner approved AUP-21-02 in accordance with Monterey Park Municipal Code (“MPMC”) § 21.32.200. The AUP authorizes a drive-through as an accessory use to the previously approved Raising Cane’s project (CU-19-13). This process was authorized as part of the 2020 Monterey Park Business Recovery Program to help facilitate economic recovery. AUP-21-02 allows a slight reduction in setback requirements and vehicle control in order to accommodate the drive-through as part of CU-19-13.

Action Taken: The City Council received and filed the AUP-21-02.

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

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

3D. OFFICE OF TRAFFIC SAFETY (OTS) STEP GRANT FISCAL YEAR 2021/2022

The City of Monterey Park Police Department was notified of an award of \$114,000.00 Selective Traffic Enforcement Program (STEP) grant from the California Office of Traffic Safety. The police department will utilize the grant to continue its education and enforcement of traffic related laws to reduce injury and fatal traffic collisions.

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

3E. AMENDING RECORDS RETENTION SCHEDULE

At its November 2, 2011 meeting, the City Council adopted Resolution No. 11443, approving a Records Retention Schedule for City documents. As set forth in Resolution No. 12106, every odd numbered years staff reviews the retention schedule for purposes of practicability and applicable law.

Action Taken: The City Council adopted Resolution No. 12264 amending the City's Record Retention Schedule for City documents on Consent Calendar.

Resolution No. 12264, entitled:

A RESOLUTION AMENDING THE CITY'S RECORDS RETENTION SCHEDULE FOR CITY DOCUMENTS

3F. CONSIDERATION OF RESOLUTION APPOINTING REPRESENTATIVES TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA)

The City of Monterey Park is a member of the Independent Cities Risk Management Authority ("ICRMA"), which is a joint powers authority created pursuant to provisions of the Government Code and was formed to provide Liability, Workers' Compensation and Property Insurance as well as other risk management services.

Pursuant to the ICRMA By-laws and Joint Powers Agreement, the City Council may appoint public officials other than electeds to the ICRMA Governing Board; an alternate for the representative may be a department director (or equivalent); and or full-time risk manager.

Action Taken: The City Council adopted Resolution No. 12265 appointing Director of Human Resources and Risk Management, Christine Tomikawa, as the City's primary representative to the ICRMA Governing Board; appointing Director of Management Services Martha Garcia and Chief of Police, Kelly Gordon as alternate representatives.

Resolution No. 12265, entitled:

A RESOLUTION APPOINTING REPRESENTATIVES TO THE GOVERNING BOARD OF THE ICRMA

3G. BUDGET ADJUSTMENT FOR FIRE STATION 62 DEMOLITION & RECONSTRUCTION PROJECT

On May 20, 2020, the City Manager was authorized to execute a standard public works contract utilizing informal bidding procedures in MPMC Chapter 3.100 to select a contractor(s) to perform the demolition and reconstruction of Fire Station 62, utilizing the existing budgeted funds for the project which totaled \$5,556,100, including change orders and contingency as required and within available funds. On July 13, 2020, the City executed a contract with RC Construction Services, Inc. for the Fire Station 62 Demolition & Reconstruction project. The project is currently budgeted in Fire Suppression Development Impact Fee (DIF), General Fund - Capital Improvement Project (CIP) funds, Measure R funds, and Measure M funds.

Due to unforeseen circumstances such as soil conditions and the COVID pandemic and its impact to material sourcing and costs, staff is requesting approval of a budget appropriation of \$120,000 from the General Fund balance to CIP 92002 to cover the remaining expenses for the project. Changes to the storm drain detention system design were necessary due to soil conditions and its ability for infiltration. A much larger storm water detention system became necessary due to slow infiltration and to meet MS4 requirements, which resulted in a much higher cost than the original design anticipated. Other design changes included the replacement of an existing block wall that was failing and the addition of a new fire station alerting system that are necessary improvements but were unexpected. Additionally, costs associated with special inspections and material testing were much higher than anticipated and include soils testing, materials testing, inspection of all welding, and special observations. The proposed appropriation will allow the Fire Station to be completed and certified.

Action Taken: The City Council authorized the City Manager to appropriate an additional \$120,000 from the General Fund balance for the Fire Station 62 Demolition & Reconstruction project on Consent Calendar.

4. PUBLIC HEARING

4A. CONTINUATION OF PUBLIC HEARING REGARDING THE MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT (“MPK GHAD”)

This item was heard in conjunction with Agenda Item No. 5A with a single motion taken.

Action Taken: The City Council continued the public hearing noticed for August 18, 2021 to September 15, 2021.

4B. CONTINUATION OF PUBLIC HEARING REGARDING MODIFYING PRECISE PLAN (PP-14-02) CONDITIONS OF APPROVAL FOR A HOTEL LOCATED AT 555 N. ATLANTIC BOULEVARD

The Applicant seeks to modify its Precise Plan (“PP-14-02”) for the Courtyard at Marriott hotel. Specifically, the application seeks to amend Conditions of Approval Nos. 37 and No. 39 of Planning Commission Resolution No. 06-15. At this time, staff is requesting that the item be continued to a future date. The item will be readvertised with the appropriate public notice at such time a future public hearing is scheduled.

Action Taken: The City Council opened the public hearing at 7:01 p.m. and continued the public hearing noticed for August 18, 2021 to September 15, 2021.

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

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

4C. RESOLUTION MODIFYING CONDITIONAL USE PERMIT (CU-19-13) AS TO BUSINESS HOURS FOR OPERATING A RETAIL EATING ESTABLISHMENT LOCATED AT 1970 SOUTH ATLANTIC BOULEVARD

The Applicant seeks to modify the conditional use permit (“CU-19-13”) approved on May 12, 2020, for the operation of a new retail eating establishment with a drive-through. Specifically, the modification seeks to amend Condition of Approval No. 11 of Resolution No. 12194 to change the hours of operation from Monday through Sunday 9:00 a.m. to 10:00 p.m. to Monday through Sunday 9:00 a.m. to 1:00 a.m. There are no other changes proposed with this request.

CEQA (California Environmental Quality Act):

The Environmental Assessment set forth in Section 2 of Resolution No. 12194 is incorporated by reference. The proposed modification does not affect that Environmental Assessment.

Public Speakers:

- David Waite, Law Firm of Cox, Castle & Nicholson and representing Raising Cane, briefly remarked about the hours of operation and was available for questions.
- Kristen Roberts, on behalf of Raising Cane's (applicant), was available for questions.

Discussion: City Attorney Berger reported that a supplemental staff report adding a proposed new draft resolution amending the environmental assessment was posted on the City's website and distributed to the City Council.

Action Taken: The City Council (1) opened the public hearing at 7:04 p.m.; (2) received documentary and testimonial evidence; (3) closed the public hearing at 7:12 p.m.; and (4) adopted the supplemental Resolution No. 12266 to modify Resolution No. 12194 as to business hours.

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

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

Resolution No. 12266, entitled:

A RESOLUTION MODIFYING CONDITIONAL USE PERMIT (CU-19-13) AS TO BUSINESS HOURS FOR OPERATING A RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH LOCATED AT 1970 SOUTH ATLANTIC BOULEVARD

5. NEW BUSINESS

5A. MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT ("MPK GHAD")

Formation of the MPK GHAD will help ensure that the hillside improvements required for the Good Views development project are constructed, maintained, and repaired at the cost of property owners located within the MPK GHAD jurisdiction.

CEQA (California Environmental Quality Act):

Formation of the proposed MPK GHAD was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*; the “CEQA Guidelines”). Forming the MPK GHAD 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. This action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, forming the MPK GHAD is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because this Resolution is for establishing a new public entity. It can be seen with certainty that there is no possibility that formation of the MPK GHAD may have a significant effect on the environment. Individual projects considered by the MPK GHAD will each be separately subject to an environmental assessment. Finally, forming the MPK GHAD is exempt from further review pursuant to CEQA Guidelines § 15269(a) because forming the MPK GHAD is an action taken to protect public and private property and necessary to maintain services essential to the public, health and welfare (see *Ca/Beach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529: CEQA findings regarding an anticipated imminent emergency are valid).

This item was heard in conjunction with Agenda Item No. 4A.

Action Taken: The City Council adopted Resolution No. 12267 initiating formation of the Monterey Park Geologic Hazard Abatement District (“MPK GHAD”) and scheduling a public hearing regarding such formation; and continued the public hearing noticed for August 18, 2021 to September 15, 2021 in accordance with the draft Resolution.

Motion: Moved by Council Member Liang and seconded by Council Member Sornoso to approve Item Nos. 4A and 5A. Motion carried by the following vote:

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

Resolution No. 12267, entitled:

A RESOLUTION INITIATING FORMATION OF THE MONTEREY PARK GEOLOGICAL HAZARD ABATEMENT DISTRICT (MPK GHAD) AND SETTING A PUBLIC HEARING TO CONSIDER OBJECTIONS TO FORMATION OF THE MPK GHAD

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Liang had nothing to report.

Council Member Sornoso reminded the community that Friday, August 20, 2021, is Night at Dodger Stadium. He announced that on Saturdays he will be volunteering at the Monterey Park Historical Museum. He stated he is looking forward to the upcoming police activities and the conference at Santa Barbara.

Council Member Chan reported at the San Gabriel Valley Council of Governments Transportation Committee meeting he met with the new Los Angeles County Metropolitan Transportation Authority Chief Executive Officer Stephanie Wiggins. He reported that at the San Gabriel Valley Metro Service Council had an agenda item regarding First Last Mile which provides funding for the first and last miles to the stations. He directed staff to look into the First Last Mile to apply for funding. He spoke about Assembly Bill 43 which would give local governments more flexibility to set speed limits and requested staff to look into whether the City Council should support or oppose the bill. He requested staff to post updates on the Housing Element and the Redistricting meetings. He said he had a meeting with the Japanese Counsel General at city hall along with Mayor Yiu.

Mayor Pro Tem Lo reported that on August 5, 2021, he attended the installation dinner for the Los Angeles County Division of the League of California Cities. He said that on August 6, 2021, he attended the Chinese-American Elected Officials Network Installation Gala and he congratulated Council Member Peter Chan for a successful term as President of the organization. He complimented the communities of Monterey Park for having a Covid-19 vaccination rate above 85%. He stated he looks forward to attending Night at Dodger Stadium. He wished Council Member Sornoso a happy birthday.

Mayor Yiu reported she had a meeting with Akira Muto, Japanese Consul General, and discussed suggestions for partnership. She said she attended Monterey Park Hospital Dinner Celebration of Front Line Workers Recognition. She stated she attended the City of Arcadia Concert and Movie Night.

Public Speaker:

Isabel Wu, representing the Monterey Park Chamber of Commerce, invited the City Council and community to an event hosted by the Greater Chamber of Commerce on Saturday, September 18, 2021, from 6-10 at Tang Gong restaurant.

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 7:53 p.m.

Vincent D. Chang
City Clerk



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item 3B

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

RECOMMENDATION:

It is recommended that the City Council consider:

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

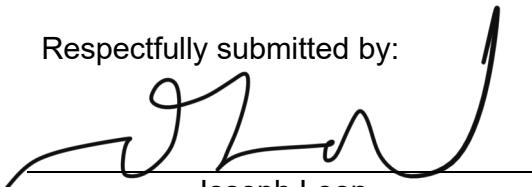
EXECUTIVE SUMMARY:

As of August 31, 2021 invested funds for the City of Monterey Park is \$87,976,569.03.

BACKGROUND:

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

Respectfully submitted by:



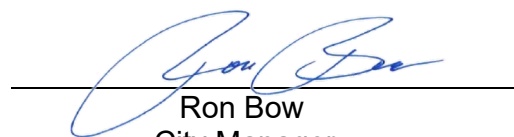
Joseph Leon
City Treasurer

Prepared by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Attachment 1

Monthly Investment Report

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

INVESTMENTS PORTFOLIO PROFILE:

TOTAL BALANCE AT 8/31/2021 **\$ 87,976,569.03**

INVESTMENT COMPOSITION

(1) <u>LA COUNTY POOLED INVESTMENT FUND</u> <i>(See Schedule A for LA County Pool Composition)</i>	ON DEMAND	0.520%	<u>\$ 37,738,626.14</u>
(2) <u>LOCAL AGENCY INVESTMENT FUND</u>	ON DEMAND	0.220%	<u>\$ 48,762,942.89</u>

	<u>Purchase Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	
(3) <u>CERTIFICATES OF DEPOSIT</u>				
1 PREFERRED BANK	09/03/20	09/03/21	0.76%	100,000
2 PREFERRED BANK	09/08/20	09/08/21	0.76%	150,000
3 MORGAN STANLEY BANK	02/27/20	02/28/22	1.70%	245,000
4 MORGAN STANLEY PRIVATE BANK	02/27/20	02/28/22	1.70%	245,000
5 AMERICAN FIRST CREDIT UNION	03/06/20	03/07/22	1.60%	245,000
6 SALLIE MAE BANK	08/11/21	08/12/24	0.70%	245,000
7 GOLDMAN SACHS BANK	08/11/21	08/12/24	0.60%	245,000
<i>Total CDs (7)</i>			1.117%	<u>\$ 1,475,000.00</u>

OTHER INFORMATION:

BANK BALANCE: ⁽¹⁾ **\$ 4,889,482.48**

AVERAGE MATURITY DAYS 8

AVERAGE INTEREST RATE FOR THE MONTH 0.365%

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 2020-2021 \$826,958

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 JULY 31, 2021

SCHEDULE A

<u>PORTFOLIO PROFILE</u>	<u>Pooled Surplus Investments</u>	<u>Specific Purpose Investments</u>
Inventory Balance at 07/31/21		
At Cost	\$ 36,216,825,703	\$ 117,081,527
At Market	\$ 36,125,917,665	\$ 118,968,670
Repurchase Agreements	\$ -	\$ -
Reverse Repurchase Agreements	\$ -	\$ -
Composition by Security Type:		
Certificates of Deposit	3.87%	0.00%
United States Government and Agency Obligations	72.82%	62.70%
Bankers Acceptances	0.00%	0.00%
Commercial Paper	23.00%	0.00%
Municipal Obligations	0.08%	2.73%
Corporate and Deposit Notes	0.23%	0.00%
Repurchase Agreements	0.00%	0.00%
Asset-Backed	0.00%	0.00%
Other	0.00%	34.57%
1-60 days	39.73%	0.00%
61 days-1 year	20.43%	34.57%
Over 1 year	39.84%	65.43%
Weighted Average Days to Maturity	1,111	



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item 3C

TO: Honorable Mayor and Members of the City Council
FROM: Robert Aguirre, Director of Recreation & Community Services
SUBJECT: Adopt a Resolution authorizing the City Manager, or designee, to apply and receive grant funds from the California Department of Parks and Recreation, Proposition 68 Per Capita Program.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a Resolution authorizing the City Manager, or designee, to apply and receive grant funds from the Proposition 68 Per Capita Program; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The California Department of Parks and Recreation Proposition 68 Per Capita Program was approved by California voters on June 5, 2018, to fund local park rehabilitation, creation, and improvement through grants to local governments on a per-capita basis.

The Prop 68 Per Capita program provides an opportunity for the City to rehabilitate existing infrastructure and address deficiencies in disadvantaged neighborhoods. The City of Monterey Park is eligible to apply for funds in two programs, the General Per Capita which has a maximum of \$177,952 available and the Urban County Per Capita program which has a maximum of \$38,040 available to the City.

A resolution is a requirement for applications to apply for per capita grant funds and therefore City staff recommends the adoption of said resolution.

BACKGROUND:

On June 5, 2018 voters passed Proposition 68 "Park, Environment, and Water Bond Act of 2018". Under the California Department of Parks and Recreation Proposition 68 Per Capita Program, grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and, where possible, to address deficiencies in neighborhoods lacking access to the outdoors. The City of Monterey Park is eligible to apply for funds from two programs: The General Per Capita Program and the Urban County Per Capita

Program which provides additional funds available for grants to cities and districts in urbanized counties (a county with a population of 500,000 or more) providing park and recreation services within jurisdictions of 200,000 or less in population. From these programs the City of Monterey Park is eligible to apply for up to \$177,952 in General Per Capita funds and \$38,040 in Urban County Per Capita funds.

Project funds must be used to supplement, not supplant, local revenues in existence as of June 5, 2018. Therefore, if a grantee had a budget identified for a recreational capital expenditure, this cannot be reduced by the allocation with the Per Capita funds making up the difference. Eligible projects must be capital outlay and used for recreational purposes. Projects that are identified as repairs or maintenance are not eligible under this grant program.

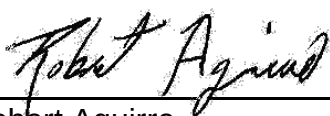
By utilizing the Per Capita grant match calculator city staff was able to identify Barnes Park and Sierra Park as locations that qualify as serving a severely disadvantaged community, meeting the criteria for the Per capita program that would not require any matching of funds.

Grant applications are due by December 31, 2021 and projects must be completed by December 31, 2023.

FISCAL IMPACT:

Project areas have been identified in the city that will serve a severely disadvantaged community and therefore no matching of funds required.

Respectfully submitted by:



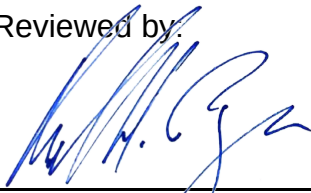
Robert Aguirre
Director of Recreation & Community Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Resolution

ATTACHMENT 1

Resolution

RESOLUTION NO.

A RESOLUTION APPROVING APPLICATION(S) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE GRANT FUNDS FOR CITY COUNCIL OF MONTEREY PARK FOR PER CAPITA GRANT FUNDS

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MONTEREY PARK HEREBY:

SECTION 1: The City Council finds and declares that:

- A. The State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and the grantee will enter into a contract(s) with the State of California to complete project(s);
- B. The Prop 68 Per Capita program provides an opportunity for the City to rehabilitate existing infrastructure and address deficiencies in disadvantaged neighborhoods. The City of Monterey Park is eligible to apply for funds in two programs, the General Per Capita which has a maximum of \$177,952 available and the Urban County Per Capita program which has a maximum of \$38,040 available to the City.
- C. The City is currently proposing improvements at Barnes Park and Sierra Vista Park as both locations have been identified as serving a severely disadvantaged community, meeting the criteria for the Per Capita program that does not require any matching of funds.
- D. The procedures established by the Per Capita program require the City to certify by resolution the approval of application(s) before submission of said application(s).

SECTION 2: The City Manager, or designee, is authorized to apply for grant funds from State Department of Parks and Recreation, General Per Capita program for up to \$177,952 and the Urban County Per Capita program for up to \$38,040 to be used for the project(s).

SECTION 3: The City Manager, or designee, is authorized to execute any required documents to receive the grant for the purposed identified herein.

SECTION 4: The City Manager, or designee, is authorized to accept and spend the grant monies identified in this Resolution for the purposes set forth herein.

SECTION 5: The City Council hereby amends or supplements the City's Budget for fiscal year 2021-22 to appropriate the monies identified herein to pay for the retention plan proposed by the City in support of its grant application(s). The City Manager, or designee, is authorized to implement the purpose of this section.

SECTION 6: Approves the filing of project application(s) for Per Capita program grant project(s); and

SECTION 7: Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and

SECTION 8: Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and

SECTION 9: Certifies that all projects proposed will be consistent with the park and recreation element of the City of Monterey Park's general or recreation plan (PRC §80063(a)), and

SECTION 10: Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and

SECTION 11: Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and

SECTION 12: (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City of Monterey Park will consider a range of actions that include, but are not limited to, the following:

(A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.

(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.

(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations. 9

(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.

(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(G) Identifying possible staff liaisons to diverse populations.

SECTION 13: Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).

SECTION 14: Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).

SECTION 15: Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and

SECTION 16: Delegates the authority to the City Manager or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and

SECTION 17: Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

SECTION 18: *Severability.* If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provision or application and, to this end, the provisions of this Resolution are severable.

SECTION 19: *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 20: 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 21: This Resolution will become effective immediately upon adoption.

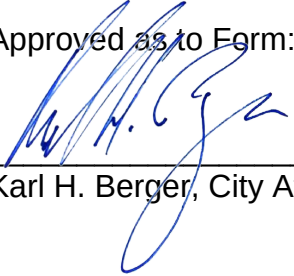
PASSED AND ADOPTED this 15th day of September, 2021.

Yvonne Yiu, Mayor

Attest:

Vincent D. Chang, City Clerk

Approved as to Form:



Karl H. Berger, City Attorney

I, Vincent Chang, City Clerk of the City of Monterey Park, California, hereby certify that the foregoing Resolution Number ____ was duly adopted by the City Council following a roll call vote:

Ayes:
Noes:
Absent:
Abstain:

Dated this 15th day of September, 2021

Vincent D. Chang, City Clerk



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item 3D

TO: The Honorable Mayor and City Council
FROM: Joseph Torres, Economic Development Manager
SUBJECT: Requesting City Council to authorize the extension of the Sub-leasehold agreement between Casuda Canyon Restaurant and Verizon Wireless in a portion of the City Property located at 3500 West Ramona Boulevard, Monterey Park for the purpose of improving the telecommunication facility operated by Verizon Wireless.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager consent to for Casuda Canyon Restaurant to extend its Sub-leasehold with Verizon Wireless for two additional terms of five years each for the purpose of improving Verizon's telecommunications facility located in the Casuda property within the City property on 3500 West Ramona Boulevard in Monterey Park; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Casuda Canyon Restaurant holds a leasehold interest in a portion of the City property located at 3500 West Ramona Boulevard Monterey Park, under a Master Lease Agreement dated October 7, 1970. Casuda Canyon, in turn, holds a Sub-leasehold agreement with Verizon Wireless dated November 16, 1991, within the Casuda property to install, maintain, and operate a telecommunications facility.

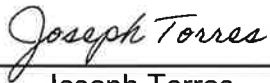
Casuda Canyon Restaurant would like to extend the Sub-leasehold with Verizon Wireless for two additional terms of five years each. However, according to the Master Lease Agreement, Casuda Canyon Restaurant may not extend the Sub-leasehold without the City's consent.

If the City Council extends the Sub-leasehold, Verizon Wireless will improve the existing telecommunications facility described and depicted in Exhibit A and subject to Verizon Wireless's obtaining all certificates, permits, and other approvals required by City, state, or federal authorities for the improvements.

FISCAL IMPACT:

There are no direct foreseeable costs to the City with the extension of the Sub-leasehold between Casuda Canyon Restaurant and Verizon Wireless, and Verizon Wireless is anticipated to pay for the entire telecommunications facility improvement.

Respectfully submitted by:



Joseph Torres
Economic Development Manager

Approved by:



Ron Bow
City Manager

Reviewed by:



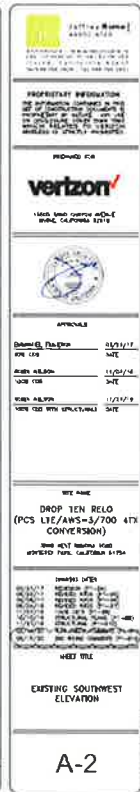
Karl H. Berger
City Attorney

ATTACHMENT:

1. Exhibit A – Verizon Proposed Facility Improvements at 3500 West Ramona Road, Monterey Park

ATTACHMENT 1

Exhibit A – Verizon Proposed Facility Improvements at 3500 West Ramona Road,





City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item 3E

TO: The Honorable Mayor and City Council
FROM: Matthew Hallock, Fire Chief
SUBJECT: Replacement of Two Fire Department Vehicles (Fire Chief's and Division Chief's Vehicles)

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waiving the bidding requirement pursuant to MPMC § 3.20.050(4) and authorize the Fire Department (Department) to purchase two new vehicles under the State of California Cooperative Purchase Agreement for a total amount of \$209,403.90 (Account No. 3633201-5221);
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Fire Department has two vehicles that need to be replaced. The Fire Chief's vehicle is a 2014 Chevy Tahoe SUV with over 160,000 miles on the odometer. This vehicle will replace the current Arson Vehicle which is a 2003 Chevrolet Tahoe with 145,825 miles. The mileage combined with frequent use create a high probability of maintenance issues and therefore a lack of dependability. The reallocation of this vehicle with a 2022 Ford Super Duty F-250 SRW will ensure the Department and the Fire Chief have a reliable command vehicle. The total cost to purchase the new vehicle is \$52,300.82.

The second vehicle is utilized by the on-duty Division Chief. It is a 2009 Chevrolet Suburban. The vehicle will replace the current reserve command vehicle which is a 1999 Chevrolet Suburban with 60,255 miles on the odometer. The 1999 Chevrolet Suburban is the current reserve command vehicle which is in constant need of repair and maintenance. When the frontline command vehicle is deployed statewide (as it currently is) on a mutual aid strike team assignment, the reserve command vehicle is placed into service. The total cost to reallocate the 2009 Chevrolet Suburban to reserve status and replace with a 2022 Ford Super Duty F-350 SRW is \$157,103.08, which includes the necessary equipment for emergency operations.

The purchase of two new vehicles will enhance both daily and emergency operations by providing staff with updated and reliable equipment. It will also eliminate high maintenance cost associated with older vehicles. Allowing Department staff, the ability to serve residents at the highest capacity.

BACKGROUND:

The American Rescue Plan Act (ARPA) of 2021 includes dedicated funds for all state, local, tribal, and territorial governments, known as the Coronavirus State and Local Fiscal Recovery Funds (SLFRF). The City of Monterey Park was awarded a total of \$15,043,184 in SLFRF funds. Payments will be received in two equal installments. The first installment was received in June 2021 in the amount of \$7,521,592.

The Fire Department was apportioned SLFRF funds, awarded to the City. Use of funds will address staff shortages, due to the COVID-19 pandemic as well as equipment upgrades. The purchase of the aforementioned vehicles are identified as proper use of SLFRF funds.

FISCAL IMPACT:

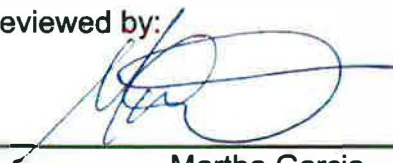
In June 2021 the City of Monterey Park received its first installment of SLFRF funds. A portion of those funds will be expended for the purchase of two vehicles. Account number 3633201-552 is dedicated for the purchase in the amount of \$209,403.90.

Respectfully submitted by:



Matthew Hallock
Fire Chief

Reviewed by:



Martha Garcia
Management Services Director

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. National Joint Powers Alliance: Contract Acceptance Award & Letter of Agreement to Extend the Contract
2. National Auto Fleet Group Quote: 2022 Ford F-250 Super Duty SRW
3. National Auto Fleet Group Quote: 2022 Ford Super Duty F-350 SRW

ATTACHMENT 1
**National Joint Powers Alliance: Contract
Acceptance Award & Letter of Agreement to
Extend Contract**

FORM E
CONTRACT ACCEPTANCE AND AWARD



(Top portion of this form will be completed by NJPA if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

NJPA Contract #: 120716-NAF

Proposer's full legal name: 72 Hour LLC, dba National Auto Fleet Group

Based on NJPA's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by NJPA.

The effective date of the Contract will be January 17, 2017 and will expire on January 17, 2021 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the NJPA Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at NJPA's discretion.

NJPA Authorized Signatures:


NJPA DIRECTOR OF COOPERATIVE CONTRACTS
AND PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz
(NAME PRINTED OR TYPED)


NJPA EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coauette
(NAME PRINTED OR TYPED)

Awarded on January 16, 2017

NJPA Contract # 120716-NAF

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name 72 Hour LLC, National Auto Fleet Group

Authorized Signatory's Title Fleet Manager


VENDOR AUTHORIZED SIGNATURE

Jesse Cooley
(NAME PRINTED OR TYPED)

Executed on 1-16, 2017

NJPA Contract # 120716-NAF

Letter of Agreement To Extend the Contract

Between

72 Hour LLC, dba National Auto Fleet Group
490 Auto Center Dr.
Watsonville, CA 95076-3726

And

Sourcwell
202 12th Street NE
Staples, MN 56479
Phone: (218) 894-1930

The Vendor and Sourcwell have entered into an Agreement (Contract #120716-NAF) for the procurement of Vehicles, Cars, Vans, SUVs, and Light Trucks with Related Equipment, Accessories and Services. This Agreement has an expiration date of January 17, 2021, but the parties may extend the Agreement for one additional year by mutual consent.

The parties acknowledge that extending the Agreement for another year benefits the Vendor, Sourcwell and Sourcwell's members. The Vendor and Sourcwell therefore agree to extend the Agreement listed above for a fifth year. This existing Agreement will terminate on January 17, 2022. All other terms and conditions of the Agreement remain in force.

Sourcwell

DocuSigned by:
 By: Jeremy Schwartz, Its: Director of Operations & Procurement/CPO
C0FD2A139D06489...

Name printed or typed: Jeremy Schwartz

Date 6/17/2020 | 1:32 PM CDT

72 Hour LLC, dba National Auto Fleet Group

DocuSigned by:
 By: Jesse Cooper, Its: Fleet Manager
FACBB5730C1E467...

Name printed or typed: Jesse Cooper

Date 7/8/2020 | 4:22 PM CDT

ATTACHMENT 2
National Auto Fleet Group Quote: 2022 Ford-250
Super Duty SRW



National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076
(855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax
Fleet@NationalAutoFleetGroup.com

August 20, 2021

Division Chief Ryan Weddle
City of Monterey Park Fire Department
350 West Newmark Ave
Monterey Par, Ca 91754
Delivery Via Email

Dear Chief Weddle,

In response to your inquiry, we are pleased to submit the following for your consideration:

National Auto Fleet Group will sell, service and deliver at Monterey Park, new/unused 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box responding to your requirement with the attached specifications for \$ 41,973 plus Upfit, State Sales Tax, and \$8.75 tire tax (non-taxable). These vehicles are available under the Sourcewell (Formerly Known as NJPA) master vehicle contract# 120716-NAF. Unit to be White.

	One Unit MSRP	One Unit	Total Savings	Total Savings
2022 Ford F-250 SRW XLT 4WD Crew Cab 6.75' Box	55,560.00	41,973.00	24.45%	13,587.00
AMP Running Boards		1,760.00		
911 Upfit		3,794.00		
Sub Total		47,527.00		
Sales Tax		4,515.07		
Transportation		250.00		
Tire Tax		8.75		
Total		52,300.82		

Terms are net 30 days.

Delivery 180-220 Days ARO

National Auto Fleet Group welcomes the opportunity to assist you in your vehicle requirements.

Kevin Buzzard
National Law Enforcement Sales Manager
National Auto Fleet Group
Wondries Fleet Group
626-457-5590 O / 714-264-1867 C / Buzzard5150@gmail.com





5604 E. La Palma Ave. Anaheim, CA 92807
P: 714-808-0911 F: 714-808-0916 www.911vehicle.com

Your Single Source Provider for Emergency Vehicle Solutions

Quote#81721-1

To: Ryan

From: Dan Walters

Company: Monterey Park Fire

Date: August 17, 2021

Fax # _____

Phone # _____

Regarding: Fire Chief's Truck

1 Number of Pages sent including cover sheet

QTY Breakdown with labor:

		EXTENSION TOTAL
<u>BASE ELECTRICAL SYSTEM</u>		
1	Main DC Power / Ground Electrical Buss System	470.00
1	Key Ignition Control System	150.00
1	Park Neutral Control System	200.00
<u>EMERGENCY LIGHTING AND SIREN WARNING</u>		
1	Undercover Siren and Lighting Controls - Switches mounted to activate lighting and siren separately.	940.00
1	Interior Steady Red LED In windshield	630.00
1	Headlight Flasher	160.00
1	Amber LED Slimlighter mounted in Rear Window	660.00
1	Siren speaker mounted behind grill	509.00
<u>OTHER EQUIPMENT</u>		
1	Misc. Parts and Materials (Loom, Connectors, Etc.)	75.00

SUBTOTALS

\$ **3,794.00**

SALES TAX

\$

TOTAL

\$

Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box



Wondries Fleet Group / National Auto Fleet Group

Prepared By:

Kevin Buzzard
Wondries Fleet Group / National Auto Fleet Group
626-457-5590 OFC
Buzzard5150@gmail.com

Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided. Data Version: 14504, Data updated Aug 19, 2021 11:55:00 PM PDT

Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Selected Model and Options

MODEL

CODE	MODEL
W2B	2022 Ford Super Duty F-250 SRW XLT 4WD Crew Cab 6.75' Box

COLORS

CODE	DESCRIPTION
Z1	Oxford White

ENGINE

CODE	DESCRIPTION
996	Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel (STD)

TRANSMISSION

CODE	DESCRIPTION
44S	Transmission: TorqShift-G 6-Spd Auto w/SelectShift (STD)

OPTION PACKAGE

CODE	DESCRIPTION
603A	Order Code 603A

AXLE RATIO

CODE	DESCRIPTION
X3E	Electronic-Locking w/3.73 Axle Ratio

WHEELS

CODE	DESCRIPTION
647	Wheels: 18" Chrome PVD Aluminum

TIRES

CODE	DESCRIPTION
TDX	Tires: LT275/70Rx18E BSW A/T (4) -inc: Spare may not be the same as road tire

PRIMARY PAINT

CODE	DESCRIPTION
Z1	Oxford White

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Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box ( Complete)

SEAT TYPE

CODE DESCRIPTION

2S Medium Earth Gray, Cloth 40/Console/40 Front Seats -inc: 2-way adjustable driver/passenger headrests and driver's side manual lumbar, Flow-Through Console, 110V/400W outlet in rear

ADDITIONAL EQUIPMENT - PACKAGE

CODE DESCRIPTION

17P XLT Premium Package -inc: 2 front chrome tow hooks and foldable/locking rear under-seat storage, Halogen Fog Lamps, SecuriCode Driver's Side Keyless Entry Keypad, Reverse Sensing System, Unique Chrome Mirror Caps, Wheels: 18" Chrome PVD Aluminum, Heated Driver & Passenger Seats, Body-Color Door Handles w/Chrome Insert, chrome tailgate handle, 8-Way Power Driver's Seat, 2-way passenger adjuster, Autolock/Auto Unlock, 6" Angular Chrome Step Bars, Chrome Exhaust Tip

ADDITIONAL EQUIPMENT - MECHANICAL

CODE DESCRIPTION

67E 240 Amp Alternator

41P Transfer Case & Fuel Tank Skid Plates

ADDITIONAL EQUIPMENT - EXTERIOR

CODE DESCRIPTION

54F PowerScope Trailer Tow Mirrors w/Heat -inc: power-folding w/Autofold, telescoping, power glass, turn signal, high intensity LED security approach lamps and utility lighting system (LED side-mirror spotlights)

435 Power-Sliding Rear-Window w/Defrost

153 Front License Plate Bracket -inc: Standard in states requiring 2 license plates and optional to all others

595 Halogen Fog Lamps

66L LED Box Lighting -inc: LED Center High-Mounted Stop Lamp (CHMSL)

85S Tough Bed Spray-In Bedliner -inc: tailgate-guard, black box bed tie-down hooks and black bed attachment bolts

ADDITIONAL EQUIPMENT - ENTERTAINMENT

CODE DESCRIPTION

21N Voice-Activated Navigation -inc: HD and SiriusXM Traffic and Travel Link, Note: SiriusXM Traffic and Travel Link includes a 5-year prepaid subscription, Services are not available in Alaska and Hawaii, SiriusXM audio and data services each require a subscription sold separately, or as a package, by SiriusXM Radio Inc, If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates, Fees and taxes apply, To cancel you must call SiriusXM at 1-866-635-2349, See SiriusXM customer agreement for complete terms at www.siriusxm.com, All fees and programming subject to change, Sirius, XM and all related marks and logos are trademarks of Sirius XM Radio Inc

Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided. Data Version: 14504, Data updated Aug 19, 2021 11:55:00 PM PDT

Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

ADDITIONAL EQUIPMENT - INTERIOR

CODE	DESCRIPTION
16T	All-Weather Floor Mats -inc: Doesn't include carpet floor mats
76R	Reverse Sensing System
66S	Upfitter Switches (6) -inc: Located in overhead console
Options Total	

Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided. Data Version: 14504, Data updated Aug 19, 2021 11:55:00 PM PDT

Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Standard Equipment

Mechanical

Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel (STD)
Transmission: TorqShift-G 6-Spd Auto w/SelectShift (STD)
3.73 Axle Ratio (STD)
50-State Emissions System
Transmission w/Oil Cooler
Electronic Transfer Case
Part-Time Four-Wheel Drive
78-Amp/Hr 750CCA Maintenance-Free Battery w/Run Down Protection
HD 200 Amp Alternator
Trailer Wiring Harness
Class V Towing Equipment -inc: Hitch, Brake Controller and Trailer Sway Control
3470# Maximum Payload
GVWR: 10,000 lb Payload Package
HD Shock Absorbers
Front Anti-Roll Bar
Firm Suspension
Hydraulic Power-Assist Steering
34 Gal. Fuel Tank
Single Stainless Steel Exhaust
Auto Locking Hubs
Front Suspension w/Coil Springs
Leaf Rear Suspension w/Leaf Springs
4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist and Hill Hold Control

Exterior

Wheels: 18" Sparkle Silver Painted Cast Aluminum -inc: bright hub covers/center ornaments (STD)
Tires: LT275/65Rx18E BSW A/S -inc: Spare may not be the same as road tire (STD)
Regular Box Style
Steel Spare Wheel
Spare Tire Stored Underbody w/Crankdown
Clearcoat Paint
Chrome Front Bumper w/Body-Colored Rub Strip/Fascia Accent and 2 Tow Hooks

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Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✓ Complete)

Exterior

Chrome Rear Step Bumper
Black Side Windows Trim and Black Front Windshield Trim
Black Door Handles
Manual Extendable Trailer Style Mirrors
Black Power Heated Side Mirrors w/Convex Spotter, Manual Folding and Turn Signal Indicator
Fixed Rear Window
Variable Intermittent Wipers
Privacy Glass
Aluminum Panels
Black Grille w/Chrome Accents
Tailgate Rear Cargo Access
Tailgate/Rear Door Lock Included w/Power Door Locks
Cargo Lamp w/High Mount Stop Light
Autolamp Auto On/Off Aero-Composite Halogen Auto High-Beam Daytime Running Lights Preference Setting
Headlamps w/Delay-Off
Perimeter/Approach Lights
Headlights-Automatic Highbeams

Entertainment

Radio w/Seek-Scan, Clock, Speed Compensated Volume Control, Steering Wheel Controls and Radio Data System
Radio: AM/FM Stereo/MP3 Player -inc: 7 speakers
Fixed Antenna
Streaming Audio
SYNC 3 Communications & Entertainment System -inc: enhanced voice recognition, 8" LCD capacitive touch screen in center stack w/swipe capability, pinch-to-zoom capability included w/available voice-activated touchscreen navigation system, 4.2" productivity screen in IP cluster, AppLink, 911 Assist, Apple CarPlay and Android Auto capability and 2 smart charging USB-C ports
SiriusXM Radio -inc: a 3-month prepaid subscription and 1 I/P mounted center speaker, Service is not available in Alaska and Hawaii, SiriusXM audio and data services each require a subscription sold separately, or as a package, by SiriusXM Radio Inc. If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates. Fees and taxes apply. To cancel you must call SiriusXM at 1-866-635-2349, See SiriusXM Customer Agreement for complete terms at www.siriusxm.com, All fees and programming subject to change, SiriusXM and all related marks and logos are trademarks of SiriusXM Radio Inc
2 LCD Monitors In The Front
Bluetooth Wireless Phone Connectivity

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Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Interior

4-Way Driver Seat -inc: Manual Recline and Fore/Aft Movement

4-Way Passenger Seat -inc: Manual Recline and Fore/Aft Movement

60-40 Folding Split-Bench Front Facing Fold-Up Cushion Rear Seat

Manual Tilt/Telescoping Steering Column

Gauges -inc: Speedometer, Odometer, Oil Pressure, Engine Coolant Temp, Tachometer, Transmission Fluid Temp, Engine Hour Meter, Trip Odometer and Trip Computer

Power Rear Windows

FordPass Connect 4G Mobile Hotspot Internet Access

Rear Cupholder

Remote Keyless Entry w/Integrated Key Transmitter, Illuminated Entry and Panic Button

Cruise Control w/Steering Wheel Controls

Manual Air Conditioning

HVAC -inc: Underseat Ducts

Illuminated Locking Glove Box

Full Cloth Headliner

Urethane Gear Shifter Material

Interior Trim -inc: Metal-Look Instrument Panel Insert and Chrome Interior Accents

Cloth 40/20/40 Split Bench Seat -inc: 20% locking center under-seat storage, center armrest, cupholder, storage, 2-way adjustable driver/passenger headrests and driver's side manual lumbar

Day-Night Rearview Mirror

Driver And Passenger Visor Vanity Mirrors

3 12V DC Power Outlets

Full Overhead Console w/Storage and 3 12V DC Power Outlets

Fade-To-Off Interior Lighting

Front And Rear Map Lights

Full Carpet Floor Covering -inc: Carpet Front And Rear Floor Mats

Pickup Cargo Box Lights

Smart Device Remote Engine Start

110V/400W Outlet -inc: 1 in-dash mounted outlet

Instrument Panel Covered Bin, Dashboard Storage, Driver / Passenger And Rear Door Bins

Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down

Delayed Accessory Power

Power Door Locks

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Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Interior

Systems Monitor
Trip Computer
Outside Temp Gauge
Digital/Analog Appearance
Seats w/Cloth Back Material
Manual Adjustable Rear Head Restraints
2 Seatback Storage Pockets
Securilock Anti-Theft Ignition (pats) Engine Immobilizer
Perimeter Alarm
Air Filtration

Safety-Mechanical

AdvanceTrac w/Roll Stability Control Electronic Stability Control (ESC) And Roll Stability Control (RSC)
ABS And Driveline Traction Control

Safety-Exterior

Side Impact Beams

Safety-Interior

Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Ford Co-Pilot360 - BLIS with Trailer Tow Coverage Blind Spot
Ford Co-Pilot360 - Pre-Collision Assist with Automatic Emergency Braking (AEB) and Ford Co-Pilot360 - Cross-Traffic Alert
Collision Mitigation-Front
Tire Specific Low Tire Pressure Warning
Mykey System -inc: Top Speed Limiter, Audio Volume Limiter, Early Low Fuel Warning, Programmable Sound Chimes and Beltminder w/Audio Mute
Safety Canopy System Curtain 1st And 2nd Row Airbags
Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point and Height Adjusters
Dual Stage Driver And Passenger Front Airbags
Back-Up Camera

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Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Window Sticker

SUMMARY

[Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box

MSRP:\$46,880.00

Interior:Medium Earth Gray, Cloth 40/Console/40 Front Seats

Exterior 1:Oxford White

Exterior 2:No color has been selected.

Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel

Transmission: TorqShift-G 6-Spd Auto w/SelectShift

OPTIONS

CODE	MODEL	MSRP
W2B	[Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box	\$46,880.00
OPTIONS		
153	Front License Plate Bracket	\$0.00
16T	All-Weather Floor Mats	\$130.00
17P	XLT Premium Package	\$2,995.00
21N	Voice-Activated Navigation	\$570.00
2S	Medium Earth Gray, Cloth 40/Console/40 Front Seats	\$945.00
41P	Transfer Case & Fuel Tank Skid Plates	\$100.00
435	Power-Sliding Rear-Window w/Defrost	\$405.00
44S	Transmission: TorqShift-G 6-Spd Auto w/SelectShift	\$0.00
54F	PowerScope Trailer Tow Mirrors w/Heat	\$280.00
595	Halogen Fog Lamps	Inc.
603A	Order Code 603A	\$0.00
647	Wheels: 18" Chrome PVD Aluminum	Inc.
66L	LED Box Lighting	\$60.00
66S	Upfitter Switches (6)	\$165.00
67E	240 Amp Alternator	\$85.00
76R	Reverse Sensing System	Inc.
85S	Tough Bed Spray-In Bedliner	\$595.00
996	Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel	\$0.00
TDX	Tires: LT275/70Rx18E BSW A/T (4)	\$265.00

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Vehicle: [Fleet] 2022 Ford Super Duty F-250 SRW (W2B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

X3E	Electronic-Locking w/3.73 Axle Ratio	\$390.00
Z1	Oxford White	\$0.00
SUBTOTAL		\$53,865.00
Adjustments Total		\$0.00
Destination Charge		\$1,695.00
TOTAL PRICE		\$55,560.00

FUEL ECONOMY

Est City:N/A

Est Highway:N/A

Est Highway Cruising Range:N/A

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ATTACHMENT 3
National Auto Fleet Group Quote: 2022 Ford
Super Duty F-350 SRW



National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076
 (855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax
 Fleet@NationalAutoFleetGroup.com

August 17, 2021

Division Chief Ryan Weddle
 City of Monterey Park Fire Department
 350 West Newmark Ave
 Monterey Par, Ca 91754
 Delivery Via Email

Dear Chief Weddle,

In response to your inquiry, we are pleased to submit the following for your consideration:

National Auto Fleet Group will sell, service and deliver at Monterey Park, new/unused 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box responding to your requirement with the attached specifications for \$ 54,434.00 plus Upfit, State Sales Tax, and \$8.75 tire tax (non-taxable). These vehicles are available under the Sourcewell (Formerly Known as NJPA) master vehicle contract# 120716-NAF.

	One Unit MSRP	One Unit	Total Savings	Total Savings
2022 Ford F-350 Super Duty 4X4 Crew Cab XLT	66,860.00	54,434.00	18.59%	12,426.00
Shell & Amp Running				
Boards		5,207.00		
911 Uofit		83,573.00		
Sub Total		143,214.00		
Sales Tax		13,605.33		
Transportation		275.00		
Tire Tax		8.75		
Total		157,103.08		

Terms are net 30 days.

Delivery 180-220 Days ARO

National Auto Fleet Group welcomes the opportunity to assist you in your vehicle requirements.

Kevin Buzzard
 National Law Enforcement Sales Manager
 National Auto Fleet Group
 Wondries Fleet Group
 626-457-5590 O





National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076
(855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax
Fleet@NationalAutoFleetGroup.com

714-264-1867 C

626-457-5593 F

Buzzard5150@gmail.com





5604 E. La Palma Ave. Anaheim, CA 92807
P: 714-808-0911 F: 714-808-0916 www.911vehicle.com

Your Single Source Provider for Emergency Vehicle Solutions

Quote#102620

To: **Ryan Weddle** From: **Dan Walters**
Company: **Monterey Park Fire** Date: **July 14, 2021**
Fax # Phone #

Regarding: **Command Conversion Package for BC Command Truck - Revised Customer Supplied Radios**

1 Number of Pages sent including cover sheet

QTY	Breakdown with labor:	EXTENSION TOTAL
BASE ELECTRICAL SYSTEM		
1	Engineering and Design Layout	1,050.00
1	Cole Herse M284 Radio Master Disconnect Switch	545.00
2	Odyssey AGM Batteries w/ (2) 48-720 batteries underhood	860.00
2	Dual Battery system (2) 48-720 batteries for communications equip	965.00
2	In Floor Battery Boxes for Odyssey 48-720 Batteries	1,130.00
1	Dual Battery Isolation System	445.00
1	Main DC Power / Ground Electrical Buss System	1,625.00
1	911V-Mux Vehicle Load Manager	3,445.00
1	Key Ignition Control System	150.00
1	Park Neutral Control System	200.00
1	Command Center Control System	255.00
EMERGENCY LIGHTING AND SIREN WARNING		
1	Code 3 Z3 Siren and Lighting Controller	1,585.00
1	Code 3 Pursuit Lightbar with Dual Mode LED's	3,865.00
1	Headlight Flasher	265.00
2	L.E.D. Lights mounted under side view mirrors	955.00
2	Whelen M7R LED Lights with Chrome Bezel on the Grill	1,014.00
2	Whelen M7R LED Lights with Chrome Bezel on Front Fenders	1,035.00
2	Whelen M7R LED Lights with Chrome Bezel on side rear fenders	1,035.00
2	Whelen M7R LED Lights with Chrome Bezel on the Tail Gate	1,035.00
4	Whelen M6V2R Lights mounted on Shell (2) each side	3,220.00
1	Off Road 20" Flood/Spot LED Lightbar in Lower Grill	910.00
1	Siren speaker mounted behind grill	535.00
1	Back-up Alarm with Override Switch	288.00
1	Alr Horn with Compressor and Tank	1,225.00
1	Linemaster Footswitches installed on Drivers Side for Alr Horn	275.00
Command and Center Console Module		
1	Metal Center Console for Radios and Lighting Controller	1,415.00
2	Arm rests mounted on each side of the console	283.00
2	LED Lighting in Side Compartments and Rear of Shell	835.00
1	911 Custom Rear Command Module	9,045.00
5	Radio Speaker Modification for APX Radios	420.00
1	Custom Bed Slide with 70% & 100% Extension	2,215.00
1	Communications Cabinet under Rear Seats	1,420.00
1	Interior Command center Lighting	745.00
1	Dimmer Switch on Command Desk LED Light	130.00
1	Metal Dry Erase Surface on Tail Gates and Sides of Command Desk	570.00
RADIOS AND COMPUTERS		
3	Motorola APX8500 All Band Dual Head Radio (CS)	3,420.00
2	Motorola APX6500 UHF Single Head Radio in Rear Desk (CS)	1,020.00
5	Radio Transmission Indicator LEDs	1,115.00
3	In Cab overhead grill for radio speakers over head	660.00
1	Intercom 3 PTT Stations 2 Radio TX	3,035.00
2	Mobile Radio Intercom Interfaces	880.00
2	Radio Interfaces for Rear Radio transmit stations	930.00
2	OTH-LOR Headsets	570.00
1	Panasonic CF-19 MDC (CS)	420.00
1	Havis Docking Station for CF-19 MDC (CS)	420.00
1	Heavy Duty Side Pole Mount for MDC	775.00
4	Motorola Drop-in Radio Chargers in Console	2,080.00
6	Roof Mounted Antennas on Cab	1,380.00
3	Roof Mounted Antennas installed on Snug Top Shell	1,725.00
1	Ground Plane Installed on Shell for Radio Antennas	670.00
8	Motorola Accessory Connectors for Radio Mics	1,525.00
1	Craddle Point COR I8R1700 Modem (CS)	315.00
2	Multi-Band Antenna for Craddle Point Modem (CS)	210.00
9	Magnetic Mic Modification for Radios and PA Mics	720.00
2	iPAD Mounts 1 at Center Console and 1 in the Rear	366.00
OTHER EQUIPMENT		
1	Misc. Parts and Materials (Loom, Connectors, Etc.)	420.00
1	Custom Machine Washable Seat Covers	365.00
2	LED Lights with 3 way switch mounted under rear bumper	480.00
1	Interior Overhead LED Dome Light (Red/White) in Cab	290.00
2	Car Coat Hangers	58.00
1	Remote Door Unlock Switch in Grill	555.00
2	Mount Front ID Plates on Grill	340.00
1	Zico UH-6-30-3SF SCBA Mounting Brackets Installed	220.00
1	20 Amp Inlet for Battery Charger	670.00
1	Shore Power Relay Bypass System	235.00
1	Pro-sine 100amp Battery Charger and 2000watt Inverter	2,720.00
2	Hospital Grade A/C Receptacles for Inverted Power Use	740.00
6	Dual USB Sockets with Rubber Cover	759.00
2	19" LED TV Screens Fixed Mount at Rear Command Desk	1,820.00
1	HDMI 4 x 2 Matrix for Rear Monitors	610.00
1	Custom TV Mount at Command Desk	1,155.00
1	4K Apple TV at Rear Command	565.00
1	Off Air HD TV Antenna and Cabling	645.00
1	Vehicle Graphics Per Monterey Park Fire with Invisible Bra under Shell Doors	3,700.00

(CS) Customer Supplied

SUBTOTALS	\$ 83,573.00
SALES TAX	\$ -
TOTAL	\$ 83,573.00

All line items include parts and labor unless identified with (CS)

All Quotes good for 90 Days

Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box



Wondries Fleet Group / National Auto Fleet Group

Prepared By:

Kevin Buzzard

Wondries Fleet Group / National Auto Fleet Group

626-457-5590 OFC

Buzzard5150@gmail.com

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Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box ( Complete)

Selected Model and Options

MODEL

CODE	MODEL
W3B	2022 Ford Super Duty F-350 SRW XLT 4WD Crew Cab 6.75' Box

COLORS

CODE	DESCRIPTION
PQ	Race Red

ENGINE

CODE	DESCRIPTION
99T	Engine: 6.7L 4V OHV Power Stroke V8 Turbo Diesel B20 -inc: manual push-button engine-exhaust braking and intelligent oil-life monitor, 175 Amp Heavy Duty Alternator, 34 Gallon Fuel Tank, GVWR: 11,500 lb Payload Package, 3.31 Axle Ratio, Dual 78-AH 750 CCA Batteries

TRANSMISSION

CODE	DESCRIPTION
44G	Transmission: TorqShift 10-Speed Automatic -inc: SelectShift and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery (STD)

OPTION PACKAGE

CODE	DESCRIPTION
613A	Order Code 613A

AXLE RATIO

CODE	DESCRIPTION
X3H	Electronic-Locking w/3.31 Axle Ratio

WHEELS

CODE	DESCRIPTION
647	Wheels: 18" Chrome PVD Aluminum

TIRES

CODE	DESCRIPTION
TDX	Tires: LT275/70Rx18E BSW A/T (4) -inc: Spare may not be the same as road tire

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Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

PRIMARY PAINT

CODE	DESCRIPTION
PQ	Race Red

SEAT TYPE

CODE	DESCRIPTION
3S	Medium Earth Gray, Cloth 40/20/40 Split Bench Seat -inc: 20% locking center under-seat storage, center armrest, cupholder, storage, 2-way adjustable driver/passenger headrests and driver's side manual lumbar

ADDITIONAL EQUIPMENT - PACKAGE

CODE	DESCRIPTION
17X	FX4 Off-Road Package -inc: Hill Descent Control, Off-Road Specifically Tuned Shock Absorbers, front/rear, Transfer Case & Fuel Tank Skid Plates, Unique FX4 Off-Road Box Decal
17P	XLT Premium Package -inc: 2 front chrome tow hooks and foldable/locking rear under-seat storage, Halogen Fog Lamps, SecuriCode Driver's Side Keyless Entry Keypad, Reverse Sensing System, Unique Chrome Mirror Caps, Wheels: 18" Chrome PVD Aluminum, Heated Driver & Passenger Seats, Body-Color Door Handles w/Chrome Insert, chrome tailgate handle, 8-Way Power Driver's Seat, 2-way passenger adjuster, Autolock/Auto Unlock, 6" Angular Chrome Step Bars, Chrome Exhaust Tip

ADDITIONAL EQUIPMENT - MECHANICAL

CODE	DESCRIPTION
67B	397 Amp Alternator
41P	Transfer Case & Fuel Tank Skid Plates
—	GVWR: 11,500 lb Payload Package w/6.7L

ADDITIONAL EQUIPMENT - EXTERIOR

CODE	DESCRIPTION
54F	PowerScope Trailer Tow Mirrors w/Heat -inc: power-folding w/Autofold, telescoping, power glass, turn signal, high intensity LED security approach lamps and utility lighting system (LED side-mirror spotlights)
435	Power-Sliding Rear-Window w/Defrost
153	Front License Plate Bracket -inc: Standard in states requiring 2 license plates and optional to all others
595	Halogen Fog Lamps
85S	Tough Bed Spray-In Bedliner -inc: tailgate-guard, black box bed tie-down hooks and black bed attachment bolts

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Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

ADDITIONAL EQUIPMENT - ENTERTAINMENT

CODE	DESCRIPTION
21N	Voice-Activated Navigation -inc: HD and SiriusXM Traffic and Travel Link, Note: SiriusXM Traffic and Travel Link includes a 5-year prepaid subscription, Services are not available in Alaska and Hawaii, SiriusXM audio and data services each require a subscription sold separately, or as a package, by SiriusXM Radio Inc, If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates, Fees and taxes apply, To cancel you must call SiriusXM at 1-866-635-2349, See SiriusXM customer agreement for complete terms at www.siriusxm.com , All fees and programming subject to change, Sirius, XM and all related marks and logos are trademarks of Sirius XM Radio Inc

ADDITIONAL EQUIPMENT - INTERIOR

CODE	DESCRIPTION
16T	All-Weather Floor Mats -inc: Doesn't include carpet floor mats
76R	Reverse Sensing System
62M	Power-Adjustable Pedals

Options Total

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Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Standard Equipment

Mechanical

Engine: 6.2L 2-Valve SOHC EFI NA V8 Flex-Fuel (STD)
Transmission: TorqShift 10-Speed Automatic -inc: SelectShift and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery (STD)
3.73 Axle Ratio (STD)
50-State Emissions System
Transmission w/Oil Cooler
Electronic Transfer Case
Part-Time Four-Wheel Drive
78-Amp/Hr 750CCA Maintenance-Free Battery w/Run Down Protection
HD 200 Amp Alternator
Trailer Wiring Harness
Class V Towing Equipment -inc: Hitch, Brake Controller and Trailer Sway Control
4260# Maximum Payload
GVWR: 11,100 lb Payload Package
HD Shock Absorbers
Front Anti-Roll Bar
Firm Suspension
Hydraulic Power-Assist Steering
34 Gal. Fuel Tank
Single Stainless Steel Exhaust
Auto Locking Hubs
Front Suspension w/Coil Springs
Leaf Rear Suspension w/Leaf Springs
4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist and Hill Hold Control

Exterior

Wheels: 18" Sparkle Silver Painted Cast Aluminum -inc: bright hub covers/center ornaments (STD)
Tires: LT275/65Rx18E BSW A/S -inc: Spare may not be the same as road tire (STD)
Regular Box Style
Steel Spare Wheel
Spare Tire Stored Underbody w/Crankdown
Clearcoat Paint

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Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Exterior

Chrome Front Bumper w/Body-Colored Rub Strip/Fascia Accent and 2 Tow Hooks

Chrome Rear Step Bumper

Black Side Windows Trim and Black Front Windshield Trim

Black Door Handles

Manual Extendable Trailer Style Mirrors

Black Power Heated Side Mirrors w/Convex Spotter, Manual Folding and Turn Signal Indicator

Fixed Rear Window

Variable Intermittent Wipers

Privacy Glass

Aluminum Panels

Black Grille w/Chrome Accents

Tailgate Rear Cargo Access

Tailgate/Rear Door Lock Included w/Power Door Locks

Cargo Lamp w/High Mount Stop Light

Autolamp Auto On/Off Aero-Composite Halogen Auto High-Beam Daytime Running Lights Preference Setting
Headlamps w/Delay-Off

Perimeter/Approach Lights

Entertainment

Radio w/Seek-Scan, Clock, Speed Compensated Volume Control, Steering Wheel Controls and Radio Data System

Radio: AM/FM Stereo/MP3 Player -inc: 7 speakers

Fixed Antenna

Streaming Audio

SYNC 3 Communications & Entertainment System -inc: enhanced voice recognition, 8" LCD capacitive touch screen in center stack w/swipe capability, pinch-to-zoom capability included w/available voice-activated touchscreen navigation system, 4.2" productivity screen in IP cluster, AppLink, 911 Assist, Apple CarPlay and Android Auto capability and 2 smart charging USB-C ports

SiriusXM Radio -inc: a 3-month prepaid subscription and 1 I/P mounted center speaker, Service is not available in Alaska and Hawaii, SiriusXM audio and data services each require a subscription sold separately, or as a package, by SiriusXM Radio Inc, If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates, Fees and taxes apply, To cancel you must call SiriusXM at 1-866-635-2349, See SiriusXM Customer Agreement for complete terms at www.siriusxm.com, All fees and programming subject to change, SiriusXM and all related marks and logos are trademarks of SiriusXM Radio Inc

Bluetooth Wireless Phone Connectivity

2 LCD Monitors In The Front

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Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Interior

4-Way Driver Seat -inc: Manual Recline and Fore/Aft Movement

4-Way Passenger Seat -inc: Manual Recline and Fore/Aft Movement

60-40 Folding Split-Bench Front Facing Fold-Up Cushion Rear Seat

Manual Tilt/Telescoping Steering Column

Gauges -inc: Speedometer, Odometer, Oil Pressure, Engine Coolant Temp, Tachometer, Transmission Fluid Temp, Engine Hour Meter, Trip Odometer and Trip Computer

Power Rear Windows

FordPass Connect 4G Mobile Hotspot Internet Access

Rear Cupholder

Remote Keyless Entry w/Integrated Key Transmitter, Illuminated Entry and Panic Button

Cruise Control w/Steering Wheel Controls

Manual Air Conditioning

HVAC -inc: Underseat Ducts

Illuminated Locking Glove Box

Full Cloth Headliner

Urethane Gear Shifter Material

Interior Trim -inc: Metal-Look Instrument Panel Insert and Chrome Interior Accents

Cloth 40/20/40 Split Bench Seat -inc: 20% locking center under-seat storage, center armrest, cupholder, storage, 2-way adjustable driver/passenger headrests and driver's side manual lumbar

Day-Night Rearview Mirror

Driver And Passenger Visor Vanity Mirrors

3 12V DC Power Outlets

Full Overhead Console w/Storage and 3 12V DC Power Outlets

Fade-To-Off Interior Lighting

Front And Rear Map Lights

Full Carpet Floor Covering -inc: Carpet Front And Rear Floor Mats

Pickup Cargo Box Lights

Smart Device Remote Engine Start

110V/400W Outlet -inc: 1 in-dash mounted outlet

Instrument Panel Covered Bin, Dashboard Storage, Driver / Passenger And Rear Door Bins

Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down

Delayed Accessory Power

Power Door Locks

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Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box ( Complete)

Interior

Systems Monitor
Trip Computer
Outside Temp Gauge
Digital/Analog Appearance
Seats w/Cloth Back Material
Manual Adjustable Rear Head Restraints
2 Seatback Storage Pockets
Securilock Anti-Theft Ignition (pats) Engine Immobilizer
Perimeter Alarm
Air Filtration

Safety-Mechanical

AdvanceTrac w/Roll Stability Control Electronic Stability Control (ESC) And Roll Stability Control (RSC)
ABS And Driveline Traction Control

Safety-Exterior

Side Impact Beams

Safety-Interior

Dual Stage Driver And Passenger Seat-Mounted Side Airbags
Blind Spot
Ford Co-Pilot360 - Pre-Collision Assist with Automatic Emergency Braking (AEB) and Ford Co-Pilot360 - Cross-Traffic Alert
Tire Specific Low Tire Pressure Warning
Mykey System -inc: Top Speed Limiter, Audio Volume Limiter, Early Low Fuel Warning, Programmable Sound Chimes and Beltminder w/Audio Mute
Safety Canopy System Curtain 1st And 2nd Row Airbags
Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point and Height Adjusters
Dual Stage Driver And Passenger Front Airbags
Back-Up Camera

Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box (✔ Complete)

Window Sticker

SUMMARY

[Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box

MSRP:\$48,405.00

Interior:Medium Earth Gray, Cloth 40/20/40 Split Bench Seat

Exterior 1:Race Red

Exterior 2:No color has been selected.

Engine: 6.7L 4V OHV Power Stroke V8 Turbo Diesel B20

Transmission: TorqShift 10-Speed Automatic

OPTIONS

CODE	MODEL	MSRP
W3B	[Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box	\$48,405.00
OPTIONS		
153	Front License Plate Bracket	\$0.00
16T	All-Weather Floor Mats	\$130.00
17P	XLT Premium Package	\$2,995.00
17X	FX4 Off-Road Package	\$400.00
21N	Voice-Activated Navigation	\$570.00
3S	Medium Earth Gray, Cloth 40/20/40 Split Bench Seat	\$0.00
41P	Transfer Case & Fuel Tank Skid Plates	Inc.
435	Power-Sliding Rear-Window w/Defrost	\$405.00
44G	Transmission: TorqShift 10-Speed Automatic	\$0.00
54F	PowerScope Trailer Tow Mirrors w/Heat	\$280.00
595	Halogen Fog Lamps	Inc.
613A	Order Code 613A	\$0.00
62M	Power-Adjustable Pedals	\$120.00
647	Wheels: 18" Chrome PVD Aluminum	Inc.
67B	397 Amp Alternator	\$115.00
76R	Reverse Sensing System	Inc.
85S	Tough Bed Spray-In Bedliner	\$595.00
99T	Engine: 6.7L 4V OHV Power Stroke V8 Turbo Diesel B20	\$10,495.00
PQ	Race Red	\$0.00

Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided. Data Version: 14479, Data updated Aug 17, 2021 12:43:00 AM PDT

Vehicle: [Fleet] 2022 Ford Super Duty F-350 SRW (W3B) XLT 4WD Crew Cab 6.75' Box ( Complete)

TDX	Tires: LT275/70Rx18E BSW A/T (4)	\$265.00
X3H	Electronic-Locking w/3.31 Axle Ratio	\$390.00
—	GVWR: 11,500 lb Payload Package w/6.7L	\$0.00
SUBTOTAL		\$65,165.00
Adjustments Total		\$0.00
Destination Charge		\$1,695.00
TOTAL PRICE		\$66,860.00

FUEL ECONOMY

Est City:N/A

Est Highway:N/A

Est Highway Cruising Range:N/A

Prices, specifications, and availability are subject to change without notice, and do not include certain fees, taxes and charges that may be required by law or vary by manufacturer or region. Performance figures are guidelines only, and actual performance may vary. Photos may not represent actual vehicles or exact configurations. Content based on report preparer's input is subject to the accuracy of the input provided. Data Version: 14479, Data updated Aug 17, 2021 12:43:00 AM PDT



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item 3F

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Director of Public Works / City Engineer
SUBJECT: Waive Further Reading and Adopt an Ordinance Amending Chapter 21.34 of the Monterey Park Municipal Code Regarding the Installation of Wireless Telecommunications Facilities in the Public Rights-of-Way, and Amending § 9.66.010 Regarding Regulating Interference with Radio Communications

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waiving further reading and adopting an ordinance amending Chapter 21.34 of the Monterey Park Municipal Code ("MPMC") regulating installation of wireless telecommunications facilities in the public rights-of-way and amending MPMC § 9.66.010 regulating interference with radio communications; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The first reading and introduction of the Ordinance took place at the September 1, 2021 City Council meeting. The September 1, 2021 staff report is attached for reference. Second reading and adoption of this Ordinance amendment is recommended. It will take effect in 30 days if approved.

Respectfully prepared & submitted by:

A handwritten signature in blue ink, which appears to read "Frank A. Lopez", is written over a horizontal line.

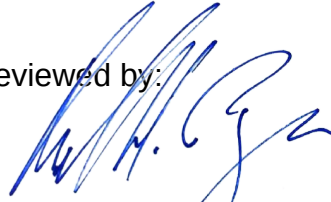
Frank A. Lopez
Director of Public Works
City Engineer / City Planner

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. Draft Ordinance
2. September 1, 2021 Staff Report

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 21.34 OF THE MONTEREY PARK MUNICIPAL CODE ("MPMC") REGARDING INSTALLATION OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY AND AMENDING MPMC § 9.66.010 REGULATING INTERFERENCE WITH RADIO COMMUNICATIONS

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

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

- A. On September 26, 2018, the FCC adopted a declaratory ruling and report and order (the "FCC Ruling") which, among other things, (1) creates a new regulatory classification for "small wireless facilities" ("SWFs"); (2) requires state and local governments to process applications for SWFs within 60 days for attachments to existing structures or 90 days for new structures (the "SWF Shot Clocks"); (3) establishes a national standard for what constitutes an effective prohibition on wireless services; (4) provides that a failure to act within the applicable timeframe presumptively constitutes an effective prohibition; and (5) limits the fees that can be charged for the facilities.
- B. SWFs are designed to accommodate fifth generation ("5G") technology. Wireless providers have recently begun to deploy 5G technology, primarily in the public right-of-ways. The FCC Ruling was adopted to reduce regulatory barriers to the deployment of wireless infrastructure and to ensure that the United States remains the leader in advanced wireless services and wireless technology. The FCC Ruling is intended to facilitate the growth of SWFs (and the corresponding deployment of 5G technology) over a short period of time.
- C. SWFs are primarily installed in public right-of-ways and, consequently, create significant concerns about traffic and pedestrian safety; land use conflicts and incompatibilities including the relative excessive height of poles and towers; visual and aesthetic blight arising from cumulative number of SWFs as well as their individual physical characteristics and that of associated equipment; and the protection and preservation of public property, all of which may negatively impact the unique quality and character of the City and the public health, safety and welfare thereof. Regulating the installation of SWFs in the public right-of-ways is necessary to protect and preserve the safety of the community as well as the aesthetics of the community.
- D. The FCC Ruling sets forth new standards for state and local government regulations of SWFs and restricts the aesthetic requirements that may be imposed by local governments. Any aesthetic standard adopted by a local government must be (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; and (3) objective and published in

advance. A number of local public agencies throughout the country have filed suit against the FCC, challenging various aspects of the FCC Ruling including its limitation on aesthetic regulations.

- E. Federal and state laws and regulations regarding the deployment of small wireless facilities are expected to change and evolve quickly over the near term as the courts review the FCC Ruling and the federal and state governments react. Given the rapid and substantial changes in applicable law that are expected to occur over the near term and the significant adverse consequences of noncompliance with these changes in the law, the City Council finds that operational and aesthetic regulations adopted by a resolution that may be quickly amended is a necessary and appropriate means to protect the public health, safety and welfare from the potential harm caused by unregulated small wireless facilities and related infrastructure deployments in the public rights-of-way.

SECTION 2: Environmental Assessment. This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*; the “CEQA Guidelines”). The Ordinance is exempt from environmental review pursuant to CEQA Guidelines § 15061(b)(3) because it has no potential for resulting in physical change to the environment, directly or indirectly. The Ordinance does not authorize any specific development or installation of any equipment within the City’s boundaries. Installation of wireless communications facilities, if any, generally would be exempt from CEQA review in accordance with either CEQA Guidelines § 15302 (replacement or reconstruction), § 15303 (new construction or conversion of small structures), and/or § 15304 (minor alterations to land).

SECTION 3: MPMC § 21.34.030(B) is amended to read as follows:

“(B) Permits Required.

- (1) In addition to any other requirements to obtain excavation permits or encroachment permits, or both, from the Public Works Director pursuant to this code, no wireless telecommunications facility that does not qualify as a small wireless facility may be erected, constructed, installed, operated, expanded, or maintained in the public right-of-way without a valid wireless telecommunications facility encroachment permit issued pursuant to this code.
- (2) Small Wireless Facilities. In addition to any other requirements to obtain excavation permits or encroachment permits, or both, from the Public Works Director pursuant to this code, no small wireless facility may be erected, constructed, installed, operated, expanded, or maintained in the public right-of-way without a valid small wireless facility encroachment permit. Small wireless facility encroachment permits are processed in accordance with the Small Wireless Facility

Regulations adopted by city council resolution. The Small Wireless Facility Regulations are intended to supplement the terms of this chapter. The general terms of this chapter apply to Small Wireless Facilities unless a more specific term is set forth in the SWF Regulations, in which case the more specific term of the Small Wireless Facility Regulations control. For purposes of this chapter, 'small wireless facility' means the same as defined by the Federal Communications Commission in 47 C.F.R. § 1.6002(f), as may be amended or superseded."

SECTION 4: MPMC § 9.66.010 is amended to read as follows:

"9.66.010 Prohibited.

It is unlawful for any person to operate in the city any device, appliance, equipment or apparatus generating or causing high frequency oscillations or radiations which interfere with radio broadcast receiving apparatus or wireless receiving apparatus."

SECTION 5: **Construction.** This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 6: **Savings Clause.** Repeal of any provision of the MPMC or any other regulation by this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

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

SECTION 8: **Validity of Previous Code Sections.** If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other regulation by this Ordinance will be rendered void and cause such MPMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 9: **Effective Date.** This Ordinance becomes effective 30 days after its adoption.

SECTION 10: **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 11: **Publication.** The City Clerk must certify as to the adoption of this ordinance and cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of Monterey Park.

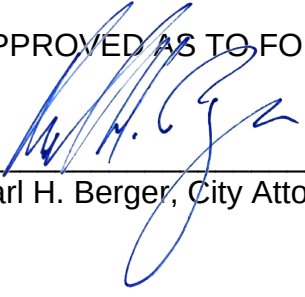
PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2021.

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

ATTACHMENT 2

September 1, 2021 Staff Report



City Council Staff Report

DATE: September 1, 2021

AGENDA ITEM NO: New Business
Agenda Item 5B

TO: The Honorable Mayor and City Council

FROM: Frank A. Lopez, Director of Public Works / City Engineer

SUBJECT: Ordinance Amending Chapter 21.34 of the Monterey Park Municipal Code Regarding the Installation of Wireless Telecommunications Facilities in the Public Rights-of-Way and Amending Chapter 9.66.010 Regulating Interference with Radio Communications and A Resolution Adopting Small Wireless Facility Regulations

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waiving first reading of an Ordinance Amending Chapter 21.34 of the Monterey Park Municipal Code ("MPMC") regulating installation of wireless telecommunications facilities in the public rights-of-way and amending MPMC § 9.66.010 regulating interference with radio communications; and
2. Adopting a resolution adopting small wireless facility regulations pursuant to the MPMC; and
3. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) pursuant to CEQA Guidelines § 15061 (b)(3) because it has no potential for resulting in physical change to the environment, directly or indirectly. The Ordinance does not authorize any specific development or installation of any equipment within the City's boundaries. Installation of wireless communications facilities, if any, generally would be exempt from CEQA review in accordance with either CEQA Guidelines § 15302 (replacement or reconstruction), § 15303 (new construction or conversion of small structures), and/or § 15304 (minor alterations to land).

EXECUTIVE SUMMARY:

The MPMC currently does not identify *small cell* facilities. Applications for installation of small cell facilities in the public right-of-way are processed as large cell towers, which are typically installed on private property. Amending MPMC Chapter 21.34 regulating the installation of wireless telecommunications facilities in the public rights-of-way and Chapter 9.66.010 regulating interference with radio communications will reconcile the

MPMC with Federal Communications Commission (FCC) regulations. The amendment defines and establishes development standards for small wireless facilities to promote the orderly development of wireless telecommunications and infrastructure throughout the City of Monterey Park.

BACKGROUND:

To accelerate the deployment of wireless infrastructure for 5G connectivity, the Federal Communications Commission (FCC) issued a ruling on September 27, 2018 to “remove barriers to wireless infrastructure deployment by establishing shot clocks for small wireless facilities.” Under the rule, cities are required to expedite the review of applications for small cell sites in the public right-of-way.

While 3G and 4G technology uses macro cell sites on large cell towers, the proposed 5G network will consist predominantly of small cell sites. Small cell antennas are significantly smaller than the macro cell sites and are defined as 50 feet or less high, no more than 10 percent taller than adjacent structures, and no more than 28 cubic feet in volume. Regarding environmental and health effects, FCC establishes maximum permitted radio frequency (RFR) emissions from cellular towers and prohibits local governments from regulating wireless facilities based on environmental effects.

Also, per the new FCC ruling, “shot clock” timelines by which local jurisdictions must take action on the small cell facility applications are 60 days for collocations on an existing structure and 90 days for new structures. The September 2018 ruling took effect on January 14, 2020.

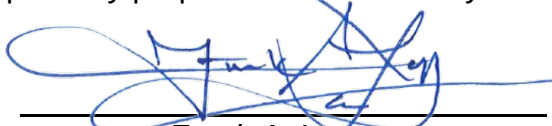
Another critical thing to note, is that the new ruling preempts aesthetic requirements for small wireless facilities unless they are (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; (3) objective; and (4) published in advance.

The MPMC currently does not regulate *small cell* facilities. All applications are treated as large cell towers. Amendment(s) to the MPMC to address small cell facilities will streamline the review process for future applications.

FISCAL IMPACT:

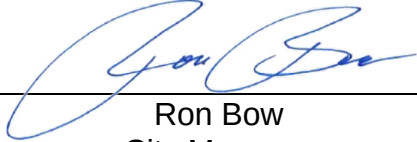
Adopting the Ordinance, by itself, has no financial effect.

Respectfully prepared & submitted by:



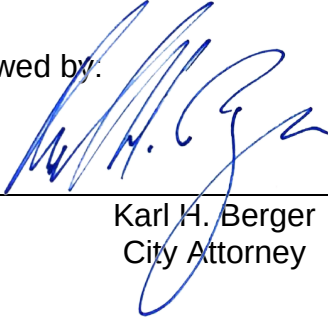
Frank A. Lopez,
Director of Public Works
City Engineer / City Planner

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. Draft Ordinance
2. Resolution w/ Small Cell Regulations

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 21.34 OF THE MONTEREY PARK MUNICIPAL CODE ("MPMC") REGARDING INSTALLATION OF WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY AND AMENDING MPMC § 9.66.010 REGULATING INTERFERENCE WITH RADIO COMMUNICATIONS

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

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

- A. On September 26, 2018, the FCC adopted a declaratory ruling and report and order (the "FCC Ruling") which, among other things, (1) creates a new regulatory classification for "small wireless facilities" ("SWFs"); (2) requires state and local governments to process applications for SWFs within 60 days for attachments to existing structures or 90 days for new structures (the "SWF Shot Clocks"); (3) establishes a national standard for what constitutes an effective prohibition on wireless services; (4) provides that a failure to act within the applicable timeframe presumptively constitutes an effective prohibition; and (5) limits the fees that can be charged for the facilities.
- B. SWFs are designed to accommodate fifth generation ("5G") technology. Wireless providers have recently begun to deploy 5G technology, primarily in the public right-of-ways. The FCC Ruling was adopted to reduce regulatory barriers to the deployment of wireless infrastructure and to ensure that the United States remains the leader in advanced wireless services and wireless technology. The FCC Ruling is intended to facilitate the growth of SWFs (and the corresponding deployment of 5G technology) over a short period of time.
- C. SWFs are primarily installed in public right-of-ways and, consequently, create significant concerns about traffic and pedestrian safety; land use conflicts and incompatibilities including the relative excessive height of poles and towers; visual and aesthetic blight arising from cumulative number of SWFs as well as their individual physical characteristics and that of associated equipment; and the protection and preservation of public property, all of which may negatively impact the unique quality and character of the City and the public health, safety and welfare thereof. Regulating the installation of SWFs in the public right-of-ways is necessary to protect and preserve the safety of the community as well as the aesthetics of the community.
- D. The FCC Ruling sets forth new standards for state and local government regulations of SWFs and restricts the aesthetic requirements that may be imposed by local governments. Any aesthetic standard adopted by a local government must be (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; and (3) objective and published in

advance. A number of local public agencies throughout the country have filed suit against the FCC, challenging various aspects of the FCC Ruling including its limitation on aesthetic regulations.

- E. Federal and state laws and regulations regarding the deployment of small wireless facilities are expected to change and evolve quickly over the near term as the courts review the FCC Ruling and the federal and state governments react. Given the rapid and substantial changes in applicable law that are expected to occur over the near term and the significant adverse consequences of noncompliance with these changes in the law, the City Council finds that operational and aesthetic regulations adopted by a resolution that may be quickly amended is a necessary and appropriate means to protect the public health, safety and welfare from the potential harm caused by unregulated small wireless facilities and related infrastructure deployments in the public rights-of-way.

SECTION 2: Environmental Assessment. This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*; the “CEQA Guidelines”). The Ordinance is exempt from environmental review pursuant to CEQA Guidelines § 15061(b)(3) because it has no potential for resulting in physical change to the environment, directly or indirectly. The Ordinance does not authorize any specific development or installation of any equipment within the City’s boundaries. Installation of wireless communications facilities, if any, generally would be exempt from CEQA review in accordance with either CEQA Guidelines § 15302 (replacement or reconstruction), § 15303 (new construction or conversion of small structures), and/or § 15304 (minor alterations to land).

SECTION 3: MPMC § 21.34.030(B) is amended to read as follows:

“(B) Permits Required.

- (1) In addition to any other requirements to obtain excavation permits or encroachment permits, or both, from the Public Works Director pursuant to this code, no wireless telecommunications facility that does not qualify as a small wireless facility may be erected, constructed, installed, operated, expanded, or maintained in the public right-of-way without a valid wireless telecommunications facility encroachment permit issued pursuant to this code.
- (2) Small Wireless Facilities. In addition to any other requirements to obtain excavation permits or encroachment permits, or both, from the Public Works Director pursuant to this code, no small wireless facility may be erected, constructed, installed, operated, expanded, or maintained in the public right-of-way without a valid small wireless facility encroachment permit. Small wireless facility encroachment permits are processed in accordance with the Small Wireless Facility

Regulations adopted by city council resolution. The Small Wireless Facility Regulations are intended to supplement the terms of this chapter. The general terms of this chapter apply to Small Wireless Facilities unless a more specific term is set forth in the SWF Regulations, in which case the more specific term of the Small Wireless Facility Regulations control. For purposes of this chapter, 'small wireless facility' means the same as defined by the Federal Communications Commission in 47 C.F.R. § 1.6002(f), as may be amended or superseded."

SECTION 4: MPMC § 9.66.010 is amended to read as follows:

"9.66.010 Prohibited.

It is unlawful for any person to operate in the city any device, appliance, equipment or apparatus generating or causing high frequency oscillations or radiations which interfere with radio broadcast receiving apparatus or wireless receiving apparatus."

SECTION 5: **Construction.** This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 6: **Savings Clause.** Repeal of any provision of the MPMC or any other regulation by this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

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

SECTION 8: **Validity of Previous Code Sections.** If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the MPMC or other regulation by this Ordinance will be rendered void and cause such MPMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 9: **Effective Date.** This Ordinance becomes effective 30 days after its adoption.

SECTION 10: **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 11: **Publication.** The City Clerk must certify as to the adoption of this ordinance and cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of Monterey Park.

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

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

ATTACHMENT 2

Resolution w/ Small Cell Regulations

RESOLUTION NO. _____

**A RESOLUTION ADOPTING SMALL WIRELESS FACILITY
REGULATIONS PURSUANT TO MONTEREY PARK MUNICIPAL CODE
§ 21.34.030(B)(2).**

The City Council does resolve as follows:

SECTION 1: *Environmental Assessment.* This Resolution was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq.; the “CEQA Guidelines”). The Resolution is exempt from environmental review pursuant to CEQA Guidelines § 15061(b)(3) because it has no potential for resulting in physical change to the environment, directly or indirectly. The Resolution does not authorize any specific development or installation of any equipment within the City’s boundaries. Installation of wireless communications facilities, if any, generally would be exempt from CEQA review in accordance with either CEQA Guidelines § 15302 (replacement or reconstruction), § 15303 (new construction or conversion of small structures), and/or § 15304 (minor alterations to land).

SECTION 2: *Small Wireless Facility Regulations.* The Small Wireless Facility (“SWF”) Regulations attached as Exhibit “A,” and incorporated by reference, are adopted pursuant to MPMC § 21.34.030(B)(2). The City Manager, or designee, is authorized to implement the Regulations in accordance with MPMC Chapter 21.34.

SECTION 3: *Severability.* If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provision or application and, to this end, the provisions of this Resolution are severable.

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

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

SECTION 6: *Effective Date.* This Resolution will become effective concurrently with Ordinance No. _____ and will remain effective unless repealed or superseded.

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

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

EXHIBIT A

SMALL WIRELESS FACILITY REGULATIONS

SECTION 1. PURPOSE AND INTENT

SECTION 2. DEFINITIONS

SECTION 3. APPLICABILITY

SECTION 4. SMALL WIRELESS FACILITY APPLICATIONS

SECTION 5. DECISIONS

SECTION 6. CONDITIONS OF APPROVAL

SECTION 7. LOCATION REQUIREMENTS

SECTION 8. DESIGN STANDARDS

SECTION 1. PURPOSE AND INTENT

These regulations are intended to establish reasonable, uniform and comprehensive standards and procedures for small wireless facilities (“SWF”) deployment, construction, installation, collocation, modification, operation, relocation and removal within the City’s territorial boundaries, consistent with and to the extent permitted under federal and state law. These regulations are intended to prescribe clear and reasonable criteria to assess and process applications in a consistent and expeditious manner. These guidelines provide standards necessary (1) for the preservation of the public right-of-ways in the city for the maximum benefit and use of the public, (2) to promote and protect public health and safety, community welfare, visual resources and the aesthetic quality of the city consistent with the goals, objectives and policies of the general plan, and (3) to provide for the orderly, managed and efficient development of wireless communications facilities in accordance with the state and federal laws, rules and regulations.

These regulations are not intended to, nor will they be interpreted or applied to (1) prohibit or effectively prohibit any personal wireless service provider’s ability to provide personal wireless services; (2) prohibit or effectively prohibit any entity’s ability to provide any telecommunications service, subject to any competitively neutral and nondiscriminatory rules, regulations or other legal requirements for rights-of-way management; (3) unreasonably discriminate among providers of functionally equivalent personal wireless services; (4) deny any request for authorization to place, construct or modify personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such wireless facilities comply with the FCC’s regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or California state law; (6) impose any unreasonable, discriminatory or anticompetitive fees that exceed the reasonable cost to provide the services for which the fee is charged; or (7) otherwise authorize the City to preempt any applicable federal or state law.

SECTION 2. DEFINITIONS

The following definitions are applicable to the words and phrases used in these regulations. Undefined words and phrases will have the meanings assigned to them in Chapters 21.04 and 21.34 of the Monterey Park Municipal Code, as may be amended from time to time. Words and phrases not defined herein, or in the Municipal Code or relevant federal or state law or regulation, have their ordinary meaning.

“Accessory equipment” means equipment other than antennas used in connection with a small wireless facility or other infrastructure deployment. The term includes “transmission equipment” as defined by the FCC in 47 C.F.R. § 1.6100(b)(8), as may be amended or superseded.

“Antenna” means the same as defined by the FCC in 47 C.F.R. § 1.6002(b), as may be amended or superseded.

“Collector streets” means streets intended to serve as the intermediate route to handle traffic between local streets and arterials. In addition, collector streets provide access to abutting property. The term “collector streets” includes those streets identified as such in the City of Monterey Park General Plan Circulation Element.

“Collocation” means the same as defined by the FCC in 47 C.F.R. § 1.6002(g), as may be amended or superseded.

“CPUC” means the California Public Utilities Commission established in the California Constitution, Article XII, § 5, or its duly appointed successor agency.

“Decorative pole” means any pole that includes decorative or ornamental features, design elements and/or materials intended to enhance the appearance of the pole or the public rights-of-way in which the pole is located.

“Director” means the Public Works Director, or designee.

“FCC” means the Federal Communications Commission or its duly appointed successor agency.

“FCC Shot Clock” means the presumptively reasonable time frame, accounting for any tolling or extension, within which the City generally must act on a request for authorization in connection with a personal wireless service facility, as such time frame is defined by the FCC and as may be amended or superseded.

“Local streets” means two-lane undivided roadways designed to serve local circulation, with traffic characterized by low volumes of vehicles traveling at slower speeds. Generally, a local street is not intended to handle through traffic. The term “local streets” includes those streets identified as such in the City of Monterey Park General Plan Circulation Element.

“Minor arterials” means roadways that generally provide a 64 to 68 feet curb to curb width within an 80 to 88-foot right-of-way. Minor arterials may be four-lane divided streets or four-lane undivided roadways. The term “minor arterials” includes those streets and highways identified as such in the Monterey Park General Plan Circulation Element.

“Personal wireless services” means the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded.

“Personal wireless service facilities” means the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded.

“Principal arterials” means roadways that serve as regional travel routes, accommodating through trips and linking the local street system to through routes. Principal arterials generally have a width ranging from 84 to 100 feet curb to curb within a 100 to 120-foot right-of-way. The estimated daily capacity is 40,000 to 60,000 vehicles

per day. The term “principal arterials” includes those streets and highways identified as such in the Monterey Park General Plan Circulation Element.

“Public right-of-way” or “PROW” means any street, sidewalk, pedestrian path, bike path or any “public way” as defined in Streets and Highways Code section 18609 and any successor statute. The PROW also means and includes a strip of land acquired by reservation, dedication, prescription, condemnation, or easement that allows for the passage of people and goods. The PROW includes, without limitation, streets, curbs, gutters, sidewalks, roadway medians, and parking strips. The PROW does not include lands owned, controlled or operated by the city for uses unrelated to streets or the passage of people and goods, such as, without limitation, parks, city hall and community center lands, city yards, and lands supporting reservoirs, water towers, police or fire facilities and non-publicly accessible utilities.

“RF” means radio frequency.

“Section 6409” means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. § 1455(a)), as may be amended or superseded.

“Small wireless facility” means the same as defined by the FCC in 47 C.F.R. § 1.6002(l), as may be amended or superseded, and which, as of the date of the adoption of these Regulations, states that small wireless facilities, consistent with 47 C.F.R. § 1.1312(e)(2), are facilities that meet each of the following conditions:

(1) The facilities

(i) Are mounted on structures 50 feet or less in height including their antennas as defined in 47 C.F.R. § 1.1320(d); or

(ii) Are mounted on structures no more than 10 percent taller than other adjacent structures; or

(iii) Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater;

(2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of “antenna” in 47 C.F.R. § 1.1320(d)), is no more than three cubic feet in volume;

(3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

(4) The facilities do not require antenna structure registration under applicable FCC or FAA regulations;

(5) The facilities are not located on Tribal lands, as defined under 36 C.F.R. § 800.16(x); and

(6) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 C.F.R. § 1.1307(b).

“Support structure” means a “structure” as defined by the FCC in 47 C.F.R. § 1.6002(m), as may be amended or superseded.

“Technically infeasible” means a circumstance in which compliance with a specific requirement of the municipal code or these regulations is physically impossible and not merely more difficult or expensive than a noncompliant alternative.

SECTION 3. APPLICABILITY

Except as expressly provided otherwise, these regulations are applicable to all existing small wireless facilities and all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, relocate, remove or otherwise deploy small wireless facilities within the public rights-of-way in the City.

SECTION 4. SMALL WIRELESS FACILITY ENCROACHMENT PERMIT APPLICATIONS

- A. **Application Contents.** All applications for a small wireless facility encroachment permit (SWFEP) must include all of the following information and materials, unless exempted by the director.
1. **Application Form.** A complete application for SWFEP must include all of the information required by MPMC sections 21.34.030, subdivisions (D) and (E) unless, in the opinion of the City Attorney, state or federal law precludes any such requirement.
 2. **Application Fee.** Payment of the applicable fee for SWFEP, as established by resolution of the City Council.
 3. **Project Description and Justification.** The applicant must submit a written statement that explains, with substantial evidence provided in support, why the proposed facility qualifies as a “small wireless facility” as defined by the FCC in 47 C.F.R. § 1.6002(l). The project description and justification must also explain (i) whether and why the proposed support is a “structure” as defined by the FCC in 47 C.F.R. § 1.6002(m); and (ii) whether and why the proposed wireless facility meets each required finding for SWFEP.
 4. **Construction Drawings.** The applicant must submit construction drawings, prepared, signed and stamped by a licensed or registered engineer, that depict all the existing and proposed improvements, equipment and conditions related to the proposed project, which includes, all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features. The construction drawings must contain cut sheets that contain the technical specifications for

all existing and proposed antennas and accessory equipment, which includes, the manufacturer, model number and physical dimensions, and depict the applicant's preliminary plan for electric and data backhaul utilities, including the anticipated locations for conduits, cables, meters, etc.

5. **Site Survey.** For any SWF proposed to be located within the PROW, the applicant must submit a survey prepared, signed and stamped by a California licensed or registered engineer. The survey must identify and depict all existing boundaries, encroachments and other structures within 50 feet from the proposed project site, which includes all: i) traffic lanes; ii) private properties and property lines; iii) above and below-grade utilities and related structures and encroachments; iv) fire hydrants, roadside call boxes and other public safety infrastructure; v) streetlights, decorative poles, traffic signals and permanent signs; vi) sidewalks, driveways, parkways, curbs, gutters and storm drains; vii) benches, trash cans, mailboxes, kiosks and other street furniture; and viii) existing trees, planters and other landscape features.
 6. **Photo Simulations.** The applicant must submit site photographs and photo simulations that show the existing location and proposed SWF in context from at least three vantage points within the public streets or other publicly accessible places, together with a vicinity map that shows the site location and the photo location for each vantage point.
 7. **Wind Load Analysis.** Safety is a paramount concern for all structures and equipment placed with the PROW. The applicant must submit a wind load analysis with an evaluation of high wind load capacity. The analysis must, when applicable, address the impact of modification of an existing structure/facility.
 8. **Traffic Control Plan (TCP).** A traffic control plan when the proposed installation is on any street in a non-residential zone. The director may require a traffic control plan when the applicant proposes to use large equipment (e.g., a crane) in any zone.
- B. **Additional Requirements.** The director may develop, publish and from time to time update or amend permit application requirements, procedures, forms, checklists, guidelines, informational handouts and other related materials that the approval authority finds necessary, appropriate or useful for processing any application governed by these Regulations. All such requirements and materials must be in written form and publicly stated to provide all interested parties with prior notice (or posted upon the city's website).
- C. **Application Submittal Appointment.** All SWFEP applications must be submitted to the director at a pre-scheduled application submission appointment. The director will endeavor to provide applicants with an appointment within five business days after receipt of a written request. An application will only be reviewed once the application is complete in accordance with this chapter and these regulations.

SECTION 5. DECISIONS

- A. **Director's Decision.** All SWFEPs are processed administratively. Once an application is complete, the Director will cause notice of the application to be given to any person who has filed a written request with the city to receive such notice. At least 10 calendar days after the application is deemed complete and notice of the application has been given (if applicable), the director will approve, conditionally approve or deny the SWFEP application without a public hearing.
- B. **Required Findings for Approval.** Before issuing an approval or conditional approval of a SWFEP, the director must make all of the following findings:
1. All notices required by these regulations have been given.
 2. The proposed use is permitted in the public right-of-way and complies with all applicable provisions of the municipal code.
 3. The proposed SWF will not interfere with the use of the public right-of-way and existing improvements thereon.
 4. The proposed SWF will not physically or visually interfere with vehicular, bicycle, and/or pedestrian use of streets, intersections, bicycle lanes, driveways, sidewalks, and/or walkways.
 5. The proposed SWF and its location will comply with the Americans with Disabilities Act.
 6. The proposed SWF will comply with the design criteria set forth in the SWF Regulations.
 7. The proposed SWF will be located in the most preferred location identified in the SWF Regulations. If the SWF is proposed for a lesser-preferred location, that either 1) no more preferred locations or structures exist within 50 feet from the proposed site; or 2) any more preferred locations or structures within 50 feet would not be technically feasible.
 8. The proposed SWF will not be located on a prohibited support structure identified in the SWF Regulations.
- C. **Notice of Director's Decision.** Within two business days of making a decision to approve, conditionally approve, or deny SWFEP, the director will give written notice of the decision to 1) the applicant, and 2) to any person who has filed a written request with the city to receive such notice. If comment on the application was received via email, notice of the decision may be made by return email.
- D. **Appeals.**

1. Procedure for Filing an Appeal. Any individual may appeal the director's decision on an application for a SWFEP application to the city manager. The appeal must be filed within 10 calendar days after the date the director gives notice of his/her decision. The appeal must be in writing, accompanied by the required appeal fee, and filed with the city clerk. In the event the tenth day falls on a holiday or weekend, the appeal letter and appeal fee may be filed on the next business day that City Hall is open for business. In the absence of a timely appeal and payment of the appeal fee, the director's decision is final. The appeal must state specifically wherein it is claimed that there was an error or abuse of discretion by the decision maker or where the decision is not supported by the evidence in the record.
2. Scheduling and Noticing of the Appeal. The city clerk will fix a time and place for hearing the appeal not later than 20 days after a timely notice of appeal is filed. The city clerk must provide at least seven calendar days' notice of the time and place for the hearing in the following manner:
 - a. To the appellant by depositing the notice in the United States mail to the address provided by the appellant in his/her/its notice of appeal and by emailing the notice to the appellant at the email address indicated on the appeal, if any.
 - b. If the appellant is not the applicant, notice of the appeal will be given to the applicant by depositing the notice in the United States mail to the address indicated on the application. Notice may also be provided by email to the applicant's email address noted on the application, if any.
 - c. To any person that has filed a written request for such notice, notice will be given by depositing the notice in the United States mail to the address indicated on the request for notice. If notice was requested to be given via email in lieu of regular mail, notice instead will be given via email to the email address indicated on the request.
3. Decision on Appeal; Notice. Appeals are reviewed de novo. The city manager may hear the appeal in person but is not required to do so. The city manager must render a written decision within 15 calendar days of the hearing. Notice of the city manager's decision must be given in the same manner as the notice of appeal. The city manager's decision is city's final determination; there is no appeal to the city council.

SECTION 6. CONDITIONS OF APPROVAL

- A. **Standard Conditions.** Except as authorized by the director pursuant to this section, all SWFEPs are subject to the following conditions, in addition to the standard conditions of approval for other wireless telecommunication facilities:
 1. **Post-Installation Certification.** Within 60 calendar days after the permittee places the approved or deemed-approved SWF into operation, the permittee

must provide the director with documentation demonstrating that the SWF was constructed and installed in compliance with the approved construction drawings and photo simulations. Documentation must include, as-built drawings, site photos, and GIS data.

2. **Avoid Adverse Impacts on Other Properties.** In addition to those requirements in Chapter 21.34 of the Monterey Park Municipal Code, the permittee may not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by applicable law. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City or other state or federal government agency or official with authority to declare a state of emergency within the City. The City may stop work for any activities that violates this condition in whole or in part.
3. **Inspections; Emergencies.** The permittee expressly acknowledges and agrees that the City's officers, officials, staff, agents, contractors or other designees may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee. Notwithstanding the foregoing, the City's officers, officials, staff, agents, contractors or other designees may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threaten actual, imminent harm to property or persons. The permittee, if present, may observe the City's officers, officials, staff or other designees while any such inspection or emergency access occurs.
4. **Future Undergrounding Programs.** If other public utilities or communications providers in the PROW underground their facilities in the segment of the PROW where the permittee's SWF is located, the permittee must simultaneously underground its equipment, except the antennas and any other equipment that must be placed above ground to function. Accessory equipment such as radios and computers that require an environmentally controlled underground vault to function will not be exempt from this condition. Such undergrounding will occur at the permittee's sole cost and expense except as may be reimbursed through tariffs approved by the state public utilities commission for undergrounding costs.
5. **Electric Meter Upgrades.** If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric meter and enclosure, the permittee, on its own initiative and at its sole cost and expense, must remove the separate or ground-mounted electric meter and enclosure. Before removing the electric meter, the permittee must obtain any encroachment and/or other permit(s) required to perform the

removal. Upon removal, the permittee must restore the affected area to its original condition that existed before installation of the equipment.

- B. **Modified Conditions; Authority.** The director may modify, add or remove conditions to any SWFEP as the director deems necessary or appropriate to: 1) protect and/ promote the public health, safety and welfare; 2) tailor the standard conditions in subsection (A) to the particular facts and circumstances associated with the deployment; and/or 3) memorialize any changes to the proposed deployment need for compliance with the municipal code, these regulations, generally applicable health and safety requirements and/or any other applicable laws. To the extent required by applicable law, the director will ensure that any different conditions applied to small wireless facilities are no more burdensome than those applied to other substantially similar infrastructure deployments.

SECTION 7. LOCATION REQUIREMENTS

- A. **Location Preferences.** This subsection sets out a hierarchy of preferred locations for SWFs in the public right-of-way. Applications that involve lesser-preferred locations may be approved so long as the applicant demonstrates by clear and convincing evidence that either 1) no more preferred locations or structures exist within 50 feet from the proposed site; or 2) any more preferred locations or structures within 50 feet would not be technically feasible. The City prefers SWFs in the public right-of-way to be installed in locations, ordered from most preferred to least preferred, as follows:
1. Commercial or industrial districts on or along principal arterials;
 2. Commercial or industrial districts on or along minor arterials;
 3. Commercial or industrial districts on or along collector streets;
 4. Commercial or industrial districts on or along local streets;
 5. Residential districts on or along principal arterials;
 6. Residential districts on or along minor arterials;
 7. Residential districts on or along collector streets;
 8. Any district within 250 feet from any structure approved for a residential use.
- B. **Preferred Support Structures.** The City prefers SWFs in the public right-of-way to be installed on support structures, ordered from most preferred to least preferred, as follows:
1. Existing or replacement streetlight poles;
 2. Existing or replacement wood utility poles;

3. New, non-replacement streetlight poles;
4. Other new, non-replacement poles;
5. Strand-mounted between poles.

C. **Prohibited Support Structures.** The City prohibits SWFs to be installed on the following support structures:

1. Existing decorative poles;
2. Traffic signs, poles, cabinets and related devices;
3. Any utility pole scheduled for removal or relocation within 18 months from the time the director acts on the permit application;
4. New, non-replacement wood poles.

SECTION 8. DESIGN STANDARDS

All SWFs must be designed, constructed, operated and maintained in compliance with all generally applicable health and safety regulations, which includes applicable regulations for human exposure to RF emissions.

A. **Height, Location, and Design Generally.** SWFs cannot exceed either (1) the minimum separation from electrical lines required by applicable safety regulations, plus four feet or (2) four feet above the existing support structure. In addition, SWFs cannot be located higher than 10% or 10 feet, whichever is greater, than the height otherwise permitted in the immediately adjacent zoning district.

1. **Streetlights.** Applicants that propose to install SWFs on an existing streetlight must remove and replace the existing streetlight with one substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment. In the event that the existing streetlight can accommodate the installation of all fiber lines within the interior of the pole and all other city concealment requirements are met, then a replacement pole is not required. To mitigate any material changes in the street lighting patterns, the replacement pole must: (A) be located as close to the removed pole as possible; (B) be aligned with the other existing streetlights; and (C) include a luminaire at substantially the same height and distance from the pole as the luminaire on the removed pole. All antennas must be installed above the pole within a single, canister style shroud or radome that tapers to the pole.
2. **Wood Utility Poles.** Applicants that propose to install SWFs on an existing wood utility pole must install all antennas above the pole unless the applicant demonstrates that mounting the antennas above the pole would be technically infeasible as supported by clear and convincing evidence in the

written record. Side-mounted antennas on a stand-off bracket or extension arm must be concealed within a shroud unless technically infeasible. All cables, wires and other connectors must be concealed within the side-arm mount or extension arm. The maximum horizontal separation between the antenna and the pole will be the minimum separation required by applicable health and safety regulations.

3. **Replacement Poles and Street Lights.** If an applicant proposes a replacement pole or street light to accommodate the SWF, the replacement must be in the same location as the street light or pole being replaced; unless the replacement will not meet all applicable standards, then replacement may be located in an alternative location that complies with the requirements herein.
4. **New, Non-Replacement Poles.** Applicants that propose to install SWFs on a new, non-replacement pole must install a new streetlight substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment located immediately adjacent to the proposed location. If there are no existing streetlights in the immediate vicinity, the applicant may install a metal or composite pole capable of concealing all the accessory equipment either within the pole or within an integrated enclosure located at the base of the pole. The pole diameter cannot exceed 12 inches and any base enclosure diameter cannot exceed 16 inches. All antennas, whether on a new streetlight or other new pole, must be installed above the pole within a single, canister style shroud or radome.
 - a. The new pole must actually function for a purpose other than placement of a wireless facility (e.g. street light, utility pole, etc.).
 - b. The design must match the dimensions and design of existing and similar types of poles and antennas in the surrounding areas.

B. Antennas. The provisions in this subsection are generally applicable to all antennas.

1. All antennas and associated mounting equipment, hardware, cables or other connectors must be completely concealed within an opaque antenna shroud or radome unless technically infeasible. For pole-top antennas, the shroud cannot exceed one and half-times the median pole diameter and must taper down to the pole. For side-arm antennas, the shroud must cover the cross arm and any cables, jumpers, wires or other connectors between the vertical riser and the antenna.
2. An antenna shroud or radome must be painted a flat, non-reflective color to match the underlying support structure. All surfaces must be treated with graffiti-resistant sealant. All finishes are subject to the director's prior approval.

3. Side-mounted antennas, where permitted, cannot project: (A) more than 18 inches from the support structure; (B) over any roadway for vehicular travel; or (C) over any abutting private property. If applicable laws require a side-mounted antenna to project more than 18 inches from the support structure, the projection cannot be greater than required for compliance with such laws.

C. Accessory Equipment.

1. Installation Preferences. SWF accessory equipment must be enclosed in replacement poles or placed underground where technically feasible, and if not feasible, must be as small, short and unobtrusive as possible. Applications that involve lesser-preferred installation locations may be approved so long as the applicant demonstrates, through clear and convincing evidence in the written record, that installation at a more preferred location would be technically infeasible.
2. Undergrounded Accessory Equipment. All undergrounded accessory equipment must be installed in an environmentally controlled vault that is load-rated to meet the City's standards and specifications. Underground vaults located beneath a sidewalk must be constructed with a slip-resistant cover. Vents for airflow must be flush-to-grade when placed within the sidewalk and may not exceed two feet above grade when placed off the sidewalk. Applicants are not permitted to install an underground vault in a location that would cause any existing tree to be materially damaged or displaced.
3. Pole-Mounted Accessory Equipment. The provisions in this subsection are applicable to all pole-mounted accessory equipment in connection with small wireless facilities and other infrastructure deployments.
 - a. Accessory Equipment Volume. Unless otherwise required by law, the cumulative volume for all accessory pole-mounted equipment for a single small wireless facility cannot exceed nine cubic feet in residential areas or 17 cubic feet in nonresidential areas.
 - b. Preferred Concealment Techniques. Applicants should propose to place any pole-mounted accessory equipment in the least conspicuous position under the circumstances presented by the proposed pole and location. Pole-mounted accessory equipment may be installed behind street, traffic or other signs to the extent that the installation complies with applicable public health and safety regulations.
 - c. Minimum Vertical Clearance. The lowest point on any pole-mounted accessory equipment must be at least 10 feet above ground level adjacent to the pole. If applicable laws require any pole-mounted accessory equipment component to be placed less than 10 feet above

ground level, the clearance from ground level cannot be less than required for compliance with such laws.

- d. **Horizontal Projection.** Pole-mounted accessory equipment cannot project (i) more than 18 inches from the pole surface; (ii) over any roadway for vehicular travel; or (iii) over any abutting private property. All pole-mounted accessory equipment must be mounted flush to the pole surface. If applicable laws preclude flush-mounted equipment, the separation gap between the pole and the accessory equipment cannot be greater than required for compliance with such laws.
 - e. **Orientation.** Unless placed behind a street sign or some other concealment that dictates the equipment orientation on the pole, all pole-mounted accessory equipment should be oriented away from prominent views. In general, the proper orientation will likely be toward the street to reduce the overall profile when viewed from the nearest abutting properties. If orientation toward the street is not feasible, then the proper orientation will most likely be away from oncoming traffic. If more than one orientation would be technically feasible, the director may select the most appropriate orientation.
4. **Ground-Mounted or Base-Mounted Accessory Equipment.** Ground-mounted accessory equipment is discouraged unless all other options are demonstrated to be infeasible. The provisions in this subsection are applicable to all ground-mounted and base-mounted accessory equipment in connection with small wireless facilities.
- a. **Ground-Mounted Concealment.** On collector and local streets, the City prefers ground-mounted accessory equipment to be concealed within a landscaped median, parkway or similar location, behind or among landscape features and painted or wrapped in flat natural colors to blend with the landscaping. On arterial roads proposed ground-mounted accessory equipment should be the smallest possible cabinet of a substantially similar appearance to nearby existing ground-mounted equipment cabinets.
 - b. **Public Safety Visibility.** To promote and protect public health and safety and prevent potential hazards hidden behind large equipment cabinets, no individual ground-mounted accessory equipment cabinet may exceed four feet in height or width. Ground-mounted and base-mounted equipment cabinets cannot have any horizontal flat surfaces greater than 1.5 square inches to prevent litter or other objects from being left on such surfaces.
- D. **Utility Connections.** All cables and connectors for telephone, data backhaul, primary electric and other similar utilities must be routed underground in conduits large enough to accommodate future collocated wireless facilities. Undergrounded

cables and wires must transition directly into the pole base without any external doghouse. All cables, wires and connectors between the underground conduits and the antennas and other accessory equipment must be routed through and concealed from view within: (A) internal risers or conduits if on a concrete, composite or similar pole; or (B) a cable shroud or conduit mounted as flush to the pole as possible if on a wood pole or other pole without internal cable space.

1. No new overhead utility lines or service drops may be approved to a SWF.
 2. Spools and Coils. To reduce clutter and deter vandalism, excess fiber optic or coaxial cables cannot be spooled, coiled or otherwise stored on the pole outside equipment cabinets or shrouds.
 3. Electric Meters. Small cells and other infrastructure deployments must use flat-rate electric service or other method that obviates the need for a separate above-grade electric meter. If flat-rate service is not available, applicants may install a shrouded smart meter. If the proposed project involves a ground-mounted equipment cabinet, an electric meter may be integrated with and recessed into the cabinet, but the director cannot approve a separate ground-mounted electric meter pedestal.
 4. Existing Conduit or Circuits. To reduce unnecessary wear and tear on the public rights-of-way, applicants are encouraged to use existing conduits and/or electric circuits whenever available and technically feasible. Access to any conduit and/or circuits owned by the city requires the director's prior written approval, which the director may withhold or condition as the director deems necessary or appropriate to protect the city's infrastructure and public health and safety, and to prevent interference with the city's municipal functions.
- E. **Landscaping.** Small wireless facilities cannot be installed (in whole or in part) within any tree drip line. Small wireless facilities may not displace any existing tree or landscape features unless: (A) such displaced tree or landscaping is replaced with native or drought-resistant trees, plants or other landscape features approved by the director and (B) the applicant submits and adheres to a landscape maintenance plan. Only International Society of Arboriculture certified workers under a licensed arborist's supervision may install the replacement tree. Any replacement tree must be substantially the same size as the damaged tree unless approved by the director. The permittee must, at all times, be responsible to maintain any replacement landscape features.
- F. **Signs.** All small wireless facilities that involve RF transmitters must include a sign that accurately identifies the site owner or operator, the site name or identification number, and a toll-free number to the network operations center. Small wireless facilities may not bear any other signs or advertisements unless expressly

approved by the city, required by law or recommended under FCC or other United States governmental agencies for compliance with RF emissions regulations.

- G. **Security.** Small wireless facilities may incorporate reasonable and appropriate site security measures, such as locks to prevent unauthorized access. The director cannot approve any barbed wire, razor ribbon, electrified fences or any similarly dangerous security measures.
- H. **Lights.** SWFs cannot include any lights that would be visible from publicly accessible areas, except as may be required under applicable regulations for health and safety. All equipment with lights (such as indicator or status lights) must be installed in locations and within enclosures that mitigate illumination impacts visible from publicly accessible areas. The provisions in this subsection will not be interpreted or applied to prohibit installations on streetlights or luminaires installed on new or replacement poles as may be required by these regulations.
- I. **Noise.** SWFs and all associated antennas, accessory equipment and other improvements must comply with all applicable noise control standards and regulations in the municipal code.
- J. **Encroachments over Private Property.** SWFs may not encroach onto or over any private or other property outside the PROW without the property owner's express written consent.
- K. **Backup Power Sources.** Fossil-fuel based backup power sources are not permitted within the PROW; provided, however, that connectors or receptacles may be installed for temporary backup power generators used in an emergency declared by federal, state or local officials.
- L. **Future Modifications.** Any modifications to existing facilities or collocations cannot defeat the concealment elements of the existing facility.



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Consent Calendar
Agenda Item 3G

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Director of Public Works /City Engineer
SUBJECT: Waive further reading and adopt an Ordinance enacting water conservation measures and requirements that adds Monterey Park Municipal Code Chapter 14.25

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waiving the second reading and adopting the Ordinance amending the Monterey Park Municipal Code ("MPMC") to add Chapter 14.25 that enacts water conservation regulations; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Ordinance was introduced and received first reading at the September 1, 2021 City Council meeting. The original staff report from the September 1, 2021 meeting is attached for reference. Second reading and adoption of this Ordinance is recommended. If adopted, the Ordinance will take effect in 30 days.

Respectfully submitted by:

A blue ink signature of Frank A. Lopez, written over a horizontal line.

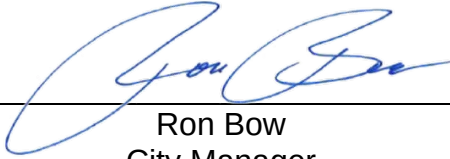
Frank A. Lopez,
Director of Public Works /City
Engineer/City Planner

Prepared by:

A blue ink signature of Richard Gonzales, written over a horizontal line.

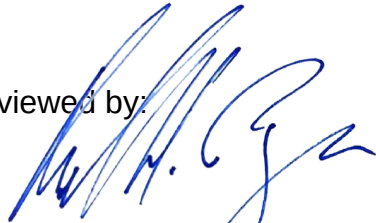
for Richard Gonzales,
Water Utility Manager

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Draft Ordinance
2. September 1, 2021 Staff Report

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. _____

**AN ORDINANCE ADDING A NEW CHAPTER 14.25 ENTITLED
“WATER CONSERVATION REGULATIONS” AUTHORIZING
THE CITY COUNCIL TO DECLARE DROUGHT EMERGENCIES
IN VARIOUS STAGES AND IMPOSING DIFFERENT
CONSERVATION REQUIREMENTS IN RESPONSE TO SUCH
EMERGENCIES.**

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

SECTION 1: A new Chapter 14.25 entitled “Water Conservation Regulations” is added to the Monterey Park Municipal Code as set forth in attached Exhibit “A,” which is incorporated by reference.

SECTION 2: *Savings Clause.* Repeal of any provision of the MPMC or any other regulation by this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 3: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

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

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

SECTION 6: *Electronic Signatures.* This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

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

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

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

EXHIBIT A

“Chapter 14.25 WATER CONSERVATION REGULATIONS

14.25.010 Purpose.

This chapter is adopted in accordance with Article XI, § 7 of the California Constitution and Water Code § 375 for the purpose of adopting water conservation regulations.

14.25.020 Precedence.

To the extent that any regulation in this chapter conflicts with that of chapter 14.08, the more restrictive regulation favoring water conservation takes precedence. The Director, in consultation with the City Attorney, may make a written determination regarding any such potential conflict and enforce the more restrictive regulation.

14.25.030 General Prohibition and Enforcement.

- A. It is unlawful for any person to violate, or fail to comply with, any provision of this chapter. Unless otherwise provided, violations of this chapter constitute an infraction.
- B. Every person violating this chapter is guilty of a separate offense for every day during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by such person.
- C. In addition to these penalties, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a public nuisance and may be abated in accordance with applicable law including, without limitation, this code.
- D. This chapter may also be enforced with administrative citations in accordance with chapter 4.20.

14.25.040 Penalties.

- A. Each infraction is punishable as follows:
 - 1. A fine not exceeding \$100.00 for the first violation;
 - 2. A fine not exceeding \$200.00 for a second violation of the same provision within one year;

3. A fine not exceeding \$500.00 for each additional violation of the same provision within one year of the first violation.
- B. If a person violates the same provision a fourth time within one year of the first violation, the City Attorney may, but is not required to, prosecute the violation as a misdemeanor in accordance with applicable law.
- C. Following a duly noticed public hearing, the City Council may, by resolution, adopt additional penalties in accordance with applicable law for violations of this chapter.

14.25.050 Exception; defense.

- A. This chapter does not apply when an action is needed to address an immediate threat to health and safety or to comply with a term or condition in a permit issued by a State or federal agency.
- B. A person may assert such exception as a defense for violations of this chapter.

14.25.060 Definitions.

Words and phrases not defined by this chapter have the meaning set forth in this code, the Water Code, or regulations promulgated by the State Water Resources Control Board in accordance with applicable law.

“Decorative water features” means water features that are artificially supplied with water including, without limitation, ponds, lakes, waterfalls, and fountains, but excluding pools and spas.

“Director” means the Public Works Director, or designee.

14.25.070 Service permits – Application.

Should the City Council declare a Stage 4, Stage 5, or Stage 6 Drought Emergency in accordance with this chapter, it may also direct the Director not to accept any applications for new water service.

14.25.080 Consumer supplying water.

It is unlawful for any person to allow, maintain, or permit leaks or waste of water. When a person's interior water pipes, those water pipes on the person's side of the water meter, leak to an extent that water is being wasted and the customer does not repair said leaks, the Director, may, except in a Drought Emergency, give the customer 30 days' notice to

make such repairs to eliminate said wastage of water. If said repairs are not completed within the 30 days' notice, the water service to the property may be shut off. To have water service restored after such a shutoff, the person must furnish proof of repairs, apply for water service to be reinstated, and pay a reconnection fee established by city council resolution. In a Drought Emergency, the Director may provide less time for compliance as required in accordance with applicable law. Persons must be provided with at least 24 hours to repair.

14.25.090 Regulations – Generally.

- A. Multiple Parcels. It is unlawful for water to be served to two or more parcels of property separately owned through a common service pipe, unless there is no main contiguous to said premises from which service may be had, and further unless the consumer first in order of service from the main provides a written guarantee to pay water rates for all parcels of property so served. Except in a Drought Emergency, the Director, must give 30 days' notice in writing to all consumers served through such service before enforcing chapter 14.08 or chapter 14.12 by discontinuing water service in accordance with this code and Public Utilities Code Sections 10001, *et seq.* In a Drought Emergency, the Director may provide less time for compliance.
- B. Hosing Down. To, among other things, comply with the city's national pollutant discharge elimination system ("NPDES") permit requirements, it is unlawful for any person to hose water or wash down any sidewalk, walkway, driveway, parking area or other paved surface, except as is required for the benefit of public health and safety.
- C. Lawn/Landscape Watering. To, among other things, comply with the City's NPDES permit requirements:
 - 1. It is unlawful for any person to water or cause to be watered any lawn or landscaping between the hours of 9:00 a.m. and 5:00 p.m. of any one day.
 - 2. It is unlawful for any person to water or cause to be watered any lawn or landscaping more than once a day.
 - 3. It is unlawful for any person to water or cause to be watered any lawn or landscaping within 48 hours after measurable precipitation.
 - 4. It is unlawful for any person to water or cause to be watered any lawn or landscaping to such an extent that runoff into any adjoining street, parking lot or alley occurs due to incorrectly directed or

maintained sprinklers or excessive watering.

5. It is the duty of all persons to inspect all hoses, faucets and sprinkling systems for leaks, and to cause all leaks to be repaired as soon as is reasonably practicable.
- D. Indoor Plumbing and Fixtures. It is the duty of all persons to inspect all accessible indoor plumbing and faucets for leaks, and to cause all leaks to be repaired as soon as is reasonably practicable, but not later than seven days after receiving a notice of violation from the Director.
- E. Washing Vehicles. It is unlawful for any person to wash any motor vehicle, boat, trailer, or other type of mobile equipment unless such vehicle is washed:
 1. At a commercial carwash;
 2. Using only reclaimed water; or
 3. By using a hand-held bucket or a water hose equipped with an automatic shutoff nozzle.
- F. Running Hose Prohibited. It is unlawful for any person to leave a water hose running while washing a vehicle or at any other time.
- G. Public Eating Places. It is unlawful for any restaurant, hotel, cafeteria, café, or other public place where food is sold or served to serve drinking water to any customer unless specifically requested to do so by such customer.
- H. Linen Services. Commercial lodging establishments, including hotels and motels, must offer guests the option of declining daily bed linen and towel laundry services. Each commercial lodging establishment must prominently display notice of this option in each room.
- I. Decorative Fountains. It is unlawful for any person to use water to clean, fill, or maintain levels in any decorative fountain, pond, lake, or other similar aesthetic structure unless such water flows through a recycling system.
- J. It is unlawful to install non re-circulating water systems at new commercial car washes and new commercial laundromat facilities.
- K. Single Pass Cooling Systems. It is unlawful to install single pass cooling systems in new commercial buildings requesting new water utility service.

- L. A written warning must be provided to persons upon the first violation of this section.

14.25.100 Determination of Drought Emergency.

The Director must monitor and evaluate projected available water supplies and estimated water demand of the city's users. Upon the Director determining whether through an independent evaluation or as directed by the State Water Resources Control Board, that a Drought Emergency exists, the City Council must consider declaring a Stage 1, Stage 2, Stage 3, Stage 4, Stage 5, or Stage 6 Drought Emergency by resolution. In addition to the general regulations, restrictions from the previous Drought Emergency State will apply to the next higher stage in addition to a more stringent restriction.

14.25.110 Stage 1 Drought Emergency.

- A. Declaring a Stage 1 Drought Emergency demonstrates the need to reduce the City's water demand by a maximum of 10%.
- B. The resolution declaring a Stage 1 Drought Emergency must direct the Director, to provide public notice regarding appropriate voluntary water use restrictions including, without limitation:
 - 1. Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation or micro-spray system should be limited to three times per week. Residents may water and/or irrigate landscape, lawns, vegetated areas, and plant material on Monday, Wednesday, and Friday.

14.25.120 Stage 2 Drought Emergency.

- A. Declaring a Stage 2 Drought Emergency demonstrates the need to reduce the City's water demand between 11% and 20%.
- B. The resolution declaring a Stage 2 Drought Emergency must, in addition to the general prohibitions of this chapter, direct the Director, to impose the following mandatory water use restrictions:
 - 1. Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation or micro-spray system is limited to two times per week. Residents may water and/or irrigate landscape, lawns, vegetated

areas, and plant material on Monday and Thursday.

2. Install non drip irrigation or micro-spray systems used in watering outdoors for purposes of irrigating landscape, lawns, vegetated areas, and plant material in new commercial and residential developments requesting new water utility service is unlawful.
- C. It is unlawful to use potable water to irrigate ornamental turf on public street medians within the City's service boundaries.

14.25.130 Stage 3 Drought Emergency.

- A. Declaring a Stage 3 Drought Emergency demonstrates the need to reduce the City's water demand between 21% and 30%.
- B. The resolution declaring a Stage 3 Drought Emergency must, in addition to the general prohibitions of this chapter, direct the Director, to impose the following mandatory water use restrictions:
 1. Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation or micro-spray system is limited to one time per week. Persons are permitted to water and/or irrigate landscape, lawns, vegetated areas, and plant material on Monday.
 2. Filling swimming pools, spas, hot tubs, jacuzzis, or children's wading pools is limited to not more than one time per week on Mondays.
 3. Using potable water from fire hydrants is limited to firefighting and emergency related activities and/or other activities necessary to maintain public health, safety, and welfare including, without limitation, flushing utility distribution pipelines; constructing water distribution and production facilities; and maintaining street sweeping services. If there is a need for acquiring fire hydrant and flow testing services, the applicant is required to have the test completed by the Director, through the water system computer model in-lieu of having an actual real-time field test completed. The expense incurred by the City for completing a fire hydrant and flow test using the City water system computer model will be paid by the applicant.
- C. Declaring a Stage 3 Drought Emergency makes it is unlawful to:
 1. Install non drip irrigation or micro-spray systems used in watering

outdoors for purposes of irrigating landscape, lawns, vegetated areas, and plant material in new commercial and residential developments requesting new water utility service.

2. Use potable water to irrigate ornamental turf on public street medians within the City's service boundaries.
3. Wash any motorized vehicle or non-motorized equipment including, without limitation, automobiles, trucks, vans, buses, motorcycles, boats, or other motorized and non-motorized equipment unless performed at commercial car wash facilities.

14.25.140 **Stage 4 Drought Emergency.**

- A. Declaring a Stage 4 Drought Emergency demonstrates the need to reduce the City's water demand between 31% and 40%, or more.
- B. The resolution declaring a Stage 4 Drought Emergency must, in addition to the general prohibitions of this chapter, direct the Director, to impose the following mandatory water use restrictions:
 1. Using potable water from fire hydrants is limited to firefighting and emergency related activities and/or other activities necessary to maintain public health, safety, and welfare including, without limitation, flushing utility distribution pipelines; constructing water distribution and production facilities; and maintaining street sweeping services. If there is a need for acquiring fire hydrant and flow testing services, the applicant is required to have the test completed by the Director, through the water system computer model in-lieu of having an actual real-time field test completed. The expense incurred by the City for completion of a fire hydrant and flow test using the City water system computer model will be paid by the applicant.
- C. Declaring a Stage 4 Drought Emergency makes it unlawful to:
 1. Water without a drip irrigation or micro-spray system.
 2. Install non drip irrigation or micro-spray systems used in watering outdoors for purposes of irrigating landscape, lawns, vegetated areas, and plant material in new commercial and residential developments requesting new water utility service.
 3. Use potable water to irrigate ornamental turf on public street medians within the City's service boundaries.

4. Fill swimming pools, spas, hot tubs, and/or jacuzzis of any kind whether in-ground or above-ground structures, including children's wading pools.
5. Wash any motorized vehicle or non-motorized equipment including, without limitation, automobiles, trucks, vans, buses, motorcycles, boats, or other motorized and non-motorized equipment unless performed at commercial car wash facilities.

14.25.150 Stage 5 Drought Emergency.

Declaring a Stage 5 Water Shortage demonstrates the need to reduce the City's water demand between 41% and 50%. All prohibitions and restrictions for a Stage 4 Drought Emergency are applicable to a Stage 5 Drought Emergency and must be incorporated into the resolution adopted by the city council.

14.25.160 Stage 6 Drought Emergency.

Declaring a Stage 6 Water Shortage demonstrates the need to reduce the City's water demand more than 50 percent. All prohibitions and restrictions for a Stage 5 Drought Emergency are applicable to a Stage 6 Drought Emergency and must be incorporated into the resolution adopted by the city council."

ATTACHMENT 2

September 1, 2021 Staff Report



City Council Staff Report

DATE: September 1, 2021

AGENDA ITEM NO: New Business
Agenda Item 5A

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Director of Public Works / City Engineer
SUBJECT: Ordinance Enacting Water Conservation Measures and Requirements

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waiving first reading of an Ordinance amending the Monterey Park Municipal Code ("MPMC") to add Chapter 14.25 that enacts water conservation regulations; and
2. Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

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

EXECUTIVE SUMMARY:

The proposed ordinance would allow the City Council to declare various stages of drought emergency and enforce water conservation measures. These measures include, without limitation, fines for violations, restrictions on the time and frequency of irrigation, and allowable forms of irrigation systems.

BACKGROUND:

California is experiencing unprecedented drought that has resulted in Governor Newsom issuing emergency proclamations throughout the State. On July 8, 2021, the Governor declared that the entire state is in drought and called on all Californians to reduce water use by at least 15 percent to help protect water reserves.

The State Water Resources Control Board (SWRCB) and the Department of Water Resources are currently monitoring reservoir storage to determine whether additional response actions are needed.

Historical Summary

On December 9, 2009, City Council adopted Ordinance No. 2072 to enact water conservation measures. The 2009 ordinance was in response to Governor Schwarzenegger's June 2008 executive order proclaiming statewide drought. Ordinance No. 2072 closely followed the Los Angeles County's Phased Water Conservation Plan amendments.

In May 2013, the City Council adopted Ordinance No. 2097 that was part of the Title 21 amendments (also referred to as California Green Building Standard Code). The ordinance established landscape plan requirements for new developments that encouraged the use of drought tolerant plants and prohibited irrigation systems that overspray and run off into the street or sidewalk.

During the 2012 to 2015 drought, City Council adopted emergency regulations that were required by SWRCB. The State regulations were adopted as an emergency with a sunset clause that caused the regulations to expire in February 2016. City Council also adopted a resolution at that time that declared a Stage 2 Drought Emergency as described in the emergency regulation. Water production declined from 8,391 AFY in FY 2015 to 7,409 AFY in FY 2016 meeting the Stage 2 goal of at least 10% reduction. FY 2016 water production is in fact the lowest ever produced by the City.

These enacted water conservation measures have impacted the City's water production, from a high of 11,018 AFY in FY 2007 to a low of 7,409 AFY in FY 2016. Water production is essentially water consumption as water is produced based on need.

Fiscal Year	AFY	Fiscal Year	AFY
FY1999-2000	10,970	FY2010-2011	8,497
FY2000-2001	10,308	FY2011-2012	8,791
FY2001-2002	10,470	FY2012-2013	8,965
FY2002-2003	10,179	FY2013-2014	9,094
FY2003-2004	10,253	FY2014-2015	8,391
FY2004-2005	9,966	FY2015-2016	7,409
FY2005-2006	10,439	FY2016-2017	7,557
FY2006-2007	11,018	FY2017-2018	7,782
FY2007-2008	10,063	FY2018-2019	7,540
FY2008-2009	9,501	FY2019-2020	7,448
FY2009-2010	8,686	FY2020-2021	7,578

Proposed Ordinance

The water conservation measures in Ordinance No. 2072 (codified in MPMC Chapter 14.08) are reiterated in the proposed new ordinance when no drought emergency is declared: prohibiting hosing down driveways, watering more than once a day, and not repairing leaking faucets or irrigation systems, to name a few. However, fines for violations are greater in the proposed new ordinance: from \$25 for second and subsequent violations to \$100 for first violation, \$200 for second, and \$500 for each additional violation.

The proposed new ordinance is similar to the emergency regulations that were enacted on July 1, 2015 and expired on February 13, 2016. It differs, however, in that it includes two additional stages: Stage 5 that would reduce the City's water demand by 41 percent to 50 percent and Stage 6 that would reduce demand by more than 50 percent.

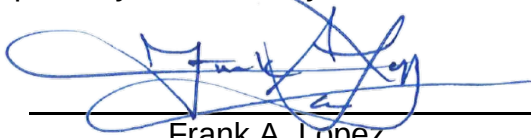
The Director of Public Works is responsible for monitoring water supplies and the City's water demand. Upon determining that a drought exists, the Director would advise the City Council regarding the extent of the emergency and City Council would consider declaring the Stage of drought emergency (i.e., 1, 2, 3, 4, 5 or 6) by resolution.

This new ordinance, if adopted, would be permanent and amend the MPMC. The adoption of this ordinance requires a second reading and a majority vote. It would take effect 30 days after adoption.

FISCAL IMPACT:

Adopting the Ordinance, by itself, has no financial effect.

Respectfully submitted by:



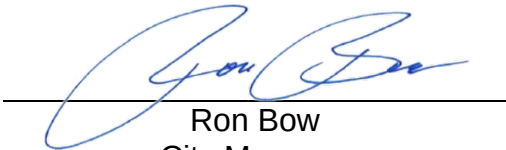
Frank A. Lopez,
Director of Public Works /City
Engineer/City Planner

Prepared by:



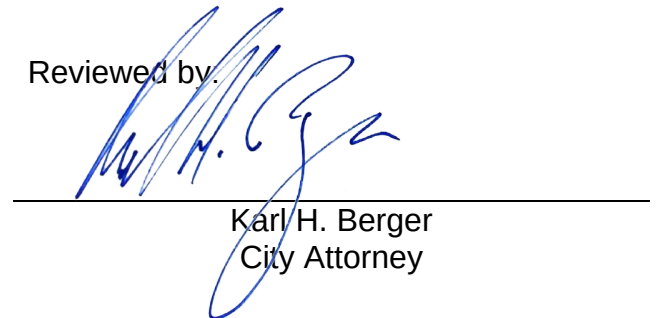
Richard Gonzales,
Water Utility Manager

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Draft Ordinance

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO. _____

**AN ORDINANCE ADDING A NEW CHAPTER 14.25 ENTITLED
“WATER CONSERVATION REGULATIONS” AUTHORIZING
THE CITY COUNCIL TO DECLARE DROUGHT EMERGENCIES
IN VARIOUS STAGES AND IMPOSING DIFFERENT
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PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2021.

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

EXHIBIT A

“Chapter 14.25 WATER CONSERVATION REGULATIONS

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- B. Hosing Down. To, among other things, comply with the city's national pollutant discharge elimination system ("NPDES") permit requirements, it is unlawful for any person to hose water or wash down any sidewalk, walkway, driveway, parking area or other paved surface, except as is required for the benefit of public health and safety.
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- K. Single Pass Cooling Systems. It is unlawful to install single pass cooling systems in new commercial buildings requesting new water utility service.

- L. A written warning must be provided to persons upon the first violation of this section.

14.25.100 Determination of Drought Emergency.

The Director must monitor and evaluate projected available water supplies and estimated water demand of the city's users. Upon the Director determining whether through an independent evaluation or as directed by the State Water Resources Control Board, that a Drought Emergency exists, the City Council must consider declaring a Stage 1, Stage 2, Stage 3, Stage 4, Stage 5, or Stage 6 Drought Emergency by resolution. In addition to the general regulations, restrictions from the previous Drought Emergency State will apply to the next higher stage in addition to a more stringent restriction.

14.25.110 Stage 1 Drought Emergency.

- A. Declaring a Stage 1 Drought Emergency demonstrates the need to reduce the City's water demand by a maximum of 10%.
- B. The resolution declaring a Stage 1 Drought Emergency must direct the Director, to provide public notice regarding appropriate voluntary water use restrictions including, without limitation:
 - 1. Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation or micro-spray system should be limited to three times per week. Residents may water and/or irrigate landscape, lawns, vegetated areas, and plant material on Monday, Wednesday, and Friday.

14.25.120 Stage 2 Drought Emergency.

- A. Declaring a Stage 2 Drought Emergency demonstrates the need to reduce the City's water demand between 11% and 20%.
- B. The resolution declaring a Stage 2 Drought Emergency must, in addition to the general prohibitions of this chapter, direct the Director, to impose the following mandatory water use restrictions:
 - 1. Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation or micro-spray system is limited to two times per week. Residents may water and/or irrigate landscape, lawns, vegetated

areas, and plant material on Monday and Thursday.

2. Install non drip irrigation or micro-spray systems used in watering outdoors for purposes of irrigating landscape, lawns, vegetated areas, and plant material in new commercial and residential developments requesting new water utility service is unlawful.
- C. It is unlawful to use potable water to irrigate ornamental turf on public street medians within the City's service boundaries.

14.25.130 Stage 3 Drought Emergency.

- A. Declaring a Stage 3 Drought Emergency demonstrates the need to reduce the City's water demand between 21% and 30%.
- B. The resolution declaring a Stage 3 Drought Emergency must, in addition to the general prohibitions of this chapter, direct the Director, to impose the following mandatory water use restrictions:
 1. Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation or micro-spray system is limited to one time per week. Persons are permitted to water and/or irrigate landscape, lawns, vegetated areas, and plant material on Monday.
 2. Filling swimming pools, spas, hot tubs, jacuzzis, or children's wading pools is limited to not more than one time per week on Mondays.
 3. Using potable water from fire hydrants is limited to firefighting and emergency related activities and/or other activities necessary to maintain public health, safety, and welfare including, without limitation, flushing utility distribution pipelines; constructing water distribution and production facilities; and maintaining street sweeping services. If there is a need for acquiring fire hydrant and flow testing services, the applicant is required to have the test completed by the Director, through the water system computer model in-lieu of having an actual real-time field test completed. The expense incurred by the City for completing a fire hydrant and flow test using the City water system computer model will be paid by the applicant.
- C. Declaring a Stage 3 Drought Emergency makes it is unlawful to:
 1. Install non drip irrigation or micro-spray systems used in watering

outdoors for purposes of irrigating landscape, lawns, vegetated areas, and plant material in new commercial and residential developments requesting new water utility service.

2. Use potable water to irrigate ornamental turf on public street medians within the City's service boundaries.
3. Wash any motorized vehicle or non-motorized equipment including, without limitation, automobiles, trucks, vans, buses, motorcycles, boats, or other motorized and non-motorized equipment unless performed at commercial car wash facilities.

14.25.140 **Stage 4 Drought Emergency.**

- A. Declaring a Stage 4 Drought Emergency demonstrates the need to reduce the City's water demand between 31% and 40%, or more.
- B. The resolution declaring a Stage 4 Drought Emergency must, in addition to the general prohibitions of this chapter, direct the Director, to impose the following mandatory water use restrictions:
 1. Using potable water from fire hydrants is limited to firefighting and emergency related activities and/or other activities necessary to maintain public health, safety, and welfare including, without limitation, flushing utility distribution pipelines; constructing water distribution and production facilities; and maintaining street sweeping services. If there is a need for acquiring fire hydrant and flow testing services, the applicant is required to have the test completed by the Director, through the water system computer model in-lieu of having an actual real-time field test completed. The expense incurred by the City for completion of a fire hydrant and flow test using the City water system computer model will be paid by the applicant.
- C. Declaring a Stage 4 Drought Emergency makes it unlawful to:
 1. Water without a drip irrigation or micro-spray system.
 2. Install non drip irrigation or micro-spray systems used in watering outdoors for purposes of irrigating landscape, lawns, vegetated areas, and plant material in new commercial and residential developments requesting new water utility service.
 3. Use potable water to irrigate ornamental turf on public street medians within the City's service boundaries.

4. Fill swimming pools, spas, hot tubs, and/or jacuzzis of any kind whether in-ground or above-ground structures, including children's wading pools.
5. Wash any motorized vehicle or non-motorized equipment including, without limitation, automobiles, trucks, vans, buses, motorcycles, boats, or other motorized and non-motorized equipment unless performed at commercial car wash facilities.

14.25.150 Stage 5 Drought Emergency.

Declaring a Stage 5 Water Shortage demonstrates the need to reduce the City's water demand between 41% and 50%. All prohibitions and restrictions for a Stage 4 Drought Emergency are applicable to a Stage 5 Drought Emergency and must be incorporated into the resolution adopted by the city council.

14.25.160 Stage 6 Drought Emergency.

Declaring a Stage 6 Water Shortage demonstrates the need to reduce the City's water demand more than 50 percent. All prohibitions and restrictions for a Stage 5 Drought Emergency are applicable to a Stage 6 Drought Emergency and must be incorporated into the resolution adopted by the city council."



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Public Hearing
Agenda Item 4A

TO: The Honorable Mayor and City Council
FROM: Frank A. Lopez, Director of Public Works /City Engineer/City Planner
SUBJECT: Continuation of Public Hearing regarding Modifying Precise Plan (PP-14-02) Conditions of Approval for a hotel located at 555 N. Atlantic Boulevard.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Continuing the public hearing originally noticed for August 18, 2021 to November 3, 2021; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Applicant seeks to modify its Precise Plan ("PP-14-02") for the Courtyard at Marriott hotel. Specifically, the application seeks to amend Conditions of Approval Nos. 37 and No. 39 of Planning Commission Resolution No. 06-15. At this time, staff is requesting that the item be continued to November 3, 2021.

Respectfully prepared & submitted by:

A blue ink signature of Frank A. Lopez, written over a horizontal line.

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

Reviewed by:

A blue ink signature of Ron Bow, written over a horizontal line.

Ron Bow
City Manager

Reviewed by:

A blue ink signature of Karl H. Berger, written over a horizontal line.

Karl H. Berger
City Attorney



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: New Business
Agenda Item 4B

TO: The Honorable Mayor and City Council
FROM: Harry Wong, Financial Services Manager
SUBJECT: Adoption of a Resolution Updating User Fees and Charges

RECOMMENDATION:

It is recommended that the City Council consider:

1. Opening the public hearing for updating Master Fees and Charges;
2. Adopting a Resolution for Citywide user fees and charges; and
3. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The last Master Fees were adopted on August 5, 2015. The fees established by the August 2015 Resolution were automatically adjusted on an annual basis on July 1 of each year by applying the percent change of the Los Angeles Area of Consumer Price Index (CPI) for All Urban Consumers for the prior 12-month period ending on April 30 to the City's costs for administering the services. The attached Resolution for City Council consideration is to adopt all user fees – both existing fees and new fees provided to the City Council during the public hearing process.

BACKGROUND:

User fees and charges have been associated with marketlike transactions in the public sector and are payments made by consumers in direct exchange for government services received. To increase or adopt a new fee, a municipality must hold at least one public hearing, and publish notice of the hearing twice at least 10 days before the public hearing.

Before a fee increase or new fee was considered the Department responsible for the service demonstrated that the services are being provided as efficiently and effectively as possible. There are a minimal number of new fees that were considered in this amendment. For these fees, each respective department demonstrated that services are provided in a best practices manner, and that all reasonable opportunities for savings have been exhausted. As a result of this critical analysis, only fees for new programs or services have been added.

Respectfully submitted by:



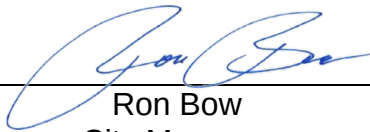
Harry Wong
Financial Services Manager

Reviewed by:



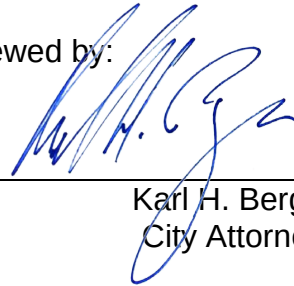
Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT(S):

1. Resolution
2. Proposed Master Schedule of Fees and Charges

ATTACHMENT 1

Resolution

RESOLUTION NO.

A RESOLUTION ADOPTING A FEE SCHEDULE TO RECOVER COSTS INCURRED FROM PROVIDING VARIOUS PUBLIC SERVICES.

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

SECTION 1: The City Council finds as follow:

- A. The City Council may establish fees for services under various provisions of California law including, without limitation, Business & Professions Code § 16000; Government Code §§ 54344, 65104, 65909.5, 65943, 66013, 66014, 66451.2; and Health & Safety Code §§ 17951, 17980.1, and 19852;
- B. Pursuant to Government Code § 66016, the City made data available regarding the cost, or estimated cost, of providing certain municipal services for the proposed user fees ten (10) days before the public hearing held on September 15, 2021;
- C. On September 15, 2021, the City Council heard public testimony and considered evidence in a public hearing held and noticed in accordance with Government Code §§ 66016 and 66018; and
- D. After careful consideration, including a review of the documentary and testimonial evidence submitted during the public hearing, the City Council finds that the user fees adopted by this Resolution are in the public interest to recover the costs of certain municipal services.

SECTION 2: The Fees, attached as Exhibit “A,” and incorporated into this Resolution as if fully set forth, are approved and adopted.

SECTION 3: Unless otherwise revised, the fees established by this Resolution will be automatically adjusted on an annual basis on July 1 of each year by applying the percent change of the Los Angeles Area of Consumer Price Index (CPI) for All Urban Consumers for the prior 12 month period ending on April 30 to the City’s costs for administering the services set forth in Exhibit “A.” The first fee adjustment cannot be made before a minimum of nine months after the effective date of this Resolution.

SECTION 4: This Resolution is exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, *et seq.*; “CEQA”) and CEQA Guidelines (14 Cal. Code Regs. §§ 15000, *et seq.*) because it establishes, modifies, structures, restructures, and approves rates and charges for meeting operating expenses; purchasing supplies, equipment, and materials; meeting financial requirements; and obtaining funds for capital projects needed to maintain service within existing service areas. This Resolution, therefore, is categorically exempt from further CEQA review under CEQA Guidelines § 15273.

SECTION 5: All fees, addressed in this Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

SECTION 6: *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 7: The City Clerk will certify to the passage and adoption of this Resolution; will enter the same in the book of original Resolutions of said City; and will make a minute of the passage and adoption thereof in the record of proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed adopted.

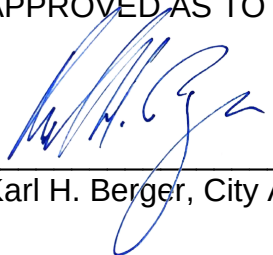
PASSED AND ADOPTED this 15th day of September, 2021

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

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

I, VINCENT D. CHANG, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 15th day of September 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Dated this 15th day of September, 2021

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

ATTACHMENT 2

Proposed Master Schedule of Fees and Charges

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>SECTION A - GENERAL ADMINISTRATION</u>				
* In addition to the fees listed under this Master Schedule of Fees and Charges, city would pass through any and all third party actual charges to customers				
<u>CITY CLERK FEES:</u>				
	Duplication Charge			
0001	General Photocopying	0.15	per page	11771
0002	Specialized Materials (Maps, Diagrams, Reports, etc)	Actual Cost		11771
0003	Optical Disk	5.10	per disk	11771
0004	City Clerk-Written Certification	3.25		11771
0005	Campaign Statements Retrieval Fee (GC 81008)	5.00	per request	
0006	Subpoena Fee / Witness (GC 68096.1(b))	275.00	(cost dictated by GC)	
0007	Subpoena Fee / Records (EVID 1563)	15.00	(cost dictated by EVID)	
<u>MANAGEMENT SERVICES FEES</u>				
0008	Business License: Duplicate	18.40		11771
0009	Business License: Reissue (Transfer)	37.95		11771
0010	Business License: Tobacco Retailer License Fee	45.50		11771
0011	Filming Permit Special Processing Fee	110.50		11771
0012	Filming Permit Application	65.00	each	11771
0013	Filming Permit	260.10	per day	11771
0014	Special Details (filming, other events - Fire and Police Staff)	101.00	per hour per employee	11771
0015	Firework Permit	433.90		11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>SECTION B - FIRE DEPARTMENT</u>				
<u>FIRE DEPARTMENT PLAN REVIEW</u>				
0016	Building Plans and Fire Life Safety Plan Review and Inspections Plus Third Party Costs	175.85 89.90 Actual	per hour (min. 2 hrs) each	11771
0017	Building/Fire LS Plan Review Resubmittal Plan Additional Inspections Plus Third Party Costs	175.85 89.90 Actual	per hour (min. 1 hr) each	11771
0018	Expedite or Over-the-Counter Plan Check Plus Third Party Costs	175.85 Actual	per hour (min. 1 hr)	11771
0019	As-Built/Revisions Plan Review Plus Third Party Costs	87.70 Actual	per hour (min. 1 hr)	11771
0020	All Fire Protection Plan Review Resubmittals Plus Third Party Costs	87.70 Actual	per hour (min. 1 hr)	11771
0021	Fire Alarm Plan Check, Fire Permit, Inspections Plus Per Device (Fire Permit) Plus Third Party Costs	275.70 89.90 7.60 Actual	per hour (min. 1 hr) each per device	11771
0022	Fire Extinguisher Systems, Fire Permit, Inspections Plus Per Device (Fire Permit) Plus Third Party Costs	275.70 89.90 7.60 Actual	per hour (min. 1 hr) each per device	11771
0023	Fire Sprinkler System, Fire Permit, Inspections Plus Per Head (Fire Permit) Plus Third Party Costs	275.70 89.90 7.60 Actual	per hour (min. 1 hr) each per device	11771
0024	All Additional Plan Check Services, Technical Reports, Alternate Methods of Protection, Appeals, Architectural Design Review, Fire Watch Reports Plus Third Party Costs and Adm Processing Fee Expired Plan Review and Fire Permit	175.85 Actual 100%	per hour (min. 2 hr) + 25.4% Admin of Permit/Plan Review	11771
0025	Records Management (Storage for Fire Plans)	0.12%	per valuation + 25.4% Admin	11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>FIRE FEES</u>				
	INSPECTIONS			
	<i>(Fee Plus 3rd Party Service Cost)</i>			
	State Mandated Inspections			
0026	Apartments	115.80	per floor	11771
0027	High-Rise Occupancy	175.85	per floor	11771
0028	Hotel or Motel Occupancy	175.85	per floor	11771
0029	Hospital Occupancy	175.85	per floor	11771
0030	Private School Occupancy	175.85	per inspection	11771
0031	Public School Occupancy	175.85	per inspection	11771
0032	Other State Mandated Occupancy	175.85	per inspection	11771
0033	State Mandated Pre-Inspection Consultation	89.85	per inspection (25 or fewer persons)	11771
0034	State Mandated Pre-Inspection Consultation	108.30	per inspection (26 or more persons)	11771
0035	Mid-Rise and Multi-Story Structures	175.85	per floor	11771
0036	Miscellaneous Inspections: Reinspection, Investigation, Fire Code Compliance, No Show/Late Cancellation, Occupancy Final Permit, Fire Watch	89.85	per inspection (+ 25.4% Admin)	11771
0037	Expedite and/or After Hour/Overtime Inspection	131.10	per hour (+ 25.4% Admin)	11771
	<u>Code Enforcement:</u>			
0038	Home Occupation Inspection	89.85	per inspection	11771
0039	Code Enforcement Re-inspection	89.85	per inspection	11171
	<u>Shopping Cart Enforcement:</u>			
0040	Shopping Cart Plan Review Fee	214.20		11170
0041	Shopping Cart Appeal Processing Fee	253.00		11170
0042	Shopping Cart Plan Amendments	214.20		11170
0043	Code Enforcement Appeal (Notices of Abatement)	404.70	per appellant	11771
0044	California Fire Code Permits	175.85	each permit	11771
0045	California Fire Code Permits (Construction)	175.85	each permit	11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<i>Business Fire Safety Fees</i>			+ 25.4% Admin	
0046	3 or Less Employees	56.30		11771
0047	4-6 Employees	84.45		11771
0048	7-10 Employees	112.90		11771
0049	11-20 Employees	140.95		11771
0050	21 & Over Employees	169.30		11771
0051	Fire Hydrant Flow Calculation	360.00	each	11771
0052	Deputy Inspector Registration Fee	89.85	each	11771
0053	False Alarm - after 3 Responses	359.00	each	11771
0054	Filing Details Staff Time	101.00	per hour per employee	11771
<u>INDUSTRIAL WASTE PROGRAM</u>				
<u>City Administration: Plus Third Party Costs</u>				
0055	Industrial Waste Program (deposit required)	678.00	+ 25.4% Admin	11771
0056	Industrial Waste Class E - Annual Permit and Inspection	819.10		11771
0057	Industrial Waste Class F (E) - Annual Permit and Inspection	356.00		11771
<u>Los Angeles County:</u>				
	Industrial Waste Class A - Annual Permit and Inspection	458.00		
	Industrial Waste Class B - Annual Permit and Inspection	896.00		
	Industrial Waste Class C - Annual Permit and Inspection	1,345.00		
	Industrial Waste Class D - Annual Permit and Inspection	1,781.00		
	Industrial Waste Class G (COUNTY E) - Annual Permit and	2,093.00		
	Industrial Waste Class M - Annual Permit and Inspection	4,417.00		
	Rainwater Diversion System Class X - Inspection	385.00		
	Permit Application, New (Sewer)	694.00		
	Permit Application, New (Onsite)	844.00		
	Permit Application, New (Offsite)	927.00		
	Permit Application, Revision (Sewer)	467.00		
	Permit Application, Revision (Onsite)	694.00		
	Permit Application, Revision (Offsite)	620.00		
	Plan Review, New, Sewer 1	1,157.00		
	Plan Review, New, Sewer 2	1,464.00		
	Plan Review, New, Sewer 3	1,771.00		
	Plan Review, New, Sewer 4	2,076.00		
	Plan Review, New, Sewer 5	2,388.00		
	Plan Review, New, Sewer 6	2,694.00		

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
	Plan Review, New, Onsite 1	1,310.00		
	Plan Review, New, Onsite 2	1,616.00		
	Plan Review, New, Onsite 3	1,922.00		
	Plan Review, New, Onsite 4	2,233.00		
	Plan Review, New, Onsite 5	2,847.00		
	Plan Review, New, Onsite 6	3,305.00		
	Plan Review, New, Offsite 1	1,231.00		
	Plan Review, New, Offsite 2	1,542.00		
	Plan Review, New, Offsite 3	1,850.00		
	Plan Review, New, Offsite 4	2,155.00		
	Plan Review, New, Offsite 5	2,458.00		
	Plan Review, New, Offsite 6	2,768.00		
	Plan Review, Revision, Sewer 1	844.00		
	Plan Review, Revision, Sewer 2	1,157.00		
	Plan Review, Revision, Sewer 3	1,464.00		
	Plan Review, Revision, Sewer 4	1,771.00		
	Plan Review, Revision, Sewer 5	2,076.00		
	Plan Review, Revision, Sewer 6	2,388.00		
	Plan Review, Revision, Onsite 1	1,002.00		
	Plan Review, Revision, Onsite 2	1,310.00		
	Plan Review, Revision, Onsite 3	1,616.00		
	Plan Review, Revision, Onsite 4	1,922.00		
	Plan Review, Revision, Onsite 5	2,233.00		
	Plan Review, Revision, Onsite 6	2,847.00		
	Plan Review, Revision, Offsite 1	927.00		
	Plan Review, Revision, Offsite 2	1,231.00		
	Plan Review, Revision, Offsite 3	1,542.00		
	Plan Review, Revision, Offsite 4	1,850.00		
	Plan Review, Revision, Offsite 5	2,155.00		
	Plan Review, Revision, Offsite 6	2,458.00		
	Closure Inspection	722.00		
	Site Remedial & Cleanup Plan Review Initial Deposit	643.00		
	Site Remedial per hour	167.00		
	Off-Hours Inspection per hour	357.00		
	Inspection, for which no fee is indicated	458.00		
	Additional Plan Review per hour	167.00		
	Wastewater Sampling	458.00		
<u>Citizen CPR/IAED Training Program</u>				
0058	Per Resident	33.60	cost of books and membership cards	11771
0059	Per Non-Resident	39.00		11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>Ambulance Subscription Fee (Business Membership)</u>				
0060	1-10 Employees	54.20		11771
0061	11-20 Employees	108.30		11771
0062	21-30 Employees	163.20		11771
0063	31-40 Employees	217.46		11771
0064	41-50 Employees	272.30		11771
0065	51-60 Employees	325.90		11771
0066	61-70 Employees	380.00		11771
0067	71-80 Employees	434.00		11771
0068	81-90 Employees	488.10		11771
0069	91-100 Employees	542.10		11771
0070	101-110 Employees	596.20		11771
0071	111-120 Employees	650.30		11771
0072	121-130 Employees	704.30		11771
0073	131-140 Employees	758.40		11771
0074	141+ Employees	812.90		11771
0075	Ambulance Subscription Fee (Non-Business Membership)	50.00		11771
Ambulance Transportation Fee		Per LA County DHS Rates plus dispatch costs		
0076	Patient Assessment Fee	190.00		10865
		plus dispatch costs		
0077	Electronic Documentation Fee	28.20		11771
0078	Hazardous Condition and Traffic Collision Recovery Fee	Cost	+ 25.4% Admin	11771
0079	Document Copy Charge Response Reports	8.15	per report	9756

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>SECTION C - LIBRARY</u>				
<u>Damaged/Lost Library Material</u>				
	Cost When Item Price And Replacement Are Not Available	\$22 + Processing Fee		11771
0080	Processing fee for adding replacement copy or accompanying material	10.00		11771
0081	Accompanying Material	9.25		11771
0082	Replace Plastic Jacket	2.15		11771
0083	Torn Pages	2.15	per page	11771
0084	DVD Case	9.20		11771
0085	CD Case (single)	2.15	per case	11771
0086	Bag From Children's Book/CD Set	2.15	per bag	11771
0087	Audiobook/CD/Hotspot Case	4.90		11771
0088	(Multiple) CD Jacket (Inside Jacket)	2.20		11771
0089	DVD Jacket (Inside Jacket)	6.00		11771
0090	Book Rebinding	28.20		11771
0091	Library Card Replacement	3.00	per card	11771
0092	Interlibrary Loan Fees	6.00	per request plus charges of lending library	11771
0093	Interlibrary Loan Photocopy	6.00	per pageover 20 pages (pages 1-20 free)	11771
0094	Hold Not Picked Up or Cancelled Before Processing	0.50		11771
0095	Wifi Hotspot	80.00		new
0096	Charging Cable	16.00		new
0097	Chromebook	Replacement Cost		new
0098	Alzheimer's Kit	140.00		new
<u>Room Rental</u>				
	Friends Room Rental			new
0099	Non-Profit Adult (Based Outside Town)	66.00	per hour	
0100	Non-Profit Adult (Based In Town)	7.00	per hour	
0101	Non-Profit Youth Organizations	4.00	per hour	

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>SECTION D - RECREATION / COMMUNITY SERVICES</u>				
Athletic Field Rental				
0102	Private Party	40.10	per hour/field	11771
0103	Non-Profit Adult (Based Outside Town)	19.60	per hour/field	11771
0104	Non-Profit Adult (Based In Town)	2.20	per hour/field	11771
0105	Non-Profit Youth Organizations	0.25	per hour/field	11771
Athletic Field Lights				
0106	Private Party	4.40	per hour/field	11771
0107	Non-Profit Adult (Based Outside Town)	2.20	per hour/field	11771
0108	Non-Profit Adult (Based In Town)	0.25	per hour/field	11771
0109	Non-Profit Youth Organizations	0.25	per hour/field	11771
Gymnasium Rental				
0110	Private Party	112.60	per hour	11771
0111	Non-Profit Adult (Based Outside Town)	56.30	per hour	11771
0112	Non-Profit Adult (Based In Town)	5.40	per hour	11771
0113	Non-Profit Youth Organizations	0.55	per hour	11771
0114	Staffing/Additional Staffing	22.80	per hour	11771
Pool Rental				
0115	Private Party	140.80	per hour	11771
0116	Non-Profit Youth Organizations	0.80	per hour	11771
0117	Additional Aquatics Staffing	22.80	per hour	11771
Langley Center Main Room Rental				
0118	Private Party	140.85	per hour	11771
0119	Non-Profit Adult (Based Outside Town)	70.50	per hour	11771
0120	Non-Profit Adult (Based In Town)	7.60	per hour	11771
0121	Non-Profit Youth Organizations	3.30	per hour	11771
0122	Langley Center Kitchen Facility	39.10	per hour	11771
0123	Staffing/Additional Staffing	22.80	per hour	11771
Barnes Park Memorial Amphitheater				
0124	Private Party	140.85	per hour	11771
0125	Non-Profit Adult (Based Outside Town)	70.50	per hour	11771
0126	Non-Profit Adult (Based In Town)	7.60	per hour	11771
0127	Non-Profit Youth Organizations	3.30	per hour	11771
0128	Staffing/Additional Staffing	22.80	per hour	11771
Service Club House Rental				
0129	Private Party	140.90	per hour	11771
0130	Non-Profit Adult (Based Outside Town)	70.50	per hour	11771
0131	Non-Profit Adult (Based In Town)	7.60	per hour	11771
0132	Non-Profit Youth Organizations	3.30	per hour	11771
0133	Staffing/Additional Staffing	22.80	per hour	11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
Other Indoor Facilities (Community Room, Elder, Siera Vista, etc.)				
0134	Private Party	112.60	per hour	11771
0135	Non-Profit Adult (Based Outside Town)	56.30	per hour	11771
0136	Non-Profit Adult (Based In Town)	5.40	per hour	11771
0137	Non-Profit Youth Organizations	2.20	per hour	11771
0138	Staffing/Additional Staffing	22.80	per hour	11771
0139	Picnic Shelter	101.80	per shelter	11771
0140	Picnic Shelter - Non Resident	122.00	per shelter	new
0141	Facility Clean-up Deposit (Where Applicable)	\$300-500		11771
Swim Lessons				
0142	Youth: (1-3 yrs old)	33.50	for 5 hours of lessons	11771
0143	Youth: (4-6 yrs old)	33.50	for 5 hours of lessons	11771
0144	Youth: (7-17 yrs old)	33.50	for 5 hours of lessons	11771
0145	Adult	34.00	for 5 hours of lessons	11771
Public Swim				
0146	Admission-Youth	2.30	2 hour swim	11771
0147	Admission-Adult	3.30	2 hour swim	11771
0148	Admission-Youth Discount Pass (20 Swims)	35.75	per pass	11771
0149	Admission-Adult Discount Pass (20 Swims)	54.00	per pass	11771
0150	Lap Swimming: Per Swim	5.25	per swim	11771
0151	Lap Swimming: Monthly Pass	38.75	per month	11771
0152	Lap Swimming: Family	73.50	per month	11771
0153	Lap Swimming: Senior	26.00	per month	11771
Child Care Fees				
0154	After School Care-Resident	120.35	per week	11771
0155	After School Care-Non Resident	128.50	per week	11771
0156	All Day & Summer-Resident	168.30	per week	11771
0157	All Day & Summer-Non Resident	175.45	per week	11771
0158	Recreation Class & Activity Registration Fee	9.70	per registration	11771
0159	Alcohol Consumption Permit Fee	106.10		11920

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>SECTION E - POLICE DEPARTMENT</u>				
0160	DUI Processing	782.00		11771
	<u>Emergency Response to DUI Traffic Collision</u>			
0161	DUI Arrest	186.00		11771
0162	DUI Non-Injury	865.00		11771
0163	DUI Minor Injury	967.00		11771
0164	DUI Major/Fatal Injury	1,408.00		11771
0165	Vehicle Impound / Storage Release	218.00		11771
0166	Special Handling Administration Charges	56.00		11771
0167	Clearance Letter	94.00		11771
0168	Local Background Check/Recruiters	41.00		11771
0169	CAD Log Searches (address and/or time/date of incidents)	29.00	each	11771
0170	Crime Rate Report (required research redacting, writing)	46.00		11771
0171	Visa/INS Letter CW/ Report	95.00	each	11771
0172	Replace Lost Permit	27.00		11771
0173	Duplicate Citations	5.40		11771
	<u>Animal Services</u>			
	Deceased Small Pet - Picked up by Animal Services Officer	60.00	Contracted with LA County	11771
	Deceased Small Pet - Delivered to Shelter by owner	10.00	Dept of Animal Care & Control	
	Deceased Large Pet	250.00		
	License: Dogs-one year license (sterilized)	20.00		
	License: Cat-one year license (sterilized)	5.00		
	License: Dogs-one year license (unsterilized)	60.00		
	License: Cat-one year license (unsterilized)	10.00		
	License: Dogs-one year license (sterilized) military veterans with disabilities	7.50		
	License: Dogs-one year license (sterilized) senior discount	7.50		
0174	Residential and Business Alarm Permits	54.00		11771
0175	Verification of Proof of Correction on Traffic Citations	22.00		11771
0176	Fingerprinting	30.00		11771
0177	Prisoner Booking Fees	200.00	per Court	11771
	<u>Sentenced Prisoners</u>			
0178	Housing	104.00	per 24 hours	11771
0179	Per Diem Rate	56.00	per 12 hours	11771
0180	Registration Fee	29.00		11771
0181	Schedule Change Fee	55.00		11771
0182	Booking & Housing of Prisoners on Los Angeles County Sheriffs Warrants and Other Arrests	172.00		11771
0183	Special Details (filming, other events)	101.00	per hour per employee	11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>SECTION F - PUBLIC WORKS DEPARTMENT</u>				
<u>PLANNING</u>				
0184	General Plan Amendment	7,001.00	deposit	11771
0185	Development Agreement/Specific Plan Review	18,112.00	deposit	11771
<u>Zoning Fees</u>				
0186	Recordable Covenants	373.00		11771
0187	Zone Change	6,347.00		11771
0188	Modification to Specific Plan	6,674.00		11771
0189	Variance: Single Family Residential	1,087.00		11771
0190	Variance: Other	2,718.00		11771
0191	Minor Departure	220.00		11771
0192	Code Amendment	6,674.00		11771
0193	Environmental Impact Report Deposit (In-House Review)	7,995.00		11771
0194	Environmental Impact Report Deposit (Consultant)	Cost +25.4% Admin		11771
0195	Negative Declaration	1,934.00		11771
0196	Tentative Subdivision Map	2,589.00	plus \$69.29 per lot/unit \$69.29 ea	11771
0197	Conditional Use Permit: Commercial	2,718.00		11771
0198	Conditional Use Permit: SF Residential	1,087.00		11771
0199	Site Plan Review	1,368.00		11771
0200	Extension of Time	445.00		11771
0201	Radius Map & Mailing	102.00		11771
0202	Temporary Use Permit	574.00		11771
0203	Appeal to City Council	1,706.00		11771
0204	Certificate of Compliance	399.00		11771
0205	Lot Line Adjustment	1,637.00		11771
0206	Temporary Banner Permit	33.80		11771
0207	Yard Sale Permit	17.35		11771
0208	Landscape Plan Check Fee Deposit	1,083.00	deposit	11771
0209	Categorical Exemption	225.00		11771
0210	Multiple Applications	338.00	per process	11771
<u>Massage Establishment</u>				
0211	Initial Background Application	218.00		11771
0212	Annual Renewal Fee	147.00	per year	11771
<u>Design Review Board</u>				
0213	New Construction (10,000 SF or less)	1,253.00		11771
0214	New Construction (more than 10,000 SF)	1,558.00		11771
0215	Remodel (w/o increase in floor area) (more than 10,000 SF)	1,253.00		11771
0216	New Single Family House	445.00		11771
0217	Add. To Single Family House	445.00		11771
0218	Remodel (w/o increase in floor area)	1,253.00		11771
0219	Master Sign Plan	1,253.00	plus \$14.10 each in excess of 3	11771
0220	Zoning Fees-Design Review Board: Signs (New)	445.00		11771
0221	Zoning Fees-Design Review Board: Signs (Face Change)	51.00		11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>BUILDING AND SAFETY</u>				
<u>Permit Issuance Fee</u>				
0222	Single Trade Permit Issuance	43.50	one trade	11771
0223	Multi-Trade Permit Issuance	28.20	each additional	11771
<u>Building Fees</u>				
0224	Deputy Inspector	93.60	plus \$35.74 each trade	11771
0225	Certificate of Occupancy: Temporary	289.30		11771
0226	Certificate of Occupancy: Existing (Change of Occupancy)	333.00	plus \$35.74 each 1,000 sq ft	11771
0227	Certificate of Occupancy: New construction	133.20		11771
0228	Building Permit Investigation Fee	25-150% of Permit Fee		11771
0229	Building Reinspection	116.95		11771
0230	Appeal (to Appeal Board)	5,245.70	deposit	11771
<u>Building Plan Check Fee</u>				
0231	Building Plan Check Fee, when applicable shall be	81.2% of Permit Fee		11771
0232	Energy Plan Check	89.90	ea 1,000 sqft or fraction thereof	11771
0233	Accessibility Plan Check	89.90	ea 1,000 sqft or fraction thereof	11771
0234	Plan Check Fee for Plan Revisions (after permit is issued)	131.10	per hr (min. 0.5 hr)	11771
0235	Miscellaneous Inspections: Re-Inspection (each)	89.90	each	11771
0236	Miscellaneous Inspections: Overtime Inspection (per hour)	131.10	per hour	11771
<u>Electrical Permit</u>				
0237	Services 600 Volts or less & (not over 200 Amperes)	173.70	each	11771
0238	Services 600 Volts or less (201 to less than 600 Amperes)	197.70	each	11771
0239	Services 600 Volts or less & (600 or more Amperes)	260.10	each	11771
0240	Services over 600 Volts	260.10	each	11771
0241	Sub-Panel or Switchboard	38.00	each	11771
0242	Temporary Power Pole	63.90	each	11771
Power Apparatus: Motors, Generators, Transformers, Rectifiers, Synchronous Converters, Capacitors, Air Conditioners, Heat Pumps, Other Electrical Heating Systems, Cooking or baking equipment, each. Rating in Horsepower, Kilowatts or Kilovolt Amperes:				
0243	Up to 1	39.00	each	11771
0244	Over 1 up to 10	78.00	each	11771
0245	Over 11 up to 50	157.10	each	11771
0246	Over 50	234.10	each	11771
0247	Dishwasher, Disposal, Clothes Washer, Clothes Dryer, Bath Fans, Trolley Busways	26.00	each	11771
0248	Branch Circuits Including Circuit Breakers	12.00	each	11771
0249	Receptacles, Switches, Fixtures, Junction Boxes, Other Outlets	4.40	each	11771
0250	Illuminated Signs, Outline Lighting, Festoon Lighting (each transformer)	38.00	each	11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
0251	Swimming Pools, No Spas	52.00	each	11771
0252	Spa or Swimming Pools with Spas	104.00	each	11771
0253	Electrical Plan Check	81.2% of Electrical Permit		11771
<u>Plumbing Permit</u>				
0254	Each plumbing fixture including its water supply, trap, and drainage piping: Toilet, Urinal, Tub, Shower, or combination, Mop Sink, Laundry Tray, Kitchen Sink, Bar Sink, Lavatory, Floor Drain, Floor Sink, Dishwasher, Clothes Washer, Drinking Fountain, Rainwater Drains, P-Trap, Water Treatment Equipment	26.00	each fixture	11771
0255	Water Piping, Drain Piping, Vent Piping	26.00	each	11771
0256	Water Supply System, Drainage System, Vent System	78.00	each system	11771
0257	Backflow Preventor or Anti-Siphon Device	26.00	each	11771
0258	Gas Piping, each meter	52.00	per meter	11771
0259	Gas Outlet	11.90	each	11771
0260	Commercial Grease Trap, Commercial Grease Interceptor, Industrial Waste Interceptor, Trailer Park Trap	63.90	each	11771
0261	Sewer Connections & Sewer Extensions	52.00	each	11771
0262	Sewer Caps	26.00	each	11771
0263	Sump Pump Systems, Sewage Ejector Systems	63.90	each	11771
0264	Pool, Spa, or Combination thereof, including trap and Piping	104.00	each	11771
0265	Water Heater including water piping and vent system	57.50	each	11771
0266	Plumbing Plan Check	81.2% of Plumbing Permit		11771
<u>Mechanical Permit</u>				
0267	Furnace or Space Heater: Up to 100M BTU	52.00	each	11771
0268	Furnace or Space Heater: Over 100M BTU	78.00	each	11771
<u>Compressor Boiler:</u>				
0269	Up to 3HP or 100M BTU	52.00	each	11771
0270	Over 3HP or 100M BTU - Up to 15HP or 500M BTU	63.90	each	11771
0271	Over 15HP or 500M BTU - Up to 30HP or 1000M BTU	104.00	each	11771
0272	Over 30HP or 1000M BTU	182.10	each	11771
0273	Absorption Units, Evaporative Coolers	63.90	each	11771
0274	VAV Control Box	26.00	each	11771
0275	Diffusers or Registers	6.50	each	11771
0276	Vent Fan, Residential Hood, Appliance Vents, Duct Alteration	38.00	each	11771
0277	Commercial Hood including Motor & Duct	131.10	each	11771
0278	Metal Fireplace & Chimney, Oil Fired Equipment, Storage Tanks, Dipping Tanks, Appliance or Equipment Not Listed	52.00	each	11771
0279	Gas Outlet	11.90	each	11771
0280	Mechanical Plan Check	81.2% of Mechanical Permit Fee		11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Fee *	Unit	Reso												
<u>Other Trust/State Mandated Fee</u>																
0281	Plans Archival/Records Management	0.10%	of valuation	11771												
0282	General Plan Revision Surcharge	0.20%	of valuation	11771												
Strong Motion Tax - State of Mandated Fees																
0283	Residential	.013% of Valuation														
0284	Non-Residential	.028% of Valuation														
0285	State Building Permit Surcharge Fee:		SB 1473 (1/1/2009) (State mandate)	11771												
<table><tr><th>Fee</th><th>Permit Valuation</th></tr><tr><td>\$1</td><td>\$1 - 25,000</td></tr><tr><td>\$2</td><td>\$25,001 - 50,000</td></tr><tr><td>\$3</td><td>\$50,001 - 75,000</td></tr><tr><td>\$4</td><td>\$75,001 - 100,000</td></tr><tr><td>add \$1</td><td>Every \$25,000 or fraction thereof above \$100,000</td></tr></table>					Fee	Permit Valuation	\$1	\$1 - 25,000	\$2	\$25,001 - 50,000	\$3	\$50,001 - 75,000	\$4	\$75,001 - 100,000	add \$1	Every \$25,000 or fraction thereof above \$100,000
Fee	Permit Valuation															
\$1	\$1 - 25,000															
\$2	\$25,001 - 50,000															
\$3	\$50,001 - 75,000															
\$4	\$75,001 - 100,000															
add \$1	Every \$25,000 or fraction thereof above \$100,000															
City Admin Charge		10% SBPS Fees for City Admin		11771												
<u>Building Permit</u>																
0286	\$1,000	78.00		11771												
0287	\$1,500	116.00		11771												
0288	\$2,000	157.00		11771												
0289	\$2,500	183.00		11771												
0290	\$3,000	208.00		11771												
0291	\$3,500	235.00		11771												
0292	\$4,000	260.00		11771												
0293	\$5,000	287.00		11771												
0294	\$6,000	312.00		11771												
0295	\$7,000	339.00		11771												
0296	\$8,000	364.00		11771												
0297	\$9,000	392.00		11771												
0298	\$10,000	417.00		11771												
0299	\$12,000	457.00		11771												
0300	\$14,000	496.00		11771												
0301	\$16,000	533.00		11771												
0302	\$18,000	572.00		11771												
0303	\$20,000	611.00		11771												
0304	\$22,000	652.00		11771												
0305	\$24,000	691.00		11771												
0306	\$26,000	729.00		11771												
0307	\$28,000	768.00		11771												
0308	\$30,000	808.00		11771												
0309	\$32,000	845.00		11771												
0310	\$34,000	883.00		11771												

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
0311	\$36,000	925.00		11771
0312	\$38,000	963.00		11771
0313	\$40,000	1,003.00		11771
0314	\$42,000	1,040.00		11771
0315	\$44,000	1,079.00		11771
0316	\$46,000	1,119.00		11771
0317	\$48,000	1,157.00		11771
0318	\$50,000	1,197.00		11771
0319	\$55,000	1,275.00		11771
0320	\$60,000	1,353.00		11771
0321	\$65,000	1,432.00		11771
0322	\$70,000	1,510.00		11771
0323	\$75,000	1,587.00		11771
0324	\$80,000	1,665.00		11771
0325	\$85,000	1,744.00		11771
0326	\$90,000	1,821.00		11771
0327	\$95,000	1,885.00		11771
0328	\$100,000	1,951.00		11771
0329	Each \$1,000 valuation over \$100,000	12.00		11771
0330	Energy Permit: Each 1,000 sq ft or fraction thereof	89.90		11771
0331	Accessibility Permit: Each 1,000 sq ft or fraction thereof	89.90		11771
0332	Development Impact Fee: Effective: July 6, 2021			11834

Land Use	Police	Fire	Circulation System (Streets, Signals, and Bridges)	Water	Sewer	Library	Public Meeting Facilities	Aquatics	Parks	Total
Revenue Account	205-4597	205-4598	204-4591	401-4601	411-4602	231-4595	231-4594	231-4593	231-4592	

Residential - (Per Unit)

Detached Dwelling Units	\$ 526	\$ 640	\$ 1,791	\$ 2,786	\$ 385	\$ 191	\$ 1,660	\$ 732	\$ 3,677	\$ 12,387
Attached Dwelling Units	503	418	1,129	2,570	356	194	1,684	743	3,730	11,324
Commercial Lodging Units	191	381	942	1,672	231				17	3,434

Non-Residential - (Per Sq Ft)

Retail, Services, Office	0.370	0.350	3.216	0.769	0.138				0.064	4.906
Manufacturing, Industrial	0.050	0.019	1.305	0.386	0.069				0.032	1.862
Institutional	0.073	0.053	0.879	0.528	0.095				0.161	1.789

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
<u>PUBLIC WORKS</u>				
0333	Address Change/Additional Address	873.00	each	11771
0334	Banner Permit	300.00	each	11771
0335	Concrete Permit Fee	90.50	each	11771
0336	Concrete Inspection Fee (sidewalk)	163.00	per hour	11771
0337	Concrete Inspection Fee (curb/gutter)	163.00	per hour	11771
0338	Encroachment Permit Fee	427.00	each	11771
0339	Moving Bin/Trash Bin in Right-of-Way	160.00	each	New
0340	Excavation Permit Fee	121.00	each	11771
0341	Excavation Inspection Fee	163.00	per hour	11771
<u>Geology/Geotechnical Review</u>				
0342	Deposit for geology/geotechnical review (Cost Varied Depending on Size of Project)	3,941.00	Initial Review + 25.4% Admin	11771
<u>Grading</u>				
0343	Permit Fee-1 to 1,000 CY	406.00		11771
0344	Permit Fee-1,001 to 10,000 CY	558.00		11771
0345	Permit Fee-10,001 to 50,000 CY	712.00		11771
0346	Permit Fee-50,001 to 100,000 CY	963.00		11771
0347	Permit Fee-Over 100,000 CY	1,311.00	plus \$12.61 per 1,000 C/Y over 100,000 C/Y	11771
0348	Plan Check Fee-1 to 1,000 CY	589.00		11771
0349	Plan Check Fee-1,001 to 10,000 CY	685.00		11771
0350	Plan Check Fee-10,001 to 50,000 CY	783.00		11771
0351	Plan Check Fee-Over 50,000 CY	976.00	plus \$18.76 per 1,000 C/Y over 50,000 C/Y	11771
0352	Plan Check Fee-Provided by Consultants	Cost	+ 25.4% Admin	11771
<u>National Pollutant Discharge Elimination System (NPDES)</u>				
0353	Consultant Cost	1,971.00	Initial Review or 25.4% Admin	11771
0354	City Administrative Services	845.00	Min \$844.29 or 25.4% of Review Cost	11771
0355	Housemoving Permit Fee	520.00	per document	11771
0356	Newsrack Permit Fee	233.00	per newsrack per year	11771
0357	Parcel Merge by Document	1,446.00	per document	11771
0358	Building Permit Plan Check Fee (Engineering)	204.00	per hour	11771
0359	Public Works Plan Check	204.00	per hour	11771
0360	Public Works Plan Check-Provided by Consultants	Cost	+ 25.4% Admin	11771
0361	Public Works Inspection	163.00	per hour	11771

CITY OF MONTEREY PARK
MASTER SCHEDULE OF FEES AND CHARGES
JULY 1, 2021

Fee #	Description	Round Fee *	Unit	Reso
0362	Public Works Inspection-Provided by Consultants	Cost	+ 25.4% Admin	11771
0363	Sewer House Connection Permit Fee (Inside City Limits)	670.00	each connection	11771
0364	Sewer House Connection Permit Fee (Outside City Limits)	901.00	each connection	11771
0365	Sewer Reconstruction Fee	399.00	each connection	11771
0366	Subdivision Tract Map Checking			11771
	City Admin Fee	1,439.00		
	Consultant Charges		plus \$6,915.67 or 70% of L.A. County fee schedule	
0367	Subdivision Parcel Map Checking			11771
	City Admin Fee	1,439.00		
	Consultant Charges		plus \$6,284.60 or 70% of L.A. County fee schedule	
0368	Subdivision Monument Inspection			11771
	City Admin Fee	199.00		
	Consultant Charges		plus \$28.14 per boundary monument	
0369	Subdivision Map Guarantee	98.00	Per Map	11771
0370	Subdivision CCR (Review By City Attorney)			11771
	City Admin Fee		+ 25.4% Admin	
	Attorney Charges	Cost		
0371	Waste and Recycling Collection Permit Application	545.00	per application	11771
0372	Transportation Permit Fee (Vehicle Code Section 35795)	16.00 90.00	per permit (Single Trip) per permit (Annual Trip)	
0373	Traffic Study - Peer Review by Consultant			
	City Admin Fee		+ 25.4% Admin	11771
	Consultant Charges	Cost		
0374	Public Works Water Division Plan Check	204.00	per hour	11771
0375	Public Works Water Division Inspection	163.20	per hour	11771
0376	During Extreme Weather, Plastic Sheeting after the First Roll (First Roll of Sheeting is free)	58.15	Additional Rolls	



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: Public Hearing
Agenda Item 4C

TO: The Honorable Mayor and City Council
FROM: Jon Turner, Acting City Planner
SUBJECT: Monterey Park Geologic Hazard Abatement District ("MPK GHAD")

RECOMMENDATION:

It is recommended that the City Council consider:

1. Opening the public hearing;
2. Receiving documentary and testimonial evidence;
3. Closing the public hearing;
4. Adopting a Resolution forming the MPK GHAD (Exhibit A);
5. Adopting a Resolution adopting the Plan of Control, appointing officers, adopting rules and setting a public hearing on a proposed assessment (Exhibit B);
6. Adopting a Resolution ordering the installation of the maintenance activities and reimbursement (Exhibit C) and setting a public hearing for November 3, 2021 to consider imposition of assessments; and
7. Taking such additional, related action that may be desirable.

CEQA (California Environmental Quality Act):

Formation of the proposed MPK GHAD was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*; the "CEQA Guidelines"). Forming the MPK GHAD 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. This action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, forming the MPK GHAD is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because this Resolution is for establishing a new public entity. It can be seen with certainty that there is no possibility that formation of the MPK GHAD may have a significant effect on the environment. Individual projects considered by the MPK GHAD will each be separately subject to an environmental assessment. Finally, forming the MPK GHAD is exempt from further review pursuant to CEQA Guidelines § 15269(a) because forming the MPK GHAD is an action taken to protect public and private property and necessary to maintain services essential to the public, health and welfare (*see Ca/Beach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529: CEQA findings regarding an anticipated imminent emergency are valid).

EXECUTIVE SUMMARY

Formation of the MPK GHAD will help ensure that the hillside improvements required for the Good Views development project are constructed, maintained, and repaired at the cost of property owners located within the MPK GHAD jurisdiction.

BACKGROUND

Geologic Hazard Abatement Districts or GHADS are formed for the purpose of preventing, mitigating, abating or controlling geologic hazards and the structural hazards caused by geologic hazards. A geologic hazard is an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement or any other natural or unnatural movement of land or earth. The condition of the hillsides adjacent to Garvey Avenue, and the ongoing efforts by the City to mitigate the dangers associated with those hillsides, is well documented.

On August 18, 2021, the City Council adopted Resolution No. 12267 which adopted a Plan of Control describing in detail the geologic hazards, their location, and providing a plan for the prevention, mitigation, abatement and control thereof. Resolution No. 12267 set a public hearing for September 15, 2021 to form the MPK GHAD.

Once established, the MPK GHAD will, among other things as identified in the Plan of Control, perform maintenance of water control and conveyance facilities in open space areas and may assume other peripherally related responsibilities in GHAD owned areas such as erosion control, retaining wall maintenance, mowing, trail maintenance, etc. Also attached to the staff report is proposed Resolution (Exhibit B) that will appoint the Board officers of the MPK GHAD, adopt the rules of the GHAD and set a future public hearing on the proposed assessment.

The City Council will serve as the Board of Directors for the proposed MPK GHAD, but the GHAD will be a separate political subdivision of the State of California and not part of the City of Monterey Park. The attached Resolution (Exhibit C) orders the installation of the proposed improvements (geotechnical improvements and drainage improvements) and sets a public hearing to consider imposing assessments on November 3, 2021. The GHAD will finance the costs of its activities and improvements by assessing the landowners that own property within the MPK GHAD Boundary. The amount of the assessment will not be determined until after the GHAD is formed. The assessment will be recorded against the properties to ensure that future owners are aware of the existence of the GHAD and of the corresponding financial obligation.

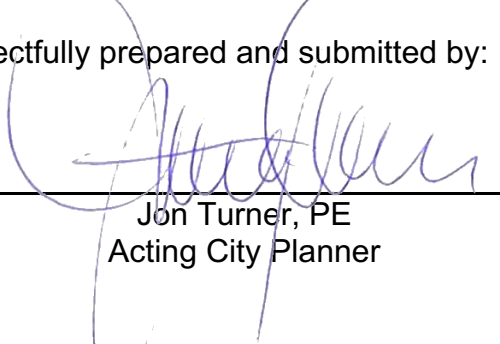
As discussed at the August 18 Council meeting, any property owner that objects to the formation of the GHAD can submit a written objection to the City Clerk any time before the public hearing and the objections will be presented to the Council at the hearing. If owners from more than 50% of the assessed valuation of the land in the proposed GHAD object to the formation, the City Council may not form the district under California law. If

less than 50% submit objections, then the Council can move forward and form the GHAD at that time.

FISCAL IMPACT

There is no fiscal impact for the City. The developer of the Good Views development is required to reimburse the City for all costs associated with forming the MPK GHAD.

Respectfully prepared and submitted by:



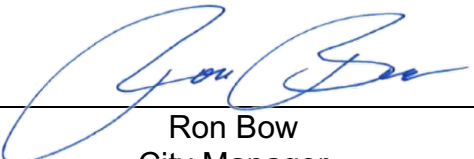
Jon Turner, PE
Acting City Planner

Reviewed by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS

- A. Resolution forming the MPK GHAD
- B. Resolution appointing officers, etc., to the MPK GHAD
- C. Resolution ordering improvements to be maintained by the MPK GHAD

EXHIBIT A
Draft Resolution – GHAD Formation

RESOLUTION NO. _____

**A RESOLUTION FORMING THE MONTEREY PARK GEOLOGICAL
HAZARD ABATEMENT DISTRICT (MPK GHAD) AND APPOINTING THE
CITY COUNCIL AS THE BOARD OF DIRECTORS FOR THE MPK GHAD
IN ACCORDANCE WITH PUBLIC RESOURCES CODE § 26567.**

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

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

- A. On Wednesday, August 18, 2021, the City Council adopted Resolution No. 12267 expressing the City Council's intent to form the MPK GHAD in accordance with Public Resources Code §§ 26500, *et seq.* and scheduling a public hearing to consider such formation.
- B. This Resolution is adopted pursuant to Public Resources Code § 26567.
- C. Property owner has acknowledged receipt of the notice and has registered no objection to formation of the GHAD.
- D. On Wednesday, September 15, 2021, the City Council held a duly noticed public hearing to consider objections to formation of the MPK GHAD in accordance with Public Resources Code § 26565.
- E. As set forth in Resolution No. 12267, the City Council reviewed the Plan of Control ("Plan of Control") for the MPK GHAD (which is entitled "Plan of Control Monterey Park Geologic Hazard Abatement District" and incorporated into this Resolution by reference as if fully set forth), and finds that the public health, safety and welfare require formation of the of the MPK GHAD.
- F. The City Council received all public testimony regarding the Monterey Park GHAD formation including, without limitation, all objections from real property owners.

SECTION 2: *Formation of MPK GHAD.* The City Council finds that fewer than 50% of all real property owners within the proposed MPK GHAD object to its formation and, consequently, the proceedings to form the MPK GHAD may continue. Accordingly, the City Council forms the MPK GHAD for the purpose of prevention, mitigation, abating and controlling geologic hazards as described in the Plan of Control. The boundaries of the Monterey Park GHAD are as described in the Plan of Control and set forth in the attached legal parcel description of property which is identified as Exhibit "A" to this Resolution and incorporated by reference.

SECTION 3: *Board of Directors.* Pursuant to Public Resources Code § 26567, the City Council will constitute the Board of Directors of the MPK GHAD.

SECTION 4: *Environmental Assessment*. This Resolution incorporates by reference the findings in Section 6 of Resolution No. 12267. No additional environmental review is required.

SECTION 5: *Electronic Signatures*. Pursuant to Monterey Park Municipal Code § 3.95.020, this Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 6: The City Clerk is directed to certify the adoption of this Resolution.

SECTION 7: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

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

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

ATTACHMENT A

LEGAL PARCEL DESCRIPTION

Real property in the City of Monterey Park, County of Los Angeles, State of California, described as follows:

Assessor's Parcel Number 5254-002-031

EXHIBIT B
Draft Resolution – GHAD Officer Selection

MPK GHAD RESOLUTION NO. _____

A RESOLUTION ADOPTING THE PLAN OF CONTROL; APPOINTING OFFICERS; ADOPTING RULES; ANNOUNCING INTENT TO ORDER AN ASSESSMENT; AND SETTING A PUBLIC HEARING ON A PROPOSED ASSESSMENT.

The Board of Directors of the Monterey Park Geologic Hazard Abatement District ("MPK GHAD") does resolve as follows:

SECTION 1: The Board of Directors finds and declares as follows:

- A. On Wednesday, September 15, 2021, the Monterey Park City Council adopted a Resolution forming the MPK GHAD for the purpose of preventing, mitigating, abating and controlling geologic hazards as described in the Plan of Control (the "Plan") and appointing itself as the MPK GHAD Board of Directors ("MPK GHAD Board"), in accordance with Public Resources Code § 26567.
- B. Public Resources Code §§ 26584, 26585, and 26586 allow the MPK GHAD Board to appoint a clerk, treasurer, and other officers.
- C. The Board of Directors was presented with an Engineer's Report for the MPK GHAD. The Report was prepared by a registered professional engineer certified in the State of California in compliance with Public Resources Code § 26651(a) and § 4(b) of Article XIID of the California Constitution.
- D. The Engineer's Report describes the administration, monitoring and maintenance of improvements related to geologic hazards management within the MPK GHAD and explains the estimated budget, the total assessment that will be chargeable to the entire MPK GHAD, the proposed estimated assessment to be levied against each parcel of property within the boundaries of the MPK GHAD, and a description of the method used in formulating the estimated assessment.

SECTION 2: *Appointment of Officers.* In accordance with Public Resources Code §§ 26584, 26585, and 26586, the MPK GHAD Board appoints the public officials serving the city of Monterey Park as the applicable public officials for the MPK GHAD Board. For example, and without limitation, the City Clerk for the City of Monterey Park is appointed the MPK GHAD Clerk.

SECTION 3: *Rules.* All applicable rules of procedure (whether written or unwritten) utilized by the City Council for the City of Monterey Park, are adopted by reference and will be used for conducting MPK GHAD business. Unless otherwise provided by ordinance or resolution adopted by the Board of Directors, all applicable regulations set forth in the Monterey Park Municipal Code ("MPMC"), or promulgated by administrative

policy and procedure, may be utilized by the MPK GHAD for purposes of administration, contracting, etc.

SECTION 4: Authorizations. The Executive Director is authorized to execute a memorandum of understanding with the City of Monterey Park, in a form approved by the General Counsel, for purposes of staffing the MPK GHAD and implementing the Plan. Among other things, the Executive Director may utilize the existing Settlement Agreement (*People ex rel. Mark D. Hensley, City Attorney v. Center International Investments, Inc.* (filed December 31, 2015) LASC Case No. BC605788) affecting real property within the MPK GHAD Jurisdiction to construct, maintain, and operate such improvements that must be installed to protect public health, safety, and welfare.

SECTION 5: Assessments. The Engineer's Report, entitled *Engineer's Report Monterey Park Geologic Hazard Abatement District* is attached as Exhibit "A," to this Resolution and incorporated as if fully set forth ("Engineer's Report"). After reviewing and considering the Engineer's Report, the MPK GHAD Board finds as follows:

- A. A reliable source of funding is required to pay for the cost and expenses of maintaining and operating MPK GHAD improvements acquired or constructed for the MPK GHAD pursuant to Public Resources Code §§ 26500, *et seq.*
- B. Public Resources Code §§ 26650, *et seq.* authorize, after a noticed public hearing, the levy and collection of an assessment upon specially benefited property within the MPK GHAD to pay for the maintenance and operation of MPK GHAD improvements. Article XIID of the California Constitution imposes additional requirements for the levy and collection of an assessment.
- C. The special benefit derived from the MPK GHAD by each parcel is proportionate to the entire costs of the MPK GHAD, and the amount of the assessment is proportional to, and no greater than, the benefits conferred on each parcel. The assessment does not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- D. It is the MPK GHAD Board's intent to consider adopting the assessments set forth in the Engineer's Report at a public hearing to be held on November 3, 2021 at 6:30 p.m.

SECTION 6: Public Hearing. The MPK GHAD Board will conduct the public hearing on the proposed assessments on Wednesday, November 3, 2021 at 6:30 p.m. or as soon thereafter as possible, at the regular City Council meeting ("Public Hearing"). Pursuant to Government Code § 53753, the MPK GHAD Board establishes the following procedures for tabulating ballots submitted to the MPK GHAD regarding the proposed assessments:

- A. Not less than 45 days before the Public Hearing, the Clerk must cause to

be mailed the “Notice Of Public Hearing – Proposed Assessment,” attached to this Resolution as Exhibit “B,” to the record owners of each parcel upon which the assessment will be imposed. The sealable Ballot, which is included with Exhibit B, and the Engineer’s Report must be included with the Notice.

- B. The Clerk must deliver all sealed ballots received from record owners of parcels within the MPK GHAD boundaries to the MPK GHAD Board before the start of the Public Hearing.
- C. The ballots must remain sealed until they are tabulated. The MPK GHAD Board must permit a change, withdrawal, or submittal of a ballot at any time before the conclusion of the public testimony on the proposed assessment at the public hearing.
- D. The City Clerk is designated to tabulate the ballots that are submitted and not withdrawn.
- E. The Clerk may use technological methods of tabulating the ballots including, without limitation, bar code tabulation and punchcards.
- F. The City may continue the public hearing for the purpose of further identifying the record owner.
- G. The MPK GHAD Board may then close the public hearing and consider all protests against the proposed assessment. After the MPK GHAD Board closes the public hearing, the Clerk, or some other impartial person not having a vested interest in the outcome of the proposed assessment, must tabulate the ballots, and weight the ballots according to the proportional financial obligation of the affected property.
- H. The Clerk may begin tabulating ballots that were submitted and not withdrawn following the conclusion of the public hearing. During and after the tabulation, the ballots will be disclosable public records and equally available for inspection.
- I. If more than one owner of a parcel submits a ballot, then the amount of the proposed assessment to be levied upon the identified parcel will be allocated to each ballot submitted in proportion to the respective ownership interests of record.
- J. If the ownership interests are not shown on the record, then allocation will be made as established to the satisfaction of the City by documentation provided by the record owners.
- K. A majority protest exists if the assessment ballots submitted, and not withdrawn, in opposition to the proposed assessment exceed the

assessment ballots submitted, and not withdrawn, in its favor, weighting those assessment ballots by the amount of the proposed assessment to be imposed upon the identified parcel for which each assessment ballot was submitted. The ballots are tabulated by adding the amount of the assessment on each ballot indicating either approval of, or opposition to, the assessment. If the dollar amount representing the consenting ballots exceeds the dollar amount reflective of the opposing ballots, the assessment may be imposed.

- L. The MPK GHAD Board cannot impose the assessment if there is a majority protest as that term is defined by Section 4(e) of Article XIID of the California Constitution.
- M. If there is no majority protest, the MPK GHAD Board may authorize the assessment.
- N. Ballots must be retained by the Clerk for a period of 90 days or such a longer time as may be required to permit resolution of disputes involving the ballot process.
- O. Upon authorization of the assessment, the MPK GHAD Board will cause to be levied the authorized assessment for each parcel built with habitable space following issuance of a certificate of occupancy for such parcel.
- P. After confirmation by the MPK GHAD Board of any assessment, the Clerk must file, in the office of the County Recorder for the County of Los Angeles, a copy of the assessment diagram, and comply with all other requirements set forth in Streets and Highways Code § 3114.

SECTION 7: Environmental Assessment. This Resolution was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*; the “CEQA Guidelines”). This Resolution 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. This Resolution, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, forming the MPK GHAD is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that there is no possibility that this Resolution may have a significant effect on the environment. Finally, this Resolution is exempt from further review pursuant to CEQA Guidelines § 15269(a) because adopting this Resolution is an action taken to protect public and private property and necessary to maintain services essential to the public, health and welfare (*see Ca/Beach Advocates v. City of Solana Beach (2002) 103 Cal.App.4th 529*; CEQA findings regarding an anticipated imminent emergency are valid).

SECTION 8: *Electronic Signatures.* Pursuant to Monterey Park Municipal Code § 3.95.020, this Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 9: The Clerk is directed to certify the adoption of this Resolution.

SECTION 10: This Resolution becomes effective immediately upon adoption.

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

Yvonne Yiu, Chairperson

ATTEST:

Vincent D. Chang, Clerk

APPROVED AS TO FORM:



Karl H. Berger, General Counsel

ENGINEER'S REPORT

MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT

1688 WEST GARVEY AVENUE CITY OF MONTEREY PARK, CALIFORNIA

Prepared for

Phoenix Civil Engineering, Inc.

535 E. Main Street
Santa Paula, CA 93060

Prepared by

Geosyntec Consultants, Inc.
2355 Northside Drive, Suite 250
San Diego, California 92108

Project Number: SC0982A

September 9, 2021

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LIST OF EXHIBITS

Exhibit A:	GHAD Boundary Map
Exhibit B:	Legal Parcel Description
Exhibit C:	GHAD Budget

ENGINEER'S REPORT

Geologic Hazard Abatement District – City of Monterey Park

(Pursuant to the Public Resources Code of the State of California, Section 26500 et seq.)

CERTIFICATE OF FILING

The Geologic Hazard Abatement District (GHAD) provides monitoring and maintenance of improvements related to geologic hazard management and other responsibilities as a landowner, within APN 5254-002-031 of the Monterey Park (MPK) GHAD and levies and collects assessments in order to perform its activities.

The improvements, which are the subject of this report, are defined as any activity necessary or incidental to the prevention, mitigation, abatement, or control of a geologic hazard, construction, maintenance, repair, or operation of improvement; or the issuance and servicing of bonds issued to finance any of the foregoing (Section 26505).

This report is comprised of eight parts, as follows:

1. Introduction
2. Background
3. Geologic Hazard Abatement District Boundaries
4. Service Levels
5. Description of the Improvements Maintained by the MPK GHAD
6. Assessment Method
7. Assessment (Limit) – Budget Projection
8. Property Owner or Developer Responsibilities

The undersigned respectfully submits the enclosed Engineer's Report.

Date: _____ By: Geosyntec Consultants, Inc.

_____, GE

I HEREBY CERTIFY that the enclosed Engineer's Report was filed on the _____ day of _____.

Clerk of the Board
MPK Geologic Hazard Abatement District
Monterey Park, California

I HEREBY CERTIFY that the enclosed Engineer's Report was approved and confirmed by the MPK GHAD Board on the _____ day of _____.

President of the Board
MPK Geologic Hazard Abatement District
Monterey Park, California

APPROVED _____

1. INTRODUCTION

The City of Monterey Park formed the Monterey Park (MPK) Geologic Hazard Abatement District (GHAD) on August 18, 2021 under the authority of the California Public Resources Code, Division 17, Section 26500 et seq. with the approval of City of Monterey Park Resolution No. 12267. Members of the Monterey Park City Council act as the Board of Directors of the MPK GHAD.

2. BACKGROUND

Geologic Hazard Abatement Districts (GHADs) are governmental districts formed to address geologic hazards. GHADs may be formed for the purpose of prevention, mitigation, abatement or control of a geologic hazard and can also be formed for mitigation or abatement of structural hazards that are partly or wholly caused by geologic hazards (Public Resources Code [“Pub. Res. Code”] § 26525). A “geologic hazard” is broadly defined as an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement or any other natural or unnatural movement of land or earth (Pub. Res. Code §§ 26507).

The MPK GHAD’s responsibility is to permanently monitor and maintain MPK GHAD improvements. This Engineer’s Report describes the establishment of an assessment level to fund MPK GHAD activities necessary or incidental to geologic hazard mitigation, abatement and control.

A Plan of Control has been prepared and submitted to allow the District to permanently monitor and maintain MPK GHAD improvements. The establishment of an assessment level to fund the MPK GHAD responsibilities is described in this Engineer’s Report.

The MPK GHAD Board of Directors approved the MPK GHAD Plan of Control (“Plan of Control”) to allow the MPK GHAD to permanently monitor and maintain MPK GHAD improvements.

3. GEOLOGIC HAZARD ABATEMENT DISTRICT BOUNDARIES

The boundaries for the MPK GHAD are shown in the Boundary Map (Exhibit A) and Legal Parcel Description (APN Number- Exhibit B).

4. SERVICE LEVELS

The MPK GHAD’s activities are those that are necessary or incidental to the prevention, mitigation, abatement, or control of geologic hazards including construction, maintenance, repair, or operation of any improvement; and the issuance and servicing of bonds issued to finance any of the foregoing.

The MPK GHAD provides for the administration and review of facilities within the budgeted limits, including the following services:

1. Oversight of MPK GHAD operations, including reporting to the MPK GHAD Board of Directors.
2. In conjunction with the County Assessor's Office, setting the annual levying of assessments on the property tax rolls.
3. Engagement of technical professionals to perform the monitoring duties as described in the MPK GHAD Plan of Control.
4. Performance of MPK GHAD maintenance activities in accordance with the MPK GHAD Plan of Control. These maintenance activities include:
 - a. Inspection and maintenance of developer or MPK GHAD-constructed retaining walls, including repair if structural integrity of a wall or adjacent structure(s) is threatened
 - b. Inspection, maintenance and repair of concrete-lined drainage ditches and splash walls
 - c. Inspection, maintenance and repair of subdrains and subdrain outlets
 - d. Inspection, maintenance and repair of storm drain inlets, CDS units, manholes, outfalls and pipelines
 - e. Erosion repairs (including sediment and erosion control)
 - f. Vegetation control (including trimming, revegetation, and hydroseeding)
5. The MPK GHAD will also have maintenance, monitoring and repair responsibilities for slopes, which will include natural, reconstructed or partially reconstructed slopes.
6. Preparation of annual MPK GHAD budgets for approval by the MPK GHAD Board of Directors.

5. DESCRIPTION OF THE IMPROVEMENTS MAINTAINED BY THE GHAD

The MPK GHAD-maintained improvements are described in the MPK Plan of Control dated August 2021. In general, these improvements include drainage systems, including concrete ditches; storm drain inlets and outlets; subdrains and outlets; retaining walls; tiebacks; soil anchors; and reconstructed slopes.

6. ASSESSMENT METHOD

The MPK GHAD-maintained improvements mentioned in Section 5 are distributed within the MPK GHAD boundaries. Maintenance and protection of these improvements provide a special benefit to all residential property owners within the MPK GHAD boundaries, and there is no benefit for properties outside of the MPK GHAD boundaries. The Engineer hereby finds that these properties within the MPK GHAD boundaries receive approximately equal special benefit from the work and improvements within the MPK GHAD. As a result, the MPK GHAD assessment is distributed among all owners of parcels which are buildable with habitable space.

Single-family residential lots will be assessed as one unit. The total number of residential units is then divided into the annual District budget to develop the annual assessment amount.

A financial analysis was performed to provide a framework for an operating budget for the on-going abatement, mitigation, prevention and control of geologic hazards within the MPK GHAD boundaries. In preparation of the budget, several factors were considered including:

1. Site Geology
2. Proposed Remedial Grading
3. Proximity of Geologic Hazards to Proposed Residences, Improvements or Structures
4. Site Access Considerations
5. Elements Requiring Routine Maintenance, including:
 - Retaining Walls
 - Graded Slopes
 - Surface Drainage Facilities
 - Subsurface Drainage Facilities
 - Vegetation Control

7. ASSESSMENT (LIMIT) – BUDGET PROJECTION

Based on the estimated expenses for on-going operations, and to include allowances for the possibility of a larger (approximately \$689,000) repair event at 10-year intervals, a budget was prepared for the purpose of estimating initial assessment levels (Exhibit C). In order to establish a reasonable reserve in the early years of the MPK GHAD, there will be an initial deferral of GHAD expenses as described in Section VII of the Plan of Control.

The Engineer recommends an annual assessment limit of \$17,190 per residential unit, (Fiscal Year 2021 dollars). The proposed initial assessment level will be adjusted annually to reflect the percentage change in the Los Angeles metropolitan area Consumers Price Index (CPI) for All Urban Consumers. The assessment limit will be adjusted annually using an initial date of November 3, 2021 for the CPI. Each subsequent annual adjustment will be calculated using the 12-month period beginning with July of each following year. The residential assessments are to be levied in conjunction with the issuance of a Final Map for the area containing the habitable structures.

8. PROPERTY OWNER OR DEVELOPER RESPONSIBILITIES

The property owner or developer of any improvement is responsible for managing and maintaining any portion of the MPK GHAD until the MPK GHAD accepts responsibility for the MPK GHAD Improvements as set forth in the Plan of Control. In addition, the property owner or developer is responsible for funding any necessary GHAD functions or business undertaken for the MPK GHAD that the MPK GHAD Officers or Board of Directors determine are necessary

before the MPK GHAD accepts the MPK GHAD Improvements. If the property owner or developer fails to fund all or a portion of these costs, these costs shall be covered by the funds generated by and for the MPK GHAD (i.e., through the assessment) and the developer shall be required to reimburse the MPK GHAD for such costs before the MPK GHAD can accept monitoring and maintenance responsibilities for the MPK GHAD Improvements.

The MPK GHAD may utilize funds generated by or for the MPK GHAD to conduct any necessary MPK GHAD functions or business for the MPK GHAD before the MPK GHAD accepts the MPK GHAD improvements. Such functions and business can include periodic reporting to the MPK GHAD Board of Directors and work performed by MPK GHAD Officers to verify the maintenance is implemented in accordance with the Plan of Control and GHAD Law. Such an undertaking does not render the MPK GHAD liable or responsible for the MPK GHAD improvements during this period of time. The MPK GHAD only becomes responsible for maintenance once the MPK GHAD improvements are accepted by the MPK GHAD in accordance with the requirements set forth in the Plan of Control.

EXHIBIT A

GHAD Boundary Map

5254 2
SCALE 1"=100' & 200'

2002
PARCEL MAP
P. M. 303-32-33
TRACT NO. 1329
M.B. 27-43-44

TRACT NO. 24666
M. B. 668 - 43 - 45

T. 1 S. R. 12 W.

CODE
1840
12385

FOR PREV. ASSM'T. SEE:
5254 - 2

CONDOMINIUM
TRACT NO. 34875
M. B. 932 - 16 - 18

SCALE
1"=100'

SCALE
1"=200'

3-31-65
670802
820306908
7-20-61
10-10-63 P
1-1-64
4-28-64
67072460
680650604
681119
750224
781226202
860218401-86
981203

LEGEND

——— GHAD BOUNDARY

GHAD BOUNDARY MAP
GOODVIEWS
MONTEREY PARK, CALIFORNIA

Geosyntec
consultants

PROJECT NO: SC0982A

AUGUST 2021

FIGURE

1

EXHIBIT B

Monterey Park GHAD

Legal Parcel Description:

Assessor's Parcel Number: 5254-002-031

EXHIBIT C

GHAD Budget

Project: 1688 Garvey Ave. Plan B2
 Project No.: SC0982A
 Date: September 9, 2021

EXHIBIT C
 MPK GHAD Budget
 for Site Slope Restoring Improvement - B2
 Monterey Park, CA



Assumptions

Total No. of Single Family Residential Units	16
Annual Assessment per Unit (current \$)	\$ 17,190
Annual Adjustment in Assessment (estimated)	3.0%
Inflation (estimated)	3.0%
Investment Earning (estimated)	5.0%
Frequency of Large-Scale Repair (years)	10
Cost of Large-Scale Repair (current \$)	\$ 689,000

Estimated Annual Expenses in FY 2021 Dollars

Administration and Accounting	\$ 36,000
Geotechnical & Stormwater GHAD Monitoring Program (Per Table 1 in POC)	\$ 20,000
Erosion Repair	\$ 18,300
Slope Stabilization	\$ 36,800
Drainage Ditch and Storm Drain Pipe Repair & Replacement (excludes public right-of-way)	\$ 19,000
Wall, Anchors, and Sidewalk Repair	\$ 35,100
Revegetation & Vegetation Control (firebreak mowing, weeding, and hydroseeding)	\$ 3,200
CDS, Subdrain and Outfall Inspection/Maintenance & Sediment/Debris Removal (excludes public right-of-way)	\$ 12,700
Major Repair (Annualized)	\$ 68,900
Miscellaneous & Contingency (10%)	\$ 25,000
TOTAL	\$ 275,000

EXHIBIT B

NOTICE OF PUBLIC HEARING – PROPOSED ASSESSMENT

The Monterey Park Geologic Hazard Abatement District (“MPK GHAD”) Board of Directors is proposing an assessment to finance the MPK GHAD. If the assessment is adopted, it is anticipated that each parcel you own will be assessed approximately \$275,000 per year, plus an annual adjustment to reflect the percentage change in the Los Angeles-Riverside-Orange County Consumer Price Index (“CPI”) for All Urban Consumers over the previous twelve-month period. The assessment for a parcel will be triggered upon the City of Monterey Park issuing a certificate of completion for all improvements maintained by the MPK GHAD or, in the alternative, by the City of Monterey Park issuing a certificate of occupancy for any parcel that is built with habitable space. The assessment will continue to be levied in perpetuity. The proposal will be presented to the Board of Directors for approval at a Public Hearing on November 3, 2021. If approved, the assessment would become effective December 4, 2021. Article XIII D, Section 6 of the California Constitution (Proposition 218) requires that the District mail notice of this proposed assessment to all impacted property owners at least 45 days before a public hearing. Proposition 218 also establishes a protest process for the public to follow if they wish to oppose the proposed Rates.

DATE, TIME, AND LOCATION OF THE PUBLIC HEARING

The Public Hearing will be held on November 3, 2021 at 6:30 p.m. at 320 W. Newmark Ave., Monterey Park, CA 91754.

PROTEST PROCEDURE

At the November 3, 2021 public hearing, any person may be heard regarding the proposed assessments. If you wish to oppose the proposed assessments, you are requested to submit a written protest by mail in or hand delivered in advance of the hearing to the following address:

MPK GHAD c/o City of Monterey Park
Attn: Executive Director
320 W. Newmark Ave., Monterey Park, CA 91754

In addition, written protests may be submitted in person before or at the hearing. The District will count all properly filled out written protests received before the conclusion of the public hearing. If a majority of affected property owners submit a written protest, the proposed new assessment will not take effect. The District will not count written protest received after the conclusion of the public hearing. Verbal protests unaccompanied by a written protest will not be counted.

Protests should contain the following information: 1) the property’s Assessor’s Parcel Number, if known, and/or address; 2) your District account number; 3) whether you are

the owner or a tenant that is billed directly by the District; 4) a statement that you are protesting the assessment; and 5) your printed name, date, and original signature.

Only one protest per property will be counted. If you own multiple properties affected by the proposed adjustments, you should submit separate protests for each affected parcel, as the protest threshold is based upon a majority of the total number of parcels. Once opened, protests are disclosable public records.

OFFICIAL BALLOT ENCLOSED

Protest Form: Property owners or an authorized representative may complete this form and deliver it to the MPK GHAD c/o the City of Monterey Park, 320 W. Newmark Ave., Monterey Park, CA 91754. This ballot must be received before the close of the District public hearing set for November 3, 2021 at 6:30 p.m.

Assessor's Parcel Number (□□□□-□□□-□□□) Parcel Address:

☐ I Protest the proposed wastewater (sewer) rate increases

I am ☐ Owner ☐ Tenant

Print Name: _____

Sign Name: _____

BASIS FOR PROPOSED ASSESSMENT

A copy of the Engineer's Report for the proposed assessment is attached to this Notice. It can also be viewed online at [REDACTED] or in the City Clerk's office for the City of Monterey Park.

For questions regarding this notice, please contact the Jon Turner Acting City Planner at jturner@phoenixcivil.com.

PROPOSED ASSESSMENT

\$275,000

EXHIBIT C
Draft Resolution – Maintenance Activities Established

MPK GHAD RESOLUTION NO. ____

A RESOLUTION ORDERING THE INSTALLATION OF GEOLOGIC STABILIZATION MEASURES AND DRAINAGE IMPROVEMENTS AND THE REIMBURSEMENT THEREOF.

The Board of Directors of the Monterey Park Geologic Hazard Abatement District ("MPK GHAD") does resolve as follows:

SECTION 1: The Board of Directors finds and declares as follows:

- A. On Wednesday, September 15, 2021, the Monterey Park City Council adopted Resolution No. ____ forming the MPK GHAD for the purpose of preventing, mitigating, abating and controlling geologic hazards as described in the Plan of Control and appointing itself as the MPK GHAD Board of Directors (the "Board"), in accordance with Public Resources Code § 26567.
- B. The Board reviewed and adopted the Plan of Control (the "Plan") for the MPK GHAD. As required by Public Resources Code § 26509, the Plan of Control was prepared by an engineering geologist certified pursuant to Business and Professions Code § 7822.
- C. The Plan of Control describes, in detail, the geologic hazards, their location, and the areas affected by them. It also provides a plan for the prevention, mitigation, abatement, or control of such hazards.
- D. As described in the Plan, the Good Views development in the MPK GHAD Boundary is located within a hillside subsidence zone. Local residents and City officials have reported historical debris flows and surficial failures. To address slope instability issues in that area, such as debris flows, which are the responsibility of the MPK GHAD, the Plan proposes the installation of retaining walls, soil anchors and site drainage improvements.

SECTION 2: *Engineer's Report.* The Board was presented with an Engineer's Report, entitled Engineer's Report for Monterey Park Geologic Hazard Abatement District. The Engineer's Report was prepared by a registered professional engineer certified in the State of California in compliance with Public Resources Code § 26651(a) and § 4(b) of Article XIIID of the California Constitution. The Engineer's Report describes the administration, monitoring and maintenance of improvements related to geologic hazards management within the MPK GHAD Boundary and explains the estimated budget, the total assessment that will be chargeable to the entire MPK GHAD, the proposed estimated assessment to be levied against each parcel of property within the MPK GHAD Boundary, and a description of the method used in formulating the estimated assessment.

SECTION 3: *Order for Improvements.* In accordance with the Plan and Engineer's

Report, the Board orders that the retaining walls, soil anchor system and drainage improvements be installed, or caused to be installed, by Center International Investments or "CII," the developer of the Good Views development (the "Improvements"). After the Improvements are completed, as determined by the City of Monterey Park, CII will provide documentation to the MPK GHAD Executive Director of the actual amount spent on the above improvements.

SECTION 4: *Environmental Assessment*. The environmental assessment set forth in Section 7 of Resolution No. 12267 is incorporated by reference. No additional environmental review is required.

SECTION 5: *Electronic Signatures*. Pursuant to Monterey Park Municipal Code § 3.95.020, this Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 6: The Clerk is directed to certify the adoption of this Resolution.

SECTION 7: This Resolution becomes effective immediately upon adoption.

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

Yvonne Yiu, Chairperson

ATTEST:

Vincent D. Chang, Clerk

APPROVED AS TO FORM:



Karl H. Berger, General Counsel



City Council Staff Report

DATE: September 15, 2021

AGENDA ITEM NO: New Business
Agenda Item 5A

TO: The Honorable Mayor and City Council
FROM: Joseph Leon, City Treasurer
Martha Garcia, Director of Management Services
SUBJECT: 2020-2021 Annual Investment Report

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receive and file the 2020-21 Annual Investment report;
2. Adopting a Resolution authorizing the Treasurer to implement the City's Investment Policy for FY 2021-22; and
3. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The City's Investment Policy requires an annual investment report and a statement of investment policy to be submitted to the City Council for review within 60 days of the fiscal year-end. The attached annual report shows that all investment activities during 2020-21 were conducted according to the City's Investment Policy.

BACKGROUND:

The City Investment Policy was created in 1989 to establish guidelines for investment operations (including City of Monterey Park, Monterey Park Public Financing Authority, and Monterey Park Housing Authority). The investment priorities are in the order of safety, liquidity, and yield. The Policy establishes allowable investments and the maximum maturity for each. The allowable investments include U.S. Treasury securities, State LAIF, LA County Pooled Investment Fund, Certificates of Deposit, bankers' acceptances, mutual funds, federal agency securities, commercial papers, and collateralized savings funds. Additionally, the Policy prescribes an internal control system, which delineates duties and responsibilities for City personnel handling investment operations.

The City's investment operations are under the direction of the City Treasurer. The City's Investment Policy provides the creation of a Treasury Committee, which is comprised of the City Treasurer, City Manager, and Director of Management Services to implement the Investment Policy and related procedures. Annually, if there is any recommended change to the Investment Policy, the change is presented to the City Council for approval. As such,

the City is recommending updating the Investment Policy to include the addition of the Assistant City Manager to the Treasury Committee.

Investments (Attachment 2)

All investment activities during 2020-21 were made according to the Policy. During the year, funds were invested in the Local Agency Investment Fund, LA County Pooled Investment Fund, and Certificates of Deposits.

Local Agency Investment Fund (LAIF) was created by statute in 1977. It is a pooled investment program for local agencies and special districts to participate. LAIF is managed by the State and investment securities are purchased in accordance with the Government Code Sections 16430 and 16480.4. LAIF has 2387 participants and \$37.1 billion in its portfolio. As of June 30, 2021, the City has \$92.7 million invested with LAIF.

Los Angeles County Pooled Investment Fund (LACPIF) allows local agencies in the County of Los Angeles to deposit excess funds in the Los Angeles County Treasury Pool for the purpose of investment by the Treasurer and Tax Collector of the County. As of June 30, 2021, the City has \$8.7 million invested with LACPIF.

Certificates of Deposits (CD) Certificates of Deposits are time deposits with banks or savings and loans. Federal Depository Insurance Corporation (FDIC) insures each depositor up to \$250,000. The City invests CDs with California State or nationally chartered financial institutions. As of June 30, 2021, the City has (5) five CDs.

Investment Composition

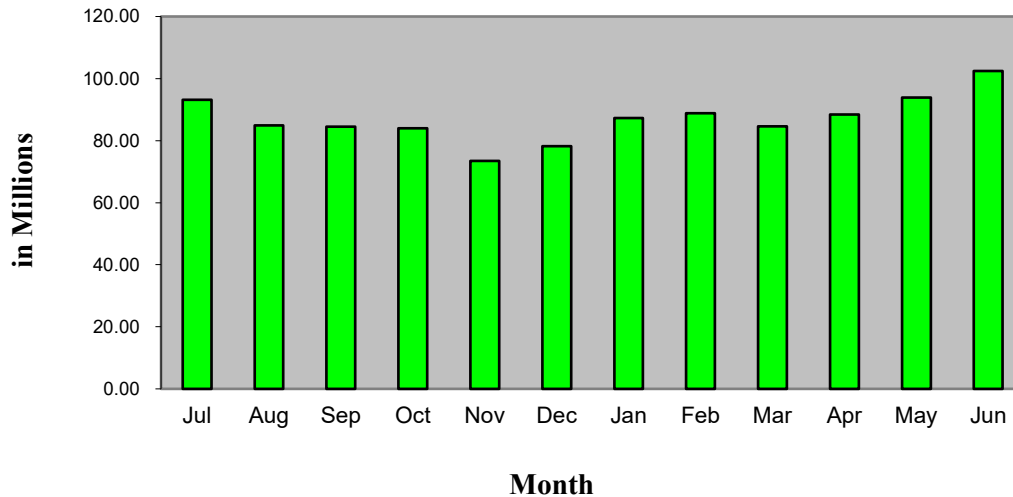
The City invests its idle cash from all operating funds on a pooled basis to maximize returns. Earnings are allocated to each fund based on the average cash balance. Total investment balance for the City as of June 30, 2021 was \$102,419,848.

<u>Instruments</u>	<u>Balance</u>	<u>Interest Rate</u>	<u>Maturity</u>
LAIF	\$ 92,696,222	0.30%	1-day
LACPIF	8,738,626	0.50%	1-day
CDs	985,000	0.76% - 1.70%	2 months – 1 year
Total	<u>\$ 102,419,848</u>		

Investment Balance

Timing of revenue collections, such as property tax, business licenses, and franchise tax, affects the monthly investment balance during the year. In 2020-21, monthly investment varied from \$93 million to \$102 million. The average balance was \$87 million.

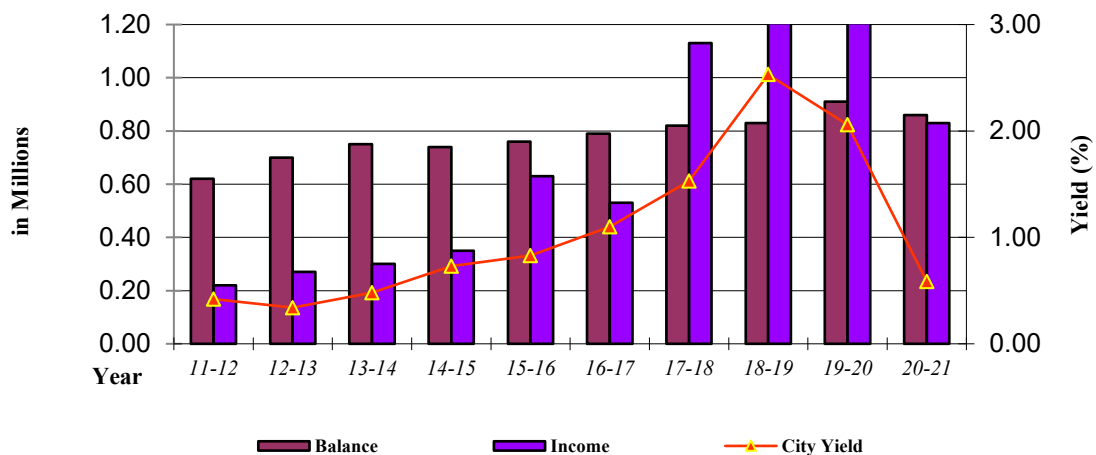
*Average Investment Balance
Fiscal Year 2020-21*



10-Year City Investment Summary

The chart below shows the City's investment balance, interest income, yield, and the short-term investment rate during the past 10 years (for the purpose of comparison, short-term investment rate shown is the three-month treasury bill rate). The policy stipulates that the City investment rate of return shall equal or exceed the yield for the three-month Treasury Bill. The City's average investment yield has exceeded the three-month treasury yield in each of the past 10 years.

*10-Year Investment Summary
From 11/12 to 20/21*



Investment Performance

The 2020-21 interest earning for the City totaled approximately \$826,958 and the average yields were 0.59%. The City invested 90.51% of its funds into local government investment pools (LAIF), 8.53% into Los Angeles County Pooled Fund (LACPIF), and 0.96% into certificates of deposits, which all can be effective mechanisms for obtaining liquidity, diversified portfolios, and competitive yields. The performance from the investment in the LAIF, County pooled funds, and Certificates of Deposit have provided the City higher investment earnings in 2020-21.

Investment Policy (Exhibit A)

The City's investment policy provides the ideal framework to itemize investment alternative, to detail the benefits and risks of these alternatives, and to recommend the maximum percentage allocation, the selection process, the risk framework and the allowable maturities of the investment alternatives. This Investment Policy is intended to provide guidelines for the prudent investments of the City funds and to outline the policies for maximizing the efficiency of the City's cash management system.

The vast majority of public-sector cash management operations are governed by state laws and provisions that determine the type of investment product and manner in which the City manages its funds. Moreover, the City's allowable investments are more conservative and restricted than those of the state types.

Investment Policy Certification Award

The City has always received recognition from the Municipal Treasurers' Association (MTA) of United States & Canada for Investment Policy Certification. The certification award represents the highest level of investment policy guidelines and confirms that the City's investment operations, as guided by the Investment Policy, effectively safeguard its capital while providing operating liquidity and market-rate earnings. MTA recommends re-certification of the investment policy every three years to ensure the policy contains updated practices and/or laws pertaining to investment. The latest certification award for the City's 2018-19 Investment Policy has been received.

Conclusion

For the Fiscal Year 2021-2022, the Committee will seek permitted investment instruments according to the investment policy, and take a balanced approach consistent with the guidelines of safety, liquidity, and yield as established by the Council adopted Investment Policy. The ultimate goal is to enhance the economic status of the City while protecting its assets.

Respectfully submitted by: /



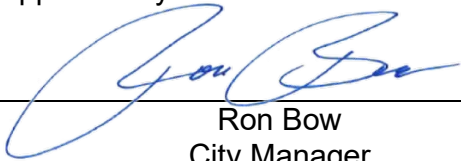
Joseph Leon
City Treasurer

Prepared by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl Berger
City Attorney

ATTACHMENT(S):

- 1) Exhibit A - Investment Policy
- 2) Investments
- 3) Resolution

ATTACHMENT 1
Exhibit A - Investment Policy

CITY OF MONTEREY PARK INVESTMENT POLICY

I. PURPOSE

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

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

II. SCOPE

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

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

III. INVESTMENT OBJECTIVES

Criteria for selecting investments and the order of priority are:

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

IV. TREASURY COMMITTEE

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

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

V. INVESTMENT PROCEDURES AND RESPONSIBILITY

- An Investment Procedures Manual is established to guide staff with day-to-day investment operations. The Manual includes procedural elements such as cash position review, investment selection, investment transaction, investment recording, and investment reporting.
- Within the constraints set forth in this policy, the City Treasurer has the authority to oversee the Citywide investment operations.
- The City Council delegates the authority to the Director of Management Services to advise and obtain approval from the City Treasurer, before opening new bank accounts, investment and cash management accounts, and other credit enhancement products, closing bank accounts, investment and cash management accounts, and signing all documents related thereto.
- The Director of Management Services is responsible for the following implementation and supervision of investment controls: approving daily investment transactions, developing the projections of the City's cash requirements for operating needs, reviewing the liquidity position of the investment portfolio, ensuring that the citywide cash position is consistent with operating requirements, preparing appropriate investment reports for review by the Committee, and developing, implementing and monitoring controls over investments. The Administrative Secretary will assist in the report preparation, execution of and recordkeeping for investment transactions.

ETHICS AND CONFLICTS OF INTEREST

VI. ALLOWABLE INVESTMENTS

- All investments must conform with Government Code § 53600, *et seq.* and this investment policy.
- See the list of allowable investments (Investments) in the matrix provided in Attachment A, which is incorporated by reference. It should be noted that any newly developed derivative of an allowable investment that is not specifically mentioned in the policy must be recommended by the City Treasurer for inclusion in the policy and any amendments to the policy must be submitted to the City Council for approval.

VII. SELECTION OF FINANCIAL INSTITUTIONS AND DEALERS

- The Treasury Committee will maintain an approved list of primary dealers or regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule) and government-sponsored investment pools. The Committee will review and amend the approved list periodically to ensure that the institutions continue to meet the selection criteria.
- A copy of the City's Investment Policy will be submitted to all dealers, investment managers and fiscal agents who manage City monies. The City must obtain an annual certification evidencing that they (1) have reviewed the City's investment policies and objectives, (2) are familiar with the City's investment constraints and (3) have complied with the provisions contained in this policy.
- Purchases of investments must be made directly from the issuer, with the exception of the State LAIF or the County Pool investments, from a member of a federally regulated securities exchange, from a national or state-chartered bank, or from a brokerage firm.
- Only commercial banks and savings and loan associations that demonstrate financial strength and are insured by the federal government may be selected to provide investment services.
- Other financial institutions must be selected using the following selection criteria: financial strength, reputation, area of expertise and ability to conform to the City and state-mandated investment parameters.

VIII. SAFEKEEPING AND CUSTODY

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

INVESTMENT POOLS/MONEY MARKET MUTUAL FUNDS/BANK SAVINGS FUNDS

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

IX. COLLATERALIZATION

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

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

X. MATURITY

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

XI. LIQUIDITY

- All forecasted operating requirements must be satisfied by maintaining an adequate level of liquidity in the portfolio.
- Maturities will be selected to mature before or match the timing of the City's projected cash needs.
- The marketability of a security is an important criterion in selecting an investment.
- A liquidity base equal to the forecasted cash needs for 180 days should be maintained whenever practical.

XII. DIVERSIFICATION

- Within the parameters established by Section III, Investment Selection Criteria, and Section VI, Allowable Investments, investments should be diversified by security type and institution.

XIII. COMPETITIVE BIDDING

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

XIV. REPORTING

- The Treasurer must report to the City Council on a monthly and annual basis.
- The monthly investment report submitted to the City Council will contain the following:
 - An investment inventory including types and amounts of investments, issuing financial institutions and maturities
 - Average maturity of the portfolio

- Average total yield to maturity of the portfolio
 - For marketable securities only including current market value of investments with maturities of more than 12 months
 - A statement indicating that the City can meet its expenditure requirements for the upcoming 180 days
 - A statement indicating that the portfolio complies with the City's Investment Policy
 - Percent of portfolio invested by type of instrument
 - Comparison of portfolio performance to the average yield rate for the three-month treasury bill
 - Written explanations for any variances to policy
- The Annual Investment Report must provide a summary of the annual investment activities and include a proposed statement of Investment Policy to be approved by the City Council during the first sixty days of the fiscal year.

XV. PRUDENCE

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

XVI. INTERNAL CONTROLS

- Internal controls must be established and documented in writing. The controls must be designed to prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, or imprudent actions by employees and officers of the City. Controls deemed most important include: separation of duties; separation of transaction authority from accounting and recordkeeping; custodial safekeeping; clear delegation of authority; specific limitations regarding securities losses and remedial action; control over wire transfers such as dual authorization; minimizing the number of authorized investment officials; documentation of transactions and strategies; and a code of ethics standard.
- The City's investment procedures manual will establish and maintain an internal control structure designed to ensure that the assets managed under the scope of the Policy are protected from loss, theft, or misuse. The internal control structure will provide reasonable assurance that these objectives are met.
- As part of the City's annual audit, the City's external auditor will review the City's investment activities to ensure compliance with the Investment Policy.

XVII. INVESTMENT GUIDELINES POLICY ADOPTION

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

Glossary of Terminology

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

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

BID: The price offered for securities.

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

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

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

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

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

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

Cost: The purchase price of an investment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Portfolio: Collection of securities held by an investor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY OF MONTEREY PARK

FINANCIAL INSTITUTIONS

Section I – Certificates of Deposit and Collateralized Bank Deposits

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

Section II – Government Investment Pools

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

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

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

ALLOWABLE INVESTMENTS

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

ALLOWABLE INVESTMENTS

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

ALLOWABLE INVESTMENTS

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

ATTACHMENT 2

Investments

**CITY OF MONTEREY PARK
INVESTMENTS
AS OF JUNE 30, 2021**

(1) **LOCAL AGENCY INVESTMENT FUND** **\$ 92,696,221.74**

(2) **LA COUNTY POOLED INVESTMENT FUND** **\$ 8,738,626.14**

(3) **CERTIFICATES OF DEPOSIT**

1	PREFERRED BANK	\$	100,000	0.76%	09/03/21
2	PREFERRED BANK		150,000	0.76%	09/08/21
3	MORGAN STANLEY BANK		245,000	1.70%	02/28/22
4	MORGAN STANLEY PRIVATE BANK		245,000	1.70%	02/28/22
5	AMERICAN FIRST CREDIT UNION		245,000	1.60%	03/07/22
		\$	985,000		

ATTACHMENT 3
Resolution

RESOLUTION NO. _____
SA RESOLUTION NO. _____

**A JOINT RESOLUTION OF THE CITY OF MONTEREY PARK AND
SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT
AGENCY ADOPTING AN INVESTMENT POLICY AND AUTHORIZING
THE TREASURER TO IMPLEMENT THE POLICY.**

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

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

- A. Government Code § 53646 allows the Treasurer, or Treasurer's designee, to provide the City Council an investment policy for consideration;
- B. Government Code § 53607 allows the City Council to delegate investment authority to the Treasurer, who may then designate persons to implement such authority, on an annual basis; and
- C. The Treasurer proposed that the City Council consider the Investment Policy attached as Exhibit "A," and incorporated by reference, for Fiscal Year 2021-22 ("Policy").

SECTION 2: After due consideration, the City Council finds that the Policy conforms with applicable law and adopts it for use during Fiscal Year 2021-22 on behalf of the City of Monterey Park and the Successor Agency to the Monterey Park Redevelopment Agency (collectively, "City"). The Treasurer and Director of Management Services are authorized to implement the Policy for this time period on the City's behalf.

SECTION 3: Supersession of previous investment policies does not affect any penalty, forfeiture, or liability incurred before, or precludes prosecution and imposition of penalties for any violation occurring before this Resolution's effective date. Any such superseded part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Resolution.

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

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

SECTION 6: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

PASSED AND ADOPTED this 15th day of September 2021

Yvonne Yiu, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:

Karl H. Berger
City Attorney

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

I, VINCENT D. CHANG, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. _____ was duly regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 15th day of September 2021, by the following vote:

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

Dated this 15th day of September 2021

Vincent D. Chang, City Clerk