

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

**SPECIAL MEETING
Monterey Park City Hall, Room 266
320 W. Newmark Avenue, Monterey Park, CA 91754**

**Wednesday
December 21, 2022
5:30 p.m.**

MISSION STATEMENT

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

GENERAL INFORMATION

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

The Special Meeting will not be televised on the city's cable channel MPKTV (AT&T U-verse, channel 99 or Charter Communications, channel 182) or on the city's website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>.

PUBLIC PARTICIPATION

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

Via Email

Public comment will be accepted up to 2 hours before the meeting via email to mpclerk@montereypark.ca.gov and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

Via Telephone

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling (888) 788-0099 or (877) 853-5247 and entering Zoom Meeting ID: 858 3897 6199 then press pound (#). When prompted to enter password, enter 12345 and press pound (#) again. If participants would like to make a public comment they will enter "*9" then the Clerk's office will be notified, and you will be in the rotation to make a public comment. Press "*6" to unmute yourself when called upon to speak. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda items. Speakers will not be allowed to combine time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Monterey Park City Council Special Meeting Agenda, December 21, 2022 - Page 2

Via Internet

Public comment may be submitted via internet during the meeting, before the close of public comment, by visiting [www.zoom.us/join](https://us06web.zoom.us/j/85838976199) and entering Zoom Meeting ID: **858 3897 6199** or <https://us06web.zoom.us/j/85838976199> and enter the passcode **12345**. If participants would like to make a public comment, utilize the raise hand feature and the City Clerk will notify you when it is your time to speak. You can then unmute yourself at that time. The Mayor and City Council may change the amount of time allowed for 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.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall at (626) 307-1359 for reasonable accommodation at least 4 hours before a meeting. Council Chambers are wheelchair accessible.

CALL TO ORDER

Mayor

ROLL CALL

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

PUBLIC COMMUNICATIONS: Pursuant to Government Code Section 54954.3(a), the public may address the City Council only on matters listed on the Agenda. Those wishing to speak on an agenda item must utilize one of the methods listed above. No other public comment will be accepted. Attempts to provide comment at times not designated on the agenda may result in the City dropping you from the meeting.

The City Council will recess to Closed Session following public comment and the Open Session items if any. Public participation is not allowed during Closed Session.

[1.] OPEN SESSION

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

It is recommended that the City Council:

- (1) Adopt a Resolution pursuant to Monterey Park Municipal Code § 3.30.160 that recognizes the transition of tax collection responsibilities from the State Board of Equalization to the California Department of Tax and Fee Administration (CDTFA) and authorizes the City Manager to contract the CDTFA in accordance with MPMC Chapter 3.30; and
- (2) Take such additional, related, action that may be desirable.

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

It is recommended that the City Council:

- (1) Appoint the City Manager and City Attorney as negotiators for Closed Session Item No. 2-A.
- (2) Take such additional, related, action that may be desirable.

[2.] CLOSED SESSION

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

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

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

2-B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (ROUTINE) (Pursuant to Government Code § 54957)

Title: City Manager

2-C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (ROUTINE) (Pursuant to Government Code § 54957)

Title: City Attorney

Upon conclusion of the Closed Session, the Mayor and/or City Attorney will announce any reportable actions accordance with the Brown Act at the conclusion of this meeting.

ADJOURN



City Council Staff Report

DATE: December 21, 2022

AGENDA ITEM NO: 1A

TO: The Honorable Mayor and City Council
FROM: Martha Garcia, Director of Finance
SUBJECT: Adopt a Resolution recognizing the transition of tax collection responsibilities from the State Board of Equalization to the California Department of Tax and Fee Administration (CDTFA) and authorize the City Manager to contract the CDTFA in accordance with MPMC Chapter 3.30

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a Resolution pursuant to Monterey Park Municipal Code § 3.30.160 that recognizes the transition of tax collection responsibilities from the State Board of Equalization to the California Department of Tax and Fee Administration (CDTFA) and authorizes the City Manager to contract the CDTFA in accordance with MPMC Chapter 3.30; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

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

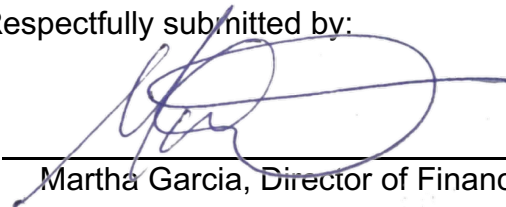
The successor in interest to the State Board of Equalization is the California Department of Tax and Fee Administration (CDTFA). The CDTFA requested that the City Council identify this new agency as the one responsible for collecting the City's taxes under MPMC Chapter 3.30.

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

FISCAL IMPACT:

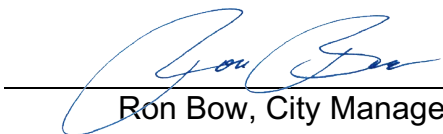
There is no direct fiscal impact from adopting this resolution, however, adopting the draft resolution will satisfy the request of the CDTFA and allows the City to begin collecting transactions and use tax effective April 1, 2023.

Respectfully submitted by:



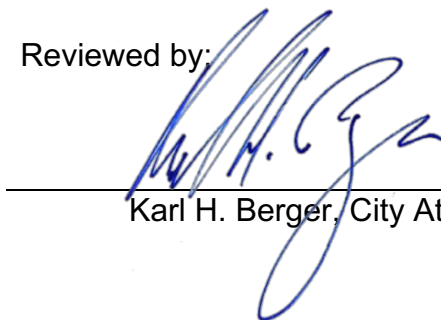
Martha Garcia, Director of Finance

Approved by:



Ron Bow, City Manager

Reviewed by:



Karl H. Berger, City Attorney

ATTACHMENT:

1. Draft Resolution

Staff Report
December 21, 2022

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

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

THE CITY COUNCIL DOES RESOLVE AS FOLLOWS:

SECTION 1: The City Council finds as follows:

- A. On December 7, 2022, the City Council certified the results of the November 8, 2022 municipal election;
- B. Among other things, Measure MP was approved by voters and added Chapter 3.30 to the MPMC to impose a transactions and use tax;
- C. MPMC Chapter 3.30 references the “State Board of Equalization” as the California agency responsible for collecting a remitting the new tax on the City’s behalf; and
- D. The successor in interest to the State Board of Equalization is the California Department of Tax and Fee Administration (CDTFA). The CDTFA requested that the City Council identify this new agency as the one responsible for collecting the City’s taxes under MPMC Chapter 3.30.

SECTION 2: **Authority.** Pursuant to MPMC § 3.30.160, the City Council finds that all references within MPMC Chapter 3.30 to the “State Board of Equalization” are references to the California Department of Tax and Fee Administration (CDTFA). The City Manager is authorized to implement this Section as appropriate including, without limitation, providing a certified copy of this Resolution to the CDTFA for purposes of ensuring the smooth transition of services.

SECTION 3: **Interpretation.** This Resolution should be interpreted as broadly as possible in order to implement the voter’s intention of adopting Measure MP.

SECTION 4: **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 5: **Electronic Signatures.** This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 6: **Effective Date.** This Resolution is effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2022.

Henry Lo, Mayor

ATTEST:

Maychelle Yee, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney