

REVISED AGENDA – To clarify that this is a Joint Special and Regular City Council Meeting.

**CITY COUNCIL OF MONTEREY PARK
AND THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE
FORMER REDEVELOPMENT AGENCY
AGENDA**

JOINT SPECIAL AND REGULAR MEETING – STARTS AT 5:30 P.M

**NOTE THAT 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.**

**WEDNESDAY
May 20, 2020**

**NOTE: THIS IS A JOINT SPECIAL AND REGULAR CITY COUNCIL MEETING THAT WILL START
AT 5:30 P.M. THE SPECIAL MEETING AND REGULAR MEETING WILL BE COMBINED FOR
PURPOSES OF ACTION TAKEN AND OFFICIAL MINUTES**

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.**

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> .

PUBLIC COMMENTS ON AGENDA ITEMS

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person’s speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers.

This Agenda includes 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 is allowed in the following ways:

Participants are encouraged to join the meeting 30 minutes before the start of the meeting.

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

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: 927 5825 6582 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.

The public may also 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>.

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.

ORAL AND WRITTEN COMMUNICATIONS

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code § 54956.9(d)(4). Number of Potential Cases: one. Potential defendants and properties listed below (not required by applicable law; voluntarily disclosed):

Mary C. Perez and Does 1-12. 229 E. Markland, Monterey Park, CA.

OPEN SESSION

[1.] PRESENTATION

1-A MONTEREY PARK COVID-19 RECOVERY

[2.] OLD BUSINESS

2-A. AUDITING SERVICES AGREEMENT – AWARD OF CONTRACT EXTENSION

It is recommended that the City Council consider:

- (1) Awarding a two-year contract extension of the City's auditing services to the City's current audit service provider, White Nelson Diehl Evans LLP (WNDE), a certified public accounting and consulting firm;
- (2) Authorizing the City Manager to execute an agreement amendment for the two-year extension, in a form approved by the City Attorney;
- (3) Take such additional, related, action that may be desirable.

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

3-A. MONTHLY INVESTMENT REPORT – APRIL 2020

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

- (1) Receive and file the monthly investment report; and
- (2) Take such additional, related, action that may be desirable.

3-B. MINUTES

It is recommended that the City Council:

- (1) Approve the minutes from the regular meeting of April 15, 2020 and the special meeting of April 15, 2020; and
- (2) Take such additional, related, action that may be desirable.

3-C. WAIVE SECOND READING AND ADOPT AN ORDINANCE AUTHORIZING DIGITAL AND ELECTRONIC SIGNATURES FOR ALL CITY DOCUMENTS

It is recommended that the City Council:

- (1) Waive second reading and adopt an Ordinance authorizing digital and electronic signatures for all City documents; or
- (2) Take such additional, related, action that may be desirable.

3-D. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING THE GARFIELD VILLAGE SPECIFIC PLAN (SPA-19-01) AND ZONE CHANGE (ZC-19-01) TO CHANGE THE ZONING FROM GVN-S TO GVC-S TO ALLOW FOR THE RECONSTRUCTION OF AN EXISTING SERVICE STATION (ARCO) AND CONSTRUCTION OF NEW 24-HOUR DRIVE-THROUGH COFFEE SHOP AT 2425 AND 2439 SOUTH GARFIELD AVENUE

It is recommended that the City Council:

- (1) Waive second reading and adopt the proposed ordinance; and/or
- (2) Taking such additional related action that may be desirable.

3-E. ACCEPTANCE OF URBAN SEARCH AND RESCUE (USAR) VEHICLE TRANSFER FROM THE CITY OF SAN GABRIEL

It is recommended that the City Council consider:

- (1) Accepting a USAR purchased Heavy Rescue Truck & Accessory Equipment (“USAR Truck”) from the City of San Gabriel; and
- (2) Take such additional, related, action that may be desirable.

3-F. DEMOLITION & RECONSTRUCTION OF FIRE STATION 62 SPECIFICATION NO. 2019-004 - TERMINATE CONTRACT, WAIVE BIDDING, AUTHORIZE CITY MANAGER TO UTILIZE INFORMAL BID PROCEDURES

It is recommended that the City Council:

- (1) Direct the City Manager to terminate Klassic Engineering & Construction, Inc.’s control over Contract No. 2158-A (in the amount of \$5,397,101) for the Demolition and Reconstruction of Fire Station 62, due to non-performance;
- (2) Adopt Resolution No. ____ declaring an emergency and authorizing contracting without formal bidding pursuant to Public Contracts Code § 22050;
- (3) Authorize the City Manager to execute a standard public works contract, in a form approved with the City Attorney, in accordance with Resolution No. ____ and after 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 total \$5,556,100, including change orders and contingency as required and within available funds;
- (4) Take such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

4-A. CONSIDER THE PROPOSED SUBSTANTIAL AMENDMENTS TO THE CITIZEN PARTICIPATION PLAN, FY 2015-2019 CONSOLIDATED PLAN, AND FY 2017, 2018 AND 2019 ANNUAL ACTION PLANS

It is recommended that the City Council consider:

- (1) Opening the public hearing to receive testimonial and documentary evidence;
- (2) Approving the proposed Substantial Amendments to the Citizen Participation Plan, FY 2015-2019 Consolidated Plan and 2019 Annual Action Plan;
- (3) Authorizing the City Manager, or designee, to execute and submit the necessary documents related to the Substantial Amendments to the Citizen Participation Plan, FY 2015-2019 Consolidated Plan and 2019 Annual Action Plan to HUD for its review and approval;
- (4) Approving the proposed Substantial Amendments to the FY 2017 Annual Action Plan;
- (5) Authorizing the City Manager, or designee, to execute and submit the necessary documents related to the FY 2017 Annual Action Plan to HUD for its review and approval upon the completion of the 30-day public review period; and
- (6) Taking such additional, related, action that may be desirable

[5.] NEW BUSINESS

5-A. CONSIDERATION OF AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE § 14.12.185 AND A RESOLUTION SETTING THE DISCOUNT RATE FOR THE LIFELINE PROGRAM, ESTABLISHED BY MONTEREY PARK MUNICIPAL CODE § 14.12.185

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of an ordinance amending MPMC § 14.12.185 to establish the discount rate and eligibility criteria for participation in the City's Lifeline program;
- (2) Adopting a resolution setting the discount rate for the Lifeline program; and/or
- (3) Taking such additional, related, action that may be desirable

CEQA (California Environmental Quality Act):

The Ordinance and Resolution are exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because they establish rules and procedures in compliance with recently-enacted State law; do not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitute an administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, the Ordinance and Resolution do not constitute a "project" that require environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

5-B. CONSIDERATION AND INTRODUCTION OF AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE RELATING TO DELINQUENT WATER BILLS AND CREATING A POLICY ON THE DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR NONPAYMENT IN COMPLIANCE WITH THE WATER SHUTOFF PROTECTION ACT (HEALTH & SAFETY CODE §§ 116900-116926)

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of an ordinance amending the Monterey Park Municipal Code in compliance with Health & Safety Code §§ 116900-116926 regarding residential potable water shutoff procedures; and/or
- (2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed Ordinance is exempt from the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; "CEQA") and CEQA Guidelines (California Code Regulations Title 14, §§ 15000, et seq.) because it does not constitute a "Project" under CEQA § 15378.

5-C. CONSIDERATION AND POSSIBLE ACTION TO WAIVE FIRST READING AND INTRODUCE AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE GOVERNING HOTEL/MOTEL GUEST REGISTRIES

It is recommended that the City Council consider:

- (1) Waive first reading and introduce a draft Ordinance amending the Monterey Park Municipal Code ("MPMC") regulating guest registries; or
- (2) Taking such additional, related, action that may be desirable

5-D. CONSIDERATION OF AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") BY ADDING CHAPTER 16.37 ENTITLED "PERMIT PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS"

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of an ordinance adding Chapter 16.37 entitled "Permit Process for Electric Vehicle Charging Stations"; and/or
- (2) Take such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA" and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures in compliance with recently-enacted State law; 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. Accordingly, the Ordinance does not constitute a "project" that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

5-E. ELECTRONIC COMMUNICATIONS RETENTION AND PURGING POLICY; SOCIAL MEDIA POLICY

It is recommended that the City Council:

- (1) Adopt a Resolution establishing a Social Media Policy and a Resolution amending the City's retention policy as to electronic communications;
- (2) Authorize the City Manager to execute an agreement with a social media archiving service vendor, in a form approved by the City Attorney; and
- (3) Taking such additional, related, action that may be desirable

[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

6-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING THE MONTH OF MAY 2020 AS ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH AND CONDEMNING ANTI-ASIAN RACISM AND XENOPHOBIA RESULTING FROM THE COVID-19 PANDEMIC (REQUESTED BY COUNCIL MEMBER LO)

It is recommended that the City Council consider:

- (1) Adopting a resolution of the City Council of the City of Monterey Park declaring the month of May 2020 as Asian American and Pacific Islander Heritage Month and condemning anti-Asian racism and xenophobia resulting from the COVID-19 pandemic; and
- (2) Taking such additional, related, action that may be desirable

6-B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING MAY 2020, MENTAL HEALTH AWARENESS MONTH IN MONTEREY PARK (REQUESTED BY COUNCIL MEMBER LO)

It is recommended that the City Council consider:

- (1) Adopting a resolution of the City Council of the City of Monterey Park declaring May 2020, Mental Health Awareness Month in Monterey Park; and
- (2) Taking such additional, related, action that may be desirable

6-C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING THE MONTH OF MAY AS NATIONAL BIKE AND NATIONAL BICYCLE SAFETY MONTH (REQUESTED BY COUNCIL MEMBER LO)

It is recommended that the City Council consider:

- (1) Adopting a resolution of the City Council of the City of Monterey Park declaring the month of May as National Bike Month and Bicycle Safety Month; and
- (2) Taking such additional, related, action that may be desirable

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

ADJOURN



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: Old Business
Agenda Item 2-A

TO: The Honorable Mayor and City Council
FROM: Martha Garcia, Director of Management Services
SUBJECT: Auditing Services Agreement – Award of Contract Extension

RECOMMENDATION:

It is recommended that the City Council consider:

1. Awarding a two-year contract extension of the City's auditing services to the City's current audit service provider, White Nelson Diehl Evans LLP (WNDE), a certified public accounting and consulting firm;
2. Authorize the City Manager to execute an agreement amendment for the two-year extension, in a form approved by the City Attorney;
3. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The City signed a five-year contract (three years plus two optional years) with public accounting firm WNDE on April 20, 2016 for audit services of fiscal years 2016 to 2020 (Attachment 1). The current contract will expire end of the current fiscal year, with fiscal year 2020's audit as their last year of service. WNDE is an audit firm with good reputation, and it has conducted the City's audits diligently for the past four years.

Due to the ongoing COVID-19 pandemic and the City's enterprise resource planning (ERP) system implementation, staff believes keeping the same audit firm longer for the City would be cost effective and would promote stability and continuity. Staff requested WNDE to submit a proposal to extend its audit services to the City for two additional years. The original proposed contract extension terms and prices are consistent to the original contract and included a 3% annual price increases. Per City's request, WNDE agreed to keep the annual contract price for 2021 and 2022 unchanged from 2020 at \$49,955 (Attachment 2).

BACKGROUND:

The City has always been committed to the transparency and reliability of its financial reports and obtained independent audits of its financial statements, which were performed by the City external auditors in accordance with the appropriate professional auditing standards. The City's current external auditor, WNDE, has been performing professional and satisfactory auditing services since fiscal year 2016.

The scope of auditing services encompasses financial audits of the City and Monterey Park Successor Agency; Single Audit; review of the accounting procedures and the systems of internal control; review of the GANN computation; preparation of the State Controllers' Annual Report; and advice and recommendations on accounting and financial issues. In the June 30, 2018 financial report, the City implemented the GASB Statement Nos. 74 and 75, "Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions" and recognized the net other post-employment benefits (OPEB) on the face of the financial report. The next relevant accounting issue will be GASB Statement No. 87 "Leases." City Finance staff and WNDE auditors will work jointly to complete the financial statements, in accordance with GASB requirements.

The GFOA best practice for audit procurement recommends that governmental entities should enter into multiyear contracts at a minimum of five years in duration when obtaining the services of an independent auditor. Multiyear contracts can take a variety of different forms (e.g., a series of extended contracts). Such contracts allow for greater continuity and help to minimize the potential for disruption in connection with the independent audit. Multiyear contracts can also help to reduce audit costs by allowing auditors to recover certain "startup" costs over several years, rather than over a single year. If the two-year extension request is granted, the total contract term we will have with WNDE is seven years ending June 30, 2022.

FISCAL IMPACT:

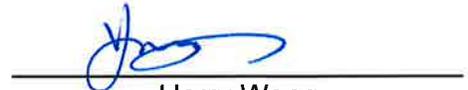
The proposed annual contract fees for fiscal years 2021 and 2022 remain the same as fiscal year 2020 at \$49,955, which is broken down as: *City Audit \$40,960, Single Audit \$6,030, Successor Agency Audit \$2,455, and GANN Limit Review \$510.* The fiscal year 2021 fee will be included in the 2021 budget (accounts 0010-1403-31800, 0092-1403-31800 and 0169-1405-31800).

Respectfully submitted by:



Martha Garcia
Director of Management Services

Prepared by:



Harry Wong
Financial Services Manager

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT(S):

1. City Agreement #1939-A; Audit Services Agreement with White Nelson Diehl Evans, LLP
2. White Nelson Diehl Evans, LLP's Two-Year Contract Extension Proposal

ATTACHMENT 1

City Agreement #1939-A; Audit Services Agreement with White Nelson Diehl Evans, LLP

**FIRST AMENDMENT TO
AGREEMENT NO. 1939 BETWEEN
THE CITY OF MONTEREY PARK AND
WHITE NELSON DIEHL EVANS, LLP**

THIS FIRST AMENDMENT ("Amendment") is made and entered into this 14th day of June 2019, by and between the CITY OF MONTEREY PARK, a general law city and municipal corporation existing under the laws of California ("CITY"), and WHITE NELSON DIEHL EVANS, LLP, a limited liability partnership licensed in California ("CONSULTANT").

1. **RETROACTIVITY.** CITY and CONSULTANT intend for this Agreement to be retroactively effective beginning July 1, 2018.
2. Pursuant to Section 35 of the Agreement, Section 1(C) of the Agreement is amended to read as follows:

"As additional consideration, CITY agrees to pay CONSULTANT a sum not to exceed \$98,455 as specified in the attached Exhibit A to the amendment."

3. Pursuant to Section 35 of the Agreement, Section 8 of the Agreement is amended to read as follows:

"The term of this Agreement will be from July 1, 2018 to June 30, 2020."

4. Pursuant to Section 35 of the Agreement, Section 26 (Notices) of the Agreement is amended to read as follows:

"NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to CONSULTANT:
White Nelson Diehl Evans LLP
2875 Michelle Drive, Suite 300
Irvine, CA 92606-5165
Attn: Robert J. Callanan, CPA
Engagement Partner

If to CITY:
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754
Attn: Ron Bow, City Manager

5. This Amendment may be executed in any number or counterparts, each of which will be an original, but all of which together constitutes one instrument executed on the same date.
6. Except as modified by this Amendment, all other terms and conditions of Agreement No. 1939 remain the same.

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

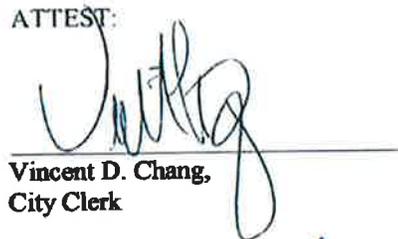
CITY OF MONTEREY PARK



Ron Bow
City Manager



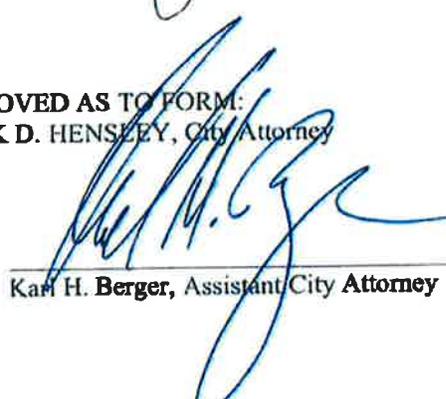
Robert J. Callanan, CPA
Engagement Partner

ATTEST:


Vincent D. Chang,
City Clerk

Taxpayer ID No. 95-6000747

APPROVED AS TO FORM:
MARK D. HENSELEY, City Attorney

By: 

Karl H. Berger, Assistant City Attorney



WNDE
White Nelson Diehl Evans LLP
CPA® | TAX | ADVISORY | AUDIT

Exhibit 'A'

May 17, 2019

Ms. Annie Yaung, Director of Management Services
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

Dear Ms. Yaung:

Enclosed is the annual engagement letter to provide audit services to the City of Monterey Park for the year ending June 30, 2019.

Please return one signed copy of the engagement letter for our files.

If you have questions, please call me.

Very truly yours,

WHITE NELSON DIEHL EVANS LLP

Robert J. Callanan, CPA
Engagement Partner



WNDE
White Nelson Dichl Evans LLP
CPA® | TAX | ADVISORY | AUDIT

May 17, 2019

City Council and Management
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

We are pleased to confirm our understanding of the services we are to provide the City of Monterey Park (City) for the two years ending June 30, 2020. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the City as of and for the years ending June 30, 2019 and 2020. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis, to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparison Schedules - General and Major Special Revenue Funds.
- 3) Schedules of Changes in the Net Pension Liability and Related Ratios and Schedules of Plan Contributions for the CalPERS Miscellaneous and Safety Plans and the Mass Mutual Retirement Pension Plan.
- 4) Schedule of Changes in Net OPEB Liability and related ratios and Schedule of Contributions for the City's OPEB Plan.

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditors' report on the financial statements:

- 1) Combining and individual fund financial statements and schedules.
- 2) Schedule of expenditures of federal awards.

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditors' report will not provide an opinion or any assurance on that other information:

- 1) Introductory Section.
- 2) Statistical Section.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on:

- 1) Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- 2) Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance.

Audit Objectives (Continued)

The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the City Council of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the City or to acts by management or employees acting on behalf of the City. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention.

Audit Procedures - General (Continued)

We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a single audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures - Internal Controls

Our audit will include obtaining an understanding of the City and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weakness. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, the schedule of expenditures of federal awards, and the related notes of the City in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for (1) designing, implementing, establishing and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management Responsibilities (Continued)

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness for that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the City from whom we determine it necessary to obtain audit evidence. Because of the importance of oral and written management representations to the effective performance of our services, the City releases and indemnifies our firm and its personnel from any and all claims, liabilities, costs and expenses attributable to any misrepresentation by management and its representatives.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the City involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the City complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon.

Management Responsibilities (Continued)

Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide as defined in the Other Services Section of this letter. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Management Responsibilities (Continued)

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Engagement Administration, Fees and Other

Noted below is a listing of work required by City staff to assist in the audits.

1. Preparation of trial balances for all funds, after posting of all year-end journal entries.
2. Preparation of schedules supporting all major balance sheet accounts, and selected revenue and expenditure accounts.
3. Typing of all confirmation requests.
4. Pulling and refileing of all supporting documents required for audit verification.

Our maximum annual fees for the two years ending June 30, 2019 and 2020, are as follows:

	<u>2019</u>	<u>2020</u>
City of Monterey Park - Financial audit, management and audit committee letters	\$ 39,765	\$ 40,960
Single Audit of Federal Grants (1)	5,855	6,030
GANN Limit Agreed-Upon Procedures review	495	510
Successor Agency Fund audit and related reports	<u>2,385</u>	<u>2,455</u>
	<u>\$ 48,500</u>	<u>\$ 49,955</u>

(1) This fee contemplates auditing only two major programs. Additional major programs will be charged at \$2,000 per major program.

The maximum annual fees stipulated herein contemplate that conditions satisfactory to the normal progress and completion of the examination will be encountered and the City accounting personnel will furnish the agreed upon assistance in connection with the audit. However, if unusual circumstances are encountered which make it necessary for us to do additional work; we shall report such conditions to the responsible City officials and provide the City with an estimate of the additional accounting fees involved.

Engagement Administration, Fees and Other (Continued)

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of White Nelson Diehl Evans LLP and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to grantor agencies or their designees, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of White Nelson Diehl Evans LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

In accordance with our firm's current record retention policy, all of your original records will be returned to you at the conclusion of this engagement. Our audit documentation files will be kept for a period of seven years after the issuance of the audit report. All other files will be kept for as long as you retain us as your auditors. However, upon termination of our service, all records will be destroyed after a period of seven years. Physical deterioration or catastrophic events may further shorten the life of these records. The audit documentation files of our firm are not a substitute for your original records.

We expect to begin our interim fieldwork in June 2019 and final fieldwork in September 2019. In addition, we expect to issue our reports no later than November 30, 2019. Mr. Robert J. Callanan, CPA, is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our most recent peer review report accompanies this letter.

City Council and Management
City of Monterey Park
May 17, 2019
Page 10

Engagement Administration, Fees and Other (Continued)

To ensure that White Nelson Diehl Evans LLP's independence is not impaired under the AICPA *Code of Professional Conduct*, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

We appreciate the opportunity to be of service to the City of Monterey Park and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

White Nelson Diehl Evans LLP

WHITE NELSON DIEHL EVANS, LLP

RESPONSE:

This letter correctly sets forth the understanding of the City of Monterey Park.

By 

Print Name Annie Yaung, CPFO

Title Director of Management Services

Date June 13, 2019

**PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE CITY OF MONTEREY PARK AND
WHITE NELSON DIEHL EVANS LLP
FOR AUDITING SERVICES**

This AGREEMENT is entered into this 21st day of April, 2016, by and between the CITY OF MONTEREY PARK, a municipal corporation and general law city ("CITY") and WHITE NELSON DIEHL EVANS LLP, a limited liability partnership licensed in California ("CONSULTANT").

1. CONSIDERATION.

- A. As partial consideration, CONSULTANT agrees to perform the work listed in the SCOPE OF SERVICES, below;
- B. As additional consideration, CONSULTANT and CITY agree to abide by the terms and conditions contained in this Agreement;
- C. As additional consideration, CITY agrees to pay CONSULTANT as specified in the attached Exhibit "B," which is incorporated by reference. Unless otherwise specified by written amendment to this Agreement, CITY will pay this sum

2. SCOPE OF SERVICES.

- A. CONSULTANT will perform services listed in the attached Exhibit "A," which is incorporated by reference.
- B. CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CITY, necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT by this Agreement.

3. PERFORMANCE STANDARDS. While performing this Agreement, CONSULTANT will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CITY will continuously monitor CONSULTANT's services. CITY will notify CONSULTANT of any deficiencies and CONSULTANT will have fifteen (15) days after such notification to cure any shortcomings to CITY's satisfaction. Costs associated with curing the deficiencies will be borne by CONSULTANT.

4. **PAYMENTS.** For CITY to pay CONSULTANT as specified by this Agreement, CONSULTANT must submit regular invoices to CITY that provide a detailed description as to the work performed. Upon receiving such invoices, CITY will promptly, but not longer than 30 days after receiving an invoice, pay CONSULTANT all undisputed amounts.

5. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to CONSULTANT for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CITY. In the event the CITY has not appropriated sufficient funds for payment of CONSULTANT services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year.

6. **ADDITIONAL WORK.**

- A. CITY's city manager ("Manager") may determine, at the Manager's sole discretion, that CONSULTANT must perform additional work ("Additional Work") to complete the Scope of Work. If Additional Work is needed, the Manager will give written authorization to CONSULTANT to perform such Additional Work.
- B. If CONSULTANT believes Additional Work is needed to complete the Scope of Work, CONSULTANT will provide the Manager with written notification that contains a specific description of the proposed Additional Work, reasons for such Additional Work, and a detailed proposal regarding cost.
- C. Payments over \$5,000.00 for Additional Work must be approved by CITY's city council. All Additional Work will be subject to all other terms and provisions of this Agreement.

7. **FAMILIARITY WITH WORK.**

- A. By executing this Agreement, CONSULTANT agrees that it has:
 - i. Carefully investigated and considered the scope of services to be performed;
 - ii. Carefully considered how the services should be performed; and
 - iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.
- B. If services involve work upon any site, CONSULTANT agrees that CONSULTANT has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing the services hereunder. Should CONSULTANT discover any latent or unknown conditions that may materially affect the performance of the services, CONSULTANT will immediately inform CITY of such fact and will not proceed except at

CONSULTANT's own risk until written instructions are received from CITY.

8. **TERM.** The term of this Agreement will be retroactively effective beginning April 21, 2016 to June 30, 2018 with the option to extend the contract for two (2) additional two-year periods, at the City's sole discretion. Unless otherwise determined by written amendment between the parties, this Agreement will terminate in the following instances:

- A. Completion of the work specified in Exhibit "A";
- B. Termination as stated in Section 16.

9. **TIME FOR PERFORMANCE.**

- A. CONSULTANT will not perform any work under this Agreement until:
 - i. CONSULTANT furnishes proof of insurance as required under Section 23 of this Agreement; and
 - ii. CITY gives CONSULTANT a written notice to proceed.
- B. Should CONSULTANT begin work on any phase in advance of receiving written authorization to proceed, any such professional services are at CONSULTANT's own risk.

10. **TIME EXTENSIONS.** Should CONSULTANT be delayed by causes beyond CONSULTANT's control, CITY may grant a time extension for the completion of the contracted services. If delay occurs, CONSULTANT must notify the Manager within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The Manager will extend the completion time, when appropriate, for the completion of the contracted services.

11. **CONSISTENCY.** In interpreting this Agreement and resolving any ambiguities, the main body of this Agreement takes precedence over the attached Exhibits; this Agreement supersedes any conflicting provisions. Any inconsistency between the Exhibits will be resolved in the order in which the Exhibits appear below:

- A. Exhibit A: Scope of Work;
- B. Exhibit B: Budget; and
- C. Exhibit C: Proposal for Services.

12. **CHANGES.** CITY may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing,

executed by CONSULTANT and CITY. The cost or credit to CITY resulting from changes in the services will be determined in accordance with written agreement between the parties.

13. TAXPAYER IDENTIFICATION NUMBER. CONSULTANT will provide CITY with a Taxpayer Identification Number.

14. PERMITS AND LICENSES. CONSULTANT, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

15. WAIVER. CITY's review or acceptance of, or payment for, work product prepared by CONSULTANT under this Agreement will not be construed to operate as a waiver of any rights CITY may have under this Agreement or of any cause of action arising from CONSULTANT's performance. A waiver by CITY of any breach of any term, covenant, or condition contained in this Agreement will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

16. TERMINATION.

- A. Except as otherwise provided, CITY may terminate this Agreement at any time with or without cause.
- B. CONSULTANT may terminate this Agreement at any time with CITY's mutual consent. Notice will be in writing at least thirty (30) days before the effective termination date.
- C. Upon receiving a termination notice, CONSULTANT will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by CONSULTANT after receiving a termination notice will be performed at CONSULTANT's own cost; CITY will not be obligated to compensate CONSULTANT for such work.
- D. Should termination occur, all finished or unfinished documents, data, studies, surveys, drawings, maps, reports and other materials prepared by CONSULTANT will, at CITY's option, become CITY's property, and CONSULTANT will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section I(C).
- E. Should the Agreement be terminated pursuant to this Section, CITY may procure on its own terms services similar to those terminated.
- F. By executing this document, CONSULTANT waives any and all claims for damages that might otherwise arise from CITY's termination under this Section.

17. OWNERSHIP OF DOCUMENTS. All of the audit working papers prepared by the CONSULTANT under this Agreement are the CONSULTANT's property. Any financial statements including footnotes, required supplementary information and supplementary information prepared by the CONSULTANT under this Agreement are the property of the CITY.

18. PUBLICATION OF DOCUMENTS. Except as necessary for performance of service under this Agreement, no copies, sketches, or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by CONSULTANT to any other person or public CITY without CITY's prior written approval. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CITY, unless otherwise provided by written agreement between the parties.

19. INDEMNIFICATION.

A. CONSULTANT agrees to the following:

- i. *Indemnification for Professional Services.* CONSULTANT will save harmless and indemnify and at CITY's request reimburse defense costs for CITY and all its officers, volunteers, employees and representatives from and against any and all suits, actions, or claims, of any character whatever, brought for, or on account of, any injuries or damages sustained by any person or property resulting or arising from any negligent or wrongful act, error or omission by CONSULTANT or any of CONSULTANT's officers, agents, employees, or representatives, in the performance of this Agreement, except for such loss or damage arising from CITY's sole negligence or willful misconduct.
- ii. *Indemnification for other Damages.* CONSULTANT indemnifies and holds CITY harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising out of this Agreement, or its performance, except for such loss or damage arising from CITY's sole negligence or willful misconduct. Should CITY be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Agreement, or its performance, CONSULTANT will defend CITY (at CITY's request and with counsel satisfactory to CITY) and will indemnify CITY for any judgment rendered against it or any sums paid out in settlement or otherwise.

B. For purposes of this section "CITY" includes CITY's officers, officials, employees, agents, representatives, and certified volunteers.

C. It is expressly understood and agreed that the foregoing provisions will survive termination of this Agreement.

D. The requirements as to the types and limits of insurance coverage to be

maintained by CONSULTANT as required by Section 23, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by CONSULTANT pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

20. ASSIGNABILITY. This Agreement is for CONSULTANT's professional services. CONSULTANT's attempts to assign the benefits or burdens of this Agreement without CITY's written approval are prohibited and will be null and void.

21. INDEPENDENT CONTRACTOR. CITY and CONSULTANT agree that CONSULTANT will act as an independent contractor and will have control of all work and the manner in which it is performed. CONSULTANT will be free to contract for similar service to be performed for other employers while under contract with CITY. CONSULTANT is not an agent or employee of CITY and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CITY provides for its employees. Any provision in this Agreement that may appear to give CITY the right to direct CONSULTANT as to the details of doing the work or to exercise a measure of control over the work means that CONSULTANT will follow the direction of the CITY as to end results of the work only.

22. AUDIT OF RECORDS. CONSULTANT will maintain full and accurate records with respect to all services and matters covered under this Agreement. CITY will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities. CONSULTANT will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

23. INSURANCE.

- A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, CONSULTANT will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits</u>
Commercial general liability:	\$2,000,000
Professional Liability	\$2,000,000
Business automobile liability	\$1,000,000
Workers compensation	Statutory requirement

- B. Commercial general liability insurance will meet or exceed the requirements of the most recent ISO-CGL Form. The amount of insurance set forth above will be

a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CITY, its officials, and employees as "additional insureds" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CITY will be excess thereto. Such endorsement must be reflected on ISO Form No. CG 20 10 11 85 or 88, or equivalent. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CITY.

- C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made basis," CONSULTANT will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONSULTANT for all claims made by CITY arising out of any errors or omissions of CONSULTANT, or its officers, employees or agents during the time this Agreement was in effect.
- D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).
- E. CONSULTANT will furnish to CITY duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement and such other evidence of insurance or copies of policies as may be reasonably required by CITY from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A:VII."
- F. Should CONSULTANT, for any reason, fail to obtain and maintain the insurance required by this Agreement, CITY may obtain such coverage at CONSULTANT's expense and deduct the cost of such insurance from payments due to CONSULTANT under this Agreement or terminate pursuant to Section 16.
- G. Self-Insured Retention/Deductibles. All policies required by this Agreement must allow CITY, as additional insured, to satisfy the self-insured retention ("SIR") and deductible of the policy in lieu of CONSULTANT (as the named insured) should CONSULTANT fail to pay the SIR or deductible requirements. The amount of the SIR or deductible is subject to the approval of the City Attorney and the Finance Director. CONSULTANT understands and agrees that satisfaction of this requirement is an express condition precedent to the effectiveness of this Agreement. Failure by CONSULTANT as primary insured to pay its SIR or deductible constitutes a material breach of this Agreement. Should CITY pay the SIR or deductible on CITY's behalf upon the CONSULTANT'S failure or refusal to do so in order to secure defense and indemnification as an additional insured under the policy, CITY may include such amounts as damages

in any action against CONSULTANT for breach of this Agreement in addition to any other damages incurred by CITY due to the breach.

24. USE OF SUBCONTRACTORS. CONSULTANT must obtain CITY's prior written approval to use any consultants while performing any portion of this Agreement. Such approval must approve of the proposed consultant and the terms of compensation.

25. INCIDENTAL TASKS. CONSULTANT will meet with CITY monthly to provide the status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

26. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

CITY

City of Monterey Park
320 W Newmark Ave
Monterey Park, CA 91754
Attn: Paul Talbot, City Manager

CONSULTANT

White Nelson Diehl Evans LLP
2875 Michelle Drive, Suite 300
Irvine, CA 92606-5165
Attn: Robert J. Callanan, CPA
Engagement Partner

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

27. CONFLICT OF INTEREST. CONSULTANT will comply with all conflict of interest laws and regulations including, without limitation, CITY's conflict of interest regulations.

28. SOLICITATION. CONSULTANT warrants that it has not employed nor retained any company or person, other than CONSULTANT's bona fide employee, to solicit or secure this Agreement. Further, CONSULTANT warrants that it has not paid nor has it agreed to pay any company or person, other than CONSULTANT's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should CONSULTANT breach or violate this warranty, CITY may rescind this Agreement without liability.

29. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of CONSULTANT and CITY and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of CONSULTANT's or CITY's obligations under this Agreement.

30. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California, and exclusive venue for any action involving this agreement will be in Los Angeles County.

31. COMPLIANCE WITH LAW. CONSULTANT agrees to comply with all federal, state, and local laws applicable to this Agreement.

32. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There is one attachment (1) Attachments to this Agreement. This Agreement will bind and inure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

33. RULES OF CONSTRUCTION. Each Party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either Party.

34. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

35. AUTHORITY/MODIFICATION. The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CITY's executive manager, or designee, may execute any such amendment on behalf of CITY.

36. ACCEPTANCE OF FACSIMILE SIGNATURES. The Parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of a party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

37. CAPTIONS. The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

38. TIME IS OF ESSENCE. Time is of the essence for each and every provision of this Agreement.

39. FORCE MAJEURE. Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

40. STATEMENT OF EXPERIENCE. By executing this Agreement, CONSULTANT represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CITY. CONSULTANT represents that its

financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that CONSULTANT is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public CITY.

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

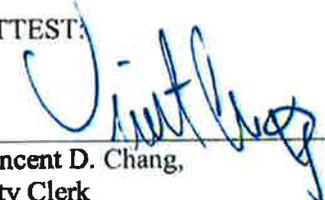
CITY OF MONTEREY PARK



Paul Talbot,
City Manager



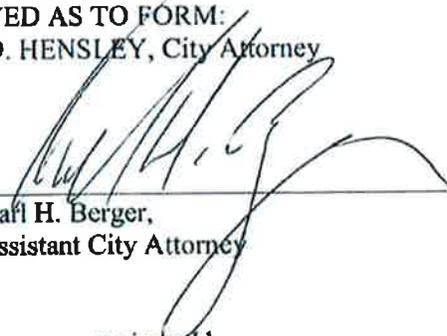
Robert J. Callanan, CPA
Engagement Partner

ATTEST:


Vincent D. Chang,
City Clerk

Taxpayer ID No. 33-0686301
Business License No. _____

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 

Karl H. Berger,
Assistant City Attorney

Insurance reviewed by: _____

Exhibits "A", "B", &"C"

**CITY OF MONTEREY PARK
PROFESSIONAL AUDITING
SERVICES PROPOSAL**

FOR THE THREE YEARS ENDING JUNE 30, 2018

**(WITH AN OPTION FOR TWO ADDITIONAL
TWO-YEAR PERIODS)**



Submitted By:



TITLE PAGE

RFP Subject: Certified Audits on the City of Monterey Park
For the Three Years Ending June 30, 2018
(With an Option for Two additional
Two-Year Periods)

Name of Proposer: White Nelson Diehl Evans LLP
Certified Public Accountants and Consultants

Local Address: 2875 Michelle Drive, Suite 300
Irvine, CA 92606-5165

Telephone: (714) 978-1300

Fax: (714) 978-7893

Federal Identification Number: 33-0686301

California CPA License Number: PAR 6123

Website: www.wndecpa.com

Email: rcallanan@wndecpa.com

Contact Persons: Robert J. Callanan, CPA
Engagement Partner

Nitin P. Patel, CPA
Technical Review Partner

Date: March 14, 2016



CITY OF MONTEREY PARK

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CITY OF MONTEREY PARK

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WHITE NELSON DIEHL EVANS LLP
Certified Public Accountants & Consultants

March 24, 2016

Ms. Annie Yaung
Controller
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754-2896

Dear Ms. Yaung:

We are pleased to present our proposal to serve as independent auditors for the City of Monterey Park. We have prepared this information in accordance with the guidelines set forth in your request for proposal.

Who We Are

White Nelson Diehl Evans LLP is a California certified public accounting and consulting firm with offices in Irvine, Carlsbad and Escondido. Our firm has specialized in providing services to the governmental industry for over 80 years and has no intentions of discontinuing these services.

Why We Are The Best Qualified Firm

We consider ourselves to be the best qualified firm to perform auditing and accounting services for the City of Monterey Park. Please consider these qualifications:

- A significant part of our practice is devoted to providing professional services to the governmental industry and over the past year, the firm provided services to approximately 100 governmental organizations and on an annual basis our firm issues over 150 reports on audits of local governmental agencies including, Cities, the Successor Agency to Redevelopment Agencies, Special Districts and Joint Power Authorities.
- Our firm has devoted a substantial amount of time and resources in order to provide governmental agencies with quality audits. Our knowledge of the industry is best demonstrated by the fact that our clients who apply for the "Certificate of Achievement in Financial Reporting" issued by the Government Finance Officers Association (GFOA) consistently receive that award. A list of these clients is presented on page 7 of this proposal.
- We are in a professional alliance with BDO Seidman, a National Accounting Firm, and a network of accounting firms allowing us the ability to provide quality attestation services. The BDO Alliance provides us access to BDO's personnel and technical resources which allows White Nelson Diehl Evans LLP to deliver the range of services and capabilities of a large national firm, including the use of specialists to support the needs of our clients.
- We are a full service CPA firm. Our Consulting Services Department can provide the City with a variety of services, including investment policy compliance reviews, litigation support, dispute resolution services, and consulting on a wide array of governmental issues.
- Our audits include extensive use of information technology as described in detail on page 8 of this proposal.

1

2875 Michelle Drive, Suite 300, Irvine, CA 92606 • Tel: 714.978.1300 • Fax: 714.978.7893

Offices located in Orange and San Diego Counties

Why We Are The Best Qualified Firm (Continued)

- We understand that we provide a service to the City. We are committed to providing an effective and efficient audit that will meet the proposed timing of the project deliverables by assigning experienced governmental auditors. Understanding the size of the City of Monterey Park and the scope of work requested in the proposal, we are proposing an engagement team with extensive governmental audit experience. The staffing plan includes Robert Callanan, CPA, the engagement partner with 26 years of experience, Raquel Castro, CPA, with 8 years of experience who will manage the audit and be on-site supervising the audit fieldwork and Rebecca Hoang with 3 years of experience who will be on-site performing the fieldwork. We are confident that the proposed staffing plan with an engagement team experienced in governmental audits and who are familiar with municipal procedures will result in an effective and efficient audit that meets the project timing and deliverables requirements with minimum disruption to your staff.

The scope of our services for the three years ending June 30, 2018 would be as follows:

- A financial audit of the basic financial statements of the City of Monterey Park in accordance in with auditing standards generally accepted in the United States of America and Government Auditing Standards issued by the Comptroller General of the United States, to be included in the Comprehensive Annual Financial Report (CAFR).
- A Single Audit of Federal Grants to be performed to meet the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards* (Uniform Guidance).
- An agreed-upon procedures review of the calculation of the City's GANN Appropriations Limit (GANN), as required by Section 1.5 of Article XIII B of the California Constitution.
- A management letter containing any comments or recommendations resulting from our review of the systems of internal controls in connection with the financial audits.
- A report communicating information related to the audit to those in charge of governance at the conclusion of the audits.
- Preparation and filing the annual State Controller's Report.
- A financial audit of the basic financial statements of the Successor Agency.

We make a commitment to deliver all necessary reports based on the timetable presented herein on page 18. Also, a more detailed discussion of our understanding of the work to be performed is set forth on pages 18 through 25.

Our goal is to provide the City with the highest quality of service, including a CAFR which meets all required reporting standards. We are confident that our service and experience will be of benefit to the City and will provide added value over and above the performance of the audit itself. Throughout the year, you should feel comfortable in calling us for advice regarding accounting and auditing matters, as we are never too busy to meet the needs of our clients.

We thank the City for the opportunity to present our proposal. Please feel free to contact me, or Mr. Nitin Patel, CPA, at (714) 978-1300 if you have any questions. This proposal constitutes a firm and irrevocable offer for 180 days from the date of this letter. Mr. Patel and I are authorized to represent our firm, and bind the firm to a contract.

Very truly yours,

WHITE NELSON DIEHL EVANS LLP

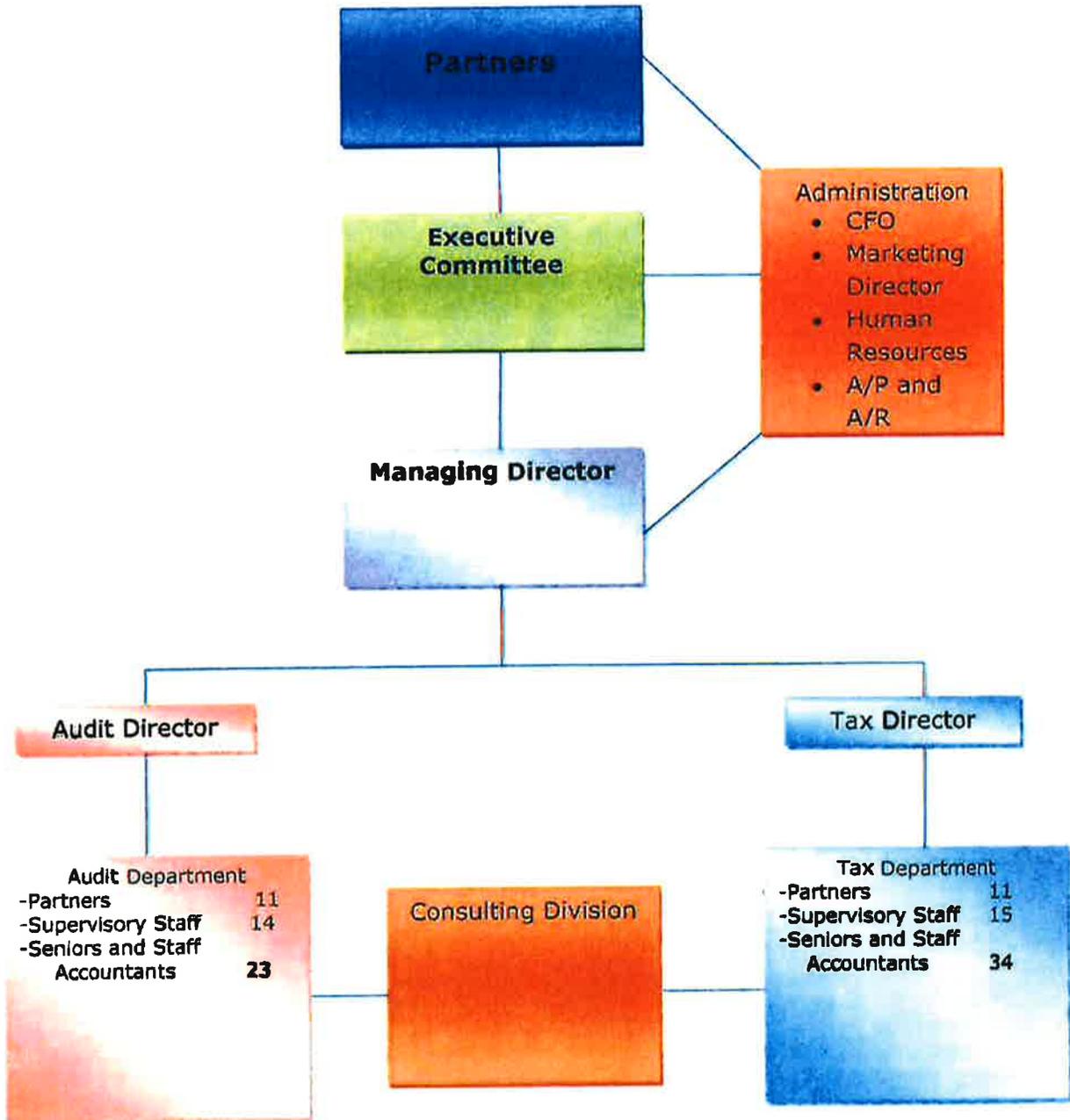


Robert J. Callanan, CPA
Engagement Partner



FIRM PROFILE AND QUALIFICATIONS

FIRM ORGANIZATION CHART



* The staffing levels described above have remained fairly constant for the past four years.



LICENSING AND INDEPENDENCE

Our firm, and all of our certified personnel, are properly licensed to practice public accounting in California.

Also, we meet the independence requirements of "Government Auditing Standards", as published by the U.S. General Accountability Office. We have no conflict of interest with the City and will provide written notice to the City of any professional relationships contemplated with the City during our term as auditors. We have not provided auditing or any other services to the City during the past five years.

SIZE AND LOCATION OF THE FIRM

White Nelson Diehl Evans LLP is a California accounting firm with offices in Irvine, Carlsbad and Escondido.



Our firm has approximately 140 employees, which includes 22 partners with separate assurance and tax departments. Your City would be served by the assurance department from our Irvine office, which has approximately 48 professional staff members, including 11 partners, and 14 managers and supervisors. The Irvine Office assurance department staff with governmental experience consists of four partners, four managers, seven supervisors, six seniors and twelve staff accountants.

White Nelson Diehl Evans LLP has extensive experience in providing auditing, accounting and consulting services in the governmental sector. Over twenty thousand hours per year are devoted to this area of our practice for over 100 governmental units including cities, successor agencies, special districts, nonprofit corporations and joint power authorities.

INSURANCE

The firm has the following insurance coverage:

<u>Insurance Type</u>	<u>Each Occurrence Limit</u>	<u>Aggregate Limit</u>	<u>Deductible</u>
Umbrella Policy	\$ 4,000,000	\$ 4,000,000	\$ 10,000
General Liability	1,000,000	2,000,000	-
Auto Liability - Hired & Nonowned	1,000,000	1,000,000	-
Workers' Compensation	1,000,000	1,000,000	-
Professional Liability	5,000,000	10,000,000	100,000



RANGE OF ACTIVITIES

White Nelson Diehl Evans LLP is a full service CPA firm. We offer a broad range of services, including:

Certified Audits	Tax Planning and Consulting
Compilations and Reviews	Income Tax Preparation and Representation
Agreed-Upon Procedure Reviews	Consulting Services
Financial Services	Litigation Support Services

Our specific services available to governmental agencies are more fully set forth in this proposal.

PARTICIPATION IN "QUALITY REVIEW" PROGRAMS

In July 2015, our firm underwent a quality review, by an independent CPA firm, under provisions of the AICPA Quality Review Program. This review is required every three years and covered our audits of governmental agencies. A final report dated July 22, 2015 with a pass rating on our systems and procedures was received. A copy of the independent CPA firm's report is included herein at Attachment II. Accordingly, we are confident that our current auditing standards and techniques meet all existing requirements.

No regulatory action has ever been taken against any office of our firm due to substandard work. We had no significant deficiencies noted in any federal or state desk reviews over the past three years.

EDUCATION PROGRAMS

White Nelson Diehl Evans LLP has a formal continuing education program. All firm auditors are required to obtain 80 hours of continuing education every two years in the accounting and auditing area as required by Government Auditing Standards, and at least 24 hours of government related continuing education courses. Our staff is continually expanding their knowledge of the governmental industry through our in-house training programs, programs offered by the AICPA, GFOA, the California Society of Certified Public Accountants and other professional organizations, and through on-the-job training.

Noted below is a description of certain in-house education courses taken by our partners and staff to meet the governmental continuing education requirements. All personnel involved with governmental auditing are required to attend these courses.

- Understanding the Risk Assessment Standards
- Understanding of GASB Statement No. 34, Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments
- Understanding, and Auditing, Deposits and Investments of California Governmental Units
- Reviews of Internal Controls in Accordance With Statements on Auditing Standards
- Assessing Audit Risk and Materiality in Conducting An Audit
- Consideration of Fraud in a Financial Statement Audit
- Computer Auditing in the Governmental Environment
- The Single Audit - New Provisions under Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards* (Uniform Guidance).
- Laws and Regulations in the Government Sector
- Understanding GASB Statement 54 related to Fund Balance Reporting and Governmental Fund Type Definitions
- Understanding GASB Statement 65 related to reporting of Deferred Outflows and Deferred Inflows of Resources
- Understanding the new GASB Pension Standards



PARTICIPATION IN PROFESSIONAL ORGANIZATIONS

Our partners and staff are actively involved in professional organizations in the governmental accounting field. Noted below is a summary of our participation in various national and California governmental organizations.

AICPA

Our firm is a member of the AICPA Governmental Audit Quality Center. The Center is a firm-based voluntary membership Center whose primary purpose is to promote the importance of quality governmental audits to purchasers of governmental audit services. The Center provides members with an online forum tool for sharing best practices, as well as discussions on audit, accounting, and regulatory issues. As a member of the Center, the firm receives updates on changes in auditing and accounting standards that effect governmental audits. The quality control partner is required to attend an annual web cast to discuss auditing and reporting issues effecting governmental audits. Our firm uses the resources of the Center to maintain the quality of our governmental audits.

GFOA, GASB and FASB

Our firm is an associate member of the Government Finance Officers Association of the United States and Canada (GFOA).

Also, we have web based access to the latest pronouncements issued by the Governmental Accounting Standards Board (GASB) and the Financial Accounting Standard Board (FASB), including Interpretations, Technical Pronouncements and Newsletters. We regularly analyze these pronouncements and advise our governmental clients of changes in accounting rules.

CSMFO

Our Irvine office partners and our Director of Consulting Services are associate members of the California Society of Municipal Finance Officers (CSMFO). Our personnel regularly attend local CSMFO chapter meetings throughout Southern California, and the annual statewide conference. We often provide public speakers for these meetings.

CSCPA

Several partners and principals of the firm have been members of the Governmental Accounting and Auditing (GAA) Committee of the Orange County Chapter of the California Society of Certified Public Accountants (CSCPA). Mr. Patel, Mr. Ludin and Mr. Morgan have each served as chairman of this committee. Firm personnel have been involved over the years in preparing position papers issued for professional organizations on governmental accounting matters. Currently, Mr. Patel and Mr. Callanan are members of the State Governmental Accounting and Auditing Committee.



GFOA AWARD PROGRAM

The partner and manager will be involved in all phases of report preparation or review. Reporting checklists will be used to assure compliance with all reporting requirements. In addition, another member of the firm, not associated with the audit, and with extensive governmental auditing and accounting experience, will review each financial statement audited and related reports. Based on the high quality of our review process, we have been able to assist various clients in obtaining the GFOA "Certificate of Achievement for Excellence in Financial Reporting". The recent clients that have received the award are:

Cities:

Alhambra
Bellflower
Beverly Hills
Burbank
Camarillo
Campbell
Colton
Costa Mesa
Cypress
Del Mar
Downey
Fountain Valley
Gilroy
Goleta
Hawaiian Gardens
Highland
Lake Forest
Lakewood
Lancaster
Newport Beach

Cities (Continued):

Palm Desert
Pico Rivera
Rancho Santa Margarita
San Buenaventura
San Gabriel
Sanger
Signal Hill
Stanton
Tustin
West Covina
West Hollywood
Westminster

Special Districts:

Costa Mesa Sanitary District
Inland Empire Utilities Agency
Las Virgenes Municipal Water District
Olivenhain Municipal Water District
Otay Water District
Rancho California Water District
Santa Ana Watershed Project Authority
Yorba Linda Water District



COMPUTER AUDITING CAPABILITIES

White Nelson Diehl Evans LLP uses technology to make the audit process more effective. We utilize a paperless audit software, ProSystem fx Engagement, which allows us to manage our audit documentation electronically. Some of the benefits of paperless audit are:

- Receive the City's schedules in either hard copy or electronic format.
- Import and integrate trial balance data from virtually any accounting system. We avoid the time and expense of keying in account numbers, descriptions and account balances. We simply take your electronic trial balance and import it directly into our audit software.
- Create our own lead sheets, which can include prior year balances. This helps us to easily identify significant fluctuations between fiscal years.
- CAFR schedules are linked to trial balances. CAFR is updated automatically for any last minute journal entries, if any.

Our approach includes using IDEA (Interactive Data Extraction and Analysis) which is a data analysis software that can be used to analyze large amounts of information. It allows the firm to extract data from the City's accounting records to tailor specific audit tests based on risk assessments. Some audit procedures that IDEA can be utilized for are:

- Mechanical accuracy of worksheets or general ledgers.
- Exception and gap/completeness testing for missing check numbers.
- Cross checking different data bases for common information such as employee names.
- Duplicate testing of invoice numbers.
- Completeness of general ledger balances.

The firm also has document management software which allows our clients to access our web portal. We utilize the web portal to transfer data files that are confidential or too large to be sent by e-mail.

AUDITOR ROTATION REQUIREMENT

The California State Controller Office issued an advisory in October 2014 regarding the Assembly Bill 1345 that added section 12410.6(b) to the government code, commencing with the 2013-14 fiscal year. The Government Code section 12410.6(b) states:

"...a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive fiscal years. For purposes of calculating the six consecutive fiscal years, the local agency shall not take into account any time that a public accounting firm was employed by that local agency prior to the 2013-14 fiscal year..."

This newly added requirement prohibits the local agency from engaging an audit firm if either the lead or concurring (i.e. quality control review) partner responsible for the audit have served the local agency during the past six consecutive years since fiscal year 2013-14.



PARTNER, SUPERVISORY AND STAFF QUALIFICATIONS AND EXPERIENCE

AUDIT TEAM

The audit team assembled consists of individuals who have extensive experience auditing governmental agencies and are familiar with municipal accounting. In addition, each team member's skill and experience developed working in other industries our firm serves can be applied to the individual requirements of the City of Monterey Park.

The personnel assigned to the engagement team are as follows:

The engagement partner will be Mr. Robert J. Callanan, CPA. Mr. Callanan has over 26 years of experience with audits of local governments. He will be involved with all phases of the audit including (a) the planning phase of the audit to assess risks related to the audit (b) a final review of all the work papers and financial reports, and (c) attending any meetings with City's management and City council at the conclusion of the audit. He will be responsible for assuring that all work for the City is performed in a complete and timely manner.

Mr. Nitin P. Patel, CPA, will be the Technical Review Partner and will perform a quality review of all reports issued in connection with the audit. Mr. Patel has over 30 years of experience with audits of local governments. He will also consult on the accounting treatment of unusual transactions or audit issues.

Ms. Raquel Castro, CPA, will serve as the audit manager. Ms. Castro has over 8 years of experience with audits of local governments. She will be the primary contact for the City and related audits. She will (a) be on-site supervising staff accountants, (b) perform the initial review of the work papers including a review of the work completed related to internal controls, (c) supervise the completion of the financial reports and management letter and (d) assist in the audit of any complex or unusual audit areas.

The audit senior will be Ms. Rebecca Hoang. Ms. Hoang has over 3 years of public accounting experience. She will be on-site performing the fieldwork including performing tests of internal controls, substantive tests of account balances, and analytical tests. She will also draft the financial statements and various reports required for this engagement.

Resumes for the above partners and personnel are included at pages 10 through 13.

COMMITMENT RELATED TO PERSONNEL

We make a commitment to retain the same personnel on the City from year to year, except where such personnel leave the firm, or where the change is approved by the City. If a staff member is replaced, we make a commitment to replace that person with staff of at least equal experience.

NONDISCRIMINATION POLICY

Our firm has a policy to provide equal employment opportunities to all qualified persons without regard to race, color, age, sex, religion, national origin or handicap.



ROBERT J. CALLANAN, CPA



Position
Engagement Partner

Education
Aquinas College, Grand Rapids, Michigan
Bachelor of Arts, Business Administration, 1988
Bachelor of Science, Accounting, 1988

Licensing
Certified Public Accountant in California since 1993

Professional Organizations

American Institute of Certified Public Accountants - Member
California Society of Certified Public Accountants - Member
California Society of Municipal Finance Officers (CSMFO) - Associate Member
California Governmental Accounting and Auditing Committee Member

Range of Experience

Twenty-six years with the firm specializing in governmental audit, accounting, and consulting services.

Two years of experience as Chief Financial Officer of a mortgage lending corporation.

Responsible for the firm's in-house governmental accounting and auditing training programs.

GFOA Report Reviewer for Award Program - Certificate of Achievement for Excellence in Financial Reporting.

Mr. Callanan was the engagement partner on the following local government audits in 2015:

Cities:

Camarillo
Campbell
Del Mar
Hawaiian Gardens
Norco
Pico Rivera
Rancho Santa Margarita
San Buenaventura

Special Districts:

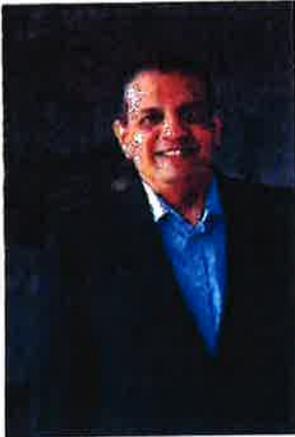
Laguna Beach County Water District
Pico Rivera Water Authority
Pomona-Walnut-Rowland Joint Water
Line Commission
Rowland Water District
Southeast Water Coalition
Sunset Beach Sanitary District
Surfside Colony Stormwater Protection District
Surfside Community Services District
Ventura Port District

Continuing Professional Education

Total hours were 209 in the last three years, of which 157 hours were for meeting the requirements of the Government Audit Standards.



NITIN P. PATEL, CPA



Position

Technical Review Partner

Education

University of California at Irvine, Bachelor of Arts in Economics
California State University at Long Beach Masters of Accounting Program

Licensing

Certified Public Accountant in California since 1988

Professional Organizations

American Institute of Certified Public Accountants
California Society of Certified Public Accountants
California Society of Municipal Finance Officers (CSMFO) - Associate Member
Governmental Accounting and Auditing Committee of Orange County -
Committee Chairman (2001-2002)
California Governmental Accounting and Auditing Committee Member

Range of Experience

Has been with the firm since 1986 with emphasis in governmental accounting and financial reporting and is responsible for firm's in-house governmental accounting and auditing training programs.

Experience includes supervision of over one hundred audits of governmental agencies including cities, successor agencies/redevelopment agencies, non-profit corporations, joint powers authorities and special districts.

CSMFO Report Reviewer for Award Program.

GFOA Report Reviewer for Award Program - Certificate of Achievement for Excellence in Financial Reporting.

Other experience includes providing consulting services for governmental agencies including special internal control reviews, cost allocation plans, cable television rate reviews, reviews of City Treasurer operations and transient occupancy tax reviews of city hotels/motels.

Mr. Patel was the engagement partner on the following local government audits in 2015:

Cities:

Alhambra
Artesia
Bellflower
Burbank
Colton
Costa Mesa
Cypress
Gilroy
Lake Forest
Laguna Hills
Laguna Woods
Newport Beach
Norwalk
Palm Desert
Rialto
San Gabriel

Cities (Continued):

Stanton
West Hollywood
Westminster

Special Districts:

Calleguas Municipal Water District
Chino Basin Desalter Authority
Costa Mesa Sanitary District
Cypress Recreation and Park District
Inland Empire Regional Composting Authority
Inland Empire Utilities Agency
La Habra Heights County Water District
La Puente Valley County Water District
Orchard Dale Water District
Rancho California Water District
Santa Ana Watershed Project Authority
Yorba Linda Water District

Continuing Professional Education

Total hours were 186 in the last three years, of which 144 hours were for meeting the requirements of the Government Audit Standards.



RAQUEL CASTRO, CPA



Position
Audit Manager

Education
Chapman University
Bachelors of Science in Accounting, 2008

Licensing
Certified Public Accountant in California since January 2013

Professional Organizations
California Society of Certified Public Accountants (CSCPA)
American Institute of Certified Public Accountants (AICPA)

Range of Experience

Raquel has been employed with the firm since September 2008. She has been the in-charge for audits in the following areas: manufacturing and distribution, retail, health care, retirement care, and more recently, local governments. As an audit manager, she is involved with planning the audit, supervising staff accountants, reviewing work performed in all areas of the audit, and preparation of financial statements. Raquel served as the audit manager and/or supervisor on the following local government audits during 2015:

City of Alhambra
City of Hawaiian Gardens

City of Lake Forest
City of Sanger

In recent years, Raquel has also been involved with the following governmental clients:

City of Lake Elsinore
City of Rancho Santa Margarita
City of Signal Hill

South Coast Water District

Raquel also served as the audit manager on the following business audits during 2015:

Active PDF, Inc.
California Expanded Metal
Products, Inc.
Casa Pacifica dba Freedom Village
Freedom Properties-Hemet, LLC dba
The Village
Ironman Parts and Services

Lyle Parks Jr. Construction
Paul's TV, LLC
R3 Construction Services, Inc.
Stoneridge Creek Pleasanton
CCRC, LLC
University Village Thousand Oaks
CCRC, LLC

Additionally, Raquel also served as the audit manager on the following non-profit audits during 2015:

Rowland Water District

Valencia Heights Water Company

In addition to the audit experience noted above, Raquel has extensive experience with various compilation and review engagements, as well as audits of numerous employee benefit plans.

Continuing Professional Education

Total hours were 232 in the last three years, of which 189 hours were for meeting the requirements of the Government Audit Standards.



REBECCA HOANG



Position

Audit Senior

Education

University of California, Irvine
Bachelors of Arts, 2010

Range of Experience

Ms. Hoang has been with White Nelson Diehl Evans LLP since October 2012. Ms. Hoang has performed all phases of audits including Non-profit Corporations, Cities, Single Audit of Federal Grants, Special Districts, Compliance Audits, Business Entities, and Agreed-Upon Procedure engagements. As an audit senior, she is involved with planning the audit, performing fieldwork for all aspects of the audit, supervising staff accountants and preparation of the financial statements. Ms. Hoang served as the Audit Senior on the following Non-profit and Governmental Clients:

Governmental:

City of Costa Mesa
City of Colton
City of Cypress
City of Fountain Valley
City of Palm Desert
Calleguas Municipal Water District
Laguna Beach County Water District

Non-Profit Corporations:

Boys and Girls Club of Garden Grove
Feeding America San Diego
Trinity Youth Services
Valencia Heights County
Water District

Business Entities:

Anabi Oil Corporation
California Expanded Metal Products
Mangan, Inc.
Pacific Business Capital Corporation
Pool Water Products
Roger Dunn, Inc. and Subsidiaries
Security Signal Devices, Inc.
Straub Distributing, Ltd.
Styles for Less, Inc.
Venus Textiles, Inc.
WorkCare, Inc.

Continuing Professional Education

Total hours were 148 in the last three years, of which 127 hours were for meeting the requirements of the Government Audit Standards.



FIRM EXPERIENCE WITH GOVERNMENTAL ENTITIES

SIMILAR ENGAGEMENTS WITH OTHER MUNICIPAL ENTITIES

Your request for proposal called for at least three similar engagements, ranked by total staff hours. These are set forth below:

<u>City</u>	<u>Engagement Partner</u>	<u>Total Staff Hours</u>	<u>Scope of Work</u>
San Buenaventura	Callanan	660	City, RDA Public Financing Authority and Single Audits; State Controller's Report
Alhambra	Munoz	390	City, RDA, Joint Powers Authority and Single Audits; State Controller's Report
Camarillo	Callanan	385	City, RDA and Single Audits

Certified audits were performed on the financial statements of all of these cities and their component units for the past year.

Client references for these cities are included below.

City of San Buenaventura
 Ms. Bridgette McInally
 Accounting Manager
 805-654-7892

City of Alhambra
 Mr. Paul Espinoza
 Finance Director
 656-570-5027

City of Camarillo
 Mr. Ronnie Campbell
 Finance Director
 805-388-5320

A complete list of similar engagements for the past three years is included in Attachment I of this proposal.

CITY CLIENT REFERENCES

One means of judging the high quality of our auditing and accounting services would be contact with some of our clients over the past year. We are including the names and phone numbers of the city clients as presented in Attachment I of this proposal. We encourage you to contact any of these individuals and verify our level of service.



ENTERPRISE FUND EXPERIENCE

Most cities audited by our firm have a water utility enterprise fund. Noted below is a partial listing of other enterprise funds audited by our firm in recent years:

<u>City</u>	<u>Enterprise</u>
Alhambra	Water, Sewer, Storm Drain, Sanitation, Golf Course
Artesia	Residential Refuse Service
Bellflower	Water
Beverly Hills	Water, Solidwaste, Wastewater, Stormwater
Burbank	Water Reclamation, Sewer, Golf, Electric Utility Water Utility, Refuse Collection and Disposal
Camarillo	Water, Sanitary, Solidwaste, Transit
Colton	Electric Utility, Water Utility, Wastewater Utility
Cypress	Sewer
Del Mar	Water, Wastewater, Cleanwater
Downey	Water, Sewer, Golf Course, Transit System
Fountain Valley	Water, Solidwaste
Gilroy	Water, Sewer
Hesperia	Water, Sewer
Laguna Hills	Property Leasing
Lakewood	Water
Lancaster	Power Authority
Newport Beach	Water, Sewer
Norco	Water, Sewer
Norwalk	Transit System, Water, Sewer, Golf Course
Palm Desert	Golf Course
Pico Rivera	Water, Sports Arena, Golf
Rialto	Airport, Cemetery, Recreation, Wastewater, Water
San Buenaventura	Water, Sewer
Sanger	Water, Sewer, Disposal, Ambulance
Signal Hill	Water
Stanton	Sewer
Tustin	Water
West Covina	Simulator, Computer
West Hollywood	Sewer District, Sewer Charge, Solid Waste, Landscape District and Street Maintenance
Westminster	Water



SINGLE AUDIT EXPERIENCE

We perform single audit services for most of our cities and special districts that receive federal funds as required by the Uniform Guidance. In recent years, Single Audits were performed for the following cities and special districts.

Cities:

City of Alhambra	City of Laguna Woods
City of Artesia	City of Lake Forest
City of Bellflower	City of Lakewood
City of Beverly Hills	City of Lancaster
City of Burbank	City of Newport Beach
City of Camarillo	City of Norco
City of Campbell	City of Norwalk
City of Colton	City of Palm Desert
City of Costa Mesa	City of Pico Rivera
City of Cypress	City of Rancho Santa Margarita
City of Del Mar	City of Rialto
City of Downey	City of San Buenaventura
City of Fountain Valley	City of San Gabriel
City of Gilroy	City of Sanger
City of Goleta	City of Signal Hill
City of Hawaiian Gardens	City of Stanton
City of Hesperia	City of Tustin
City of Highland	City of West Covina
City of La Habra Heights	City of West Hollywood
City of Laguna Hills	City of Westminster

Special Districts:

- Inland Empire Utilities Agency
- Las Virgenes Municipal Water District
- Olivenhain Municipal Water District
- Rancho California Water District
- Valley Wide Recreation and Park District

EXPERIENCE WITH PREPARATION OF STATE-MANDATED REPORTS

We have experience with the preparation of various state-mandated reports, such as the State Controller's Report and the Annual Street Report. Specifically, with regard to cities, we have prepared the state mandated reports, in recent years, for the Cities of Alhambra, Bellflower, Colton, Del Mar, Goleta, La Habra Heights, Laguna Hills, Lancaster, Norco, Norwalk, Pico Rivera, San Buenaventura, Sanger, Tustin and West Hollywood.



SPECIAL DISTRICTS

Noted below is a listing of special districts audited by our firm in recent years:

Borrego Water District	Orange County Development Authority - Eco-Rapid Transit
Calleguas Municipal Water District	Orange County Vector Control District
Chino Basin Desalter Authority	Orchard Dale Water District
Chino Basin Regional Financing Authority	Otay Water District
Costa Mesa Sanitary District	Padre Dam Municipal Water District
Cypress Recreation and Park District	Pico Water District
Downey Cemetery District	Placentia Library District
El Toro Water District	Rancho California Water District
Grossmont Healthcare District	Rincon del Diablo Municipal Water District
Heber Public Utilities District	Rowland Water District
Inland Empire Regional Composting Authority	Santa Ana Watershed Project Authority
Inland Empire Utilities Agency	South Coast Water District
La Habra Heights County Water District	South County Regional Wastewater Authority
La Puente Valley County Water District	Sunset Beach Sanitary District
Laguna Beach County Water District	Surfside Colony Stormwater Drainage District
Lake Elsinore and San Jacinto Joint Powers Authority	Surfside Community Services District
Las Virgenes Municipal Water District	Vallecitos Water District
Leucadia Wastewater District	Valley Wide Recreation and Park District
Midway City Sanitary District	Ventura Port District
Monterey Peninsula Regional Park District	Yorba Linda Water District
Olivenhain Municipal Water District	

NONPROFIT CORPORATIONS AND JOINT POWER AUTHORITIES

Noted below is a partial listing of nonprofit corporations and joint power authorities audited by our firm over the past year. Some of these entities are "component units" which are combined into the basic financial statements of governmental organizations which exercise oversight responsibility.

American Family Housing	Pomona-Walnut-Rowland Joint Water Line Commission
Anaheim District of the Churches of the Nazarene	Public Cable Television Authority
Cal State L.A. Metrolink Authority	The RARE Project
California Transplant	Trinity Children's Foundation
Casa de las Campanas	Trinity Youth Services
Casa Romantica Cultural Center	United Cerebral Palsy Association
Child Abuse Prevention Center	Valencia Heights Water Company
Palm Desert Recreational Facilities Corporation	Westview Services, Inc.



SCOPE OF WORK, TIMING AND AUDIT APPROACH

ENTITIES TO BE INCLUDED IN AUDIT

City of Monterey Park
 Monterey Park Public Financing Authority
 Monterey Park Housing Authority

REPORTS TO BE ISSUED AND DUE DATES

	Draft Due Dates	Final Due Dates
City of Monterey Park:		
Comprehensive Annual Financial Report (1), (2)	October 20	November 20
Management Letter	October 18	November 20
Audit Committee Letter	October 18	November 20
Single Audit Reports (2):	October 18	November 20
<ul style="list-style-type: none"> • Independent Auditors’ Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With <i>Government Auditing Standards</i> • Independent Auditors’ Report on Compliance for Each Major Program and on Internal Control Over Compliance Required by the Uniform Guidance and on the Schedule of Expenditures of Federal Awards. 		
Report on Compliance with Article XIII B Appropriation Limit (GANN Limit Review)	October 18	November 20
City’s State Controller’s Report	December 31	January 31
Successor Agency - Annual Financial Statements (2)	October 18	November 20
<p>(1) Per Section V.E. of your RFP, we will provide the processing and binding of the CAFR, however, you will need to supply the cover, tabs, back and combs for the assembly.</p> <p>(2) Per Section V.E. of your RFP, we will provide the requested number of copies and format for the respective reports.</p>		



AUDIT TIMING

Assuming that the City's books are closed and ready for examination and that all necessary schedules and documents are available for our use by mid September each year, the suggested time schedule for the various phases of the audit would be approximately as follows:

	<u>Completed By</u>
Entrance conference with key City staff. Discussion of any prior audit concerns and the performance of interim work.	May 31
Detail audit plan, including list of schedules and other work required by City Staff	June 30
Interim audit fieldwork and management review	June 30
Final audit fieldwork and management review	October 6
Exit conference to summarize the results of the fieldwork and to review significant findings	October 20
Deliver draft copies of reports	See page 18
Deliver final reports	See page 18

COMMITMENT TO DELIVER REPORTS ON A TIMELY BASIS

If all books and records, schedules and documents are made available to us by mid September, we make a commitment to have audit team members available and to provide all reports by the due dates specified above.

AUDITS TO BE IN ACCORDANCE WITH GAAS AND OTHER REQUIREMENTS

We will audit the financial statements of the City and the component units noted on the preceding page. The financial statements of all entities where the City exercises oversight will be combined with the City's financial statements, in accordance with GASB requirements. Our audit will be in accordance with auditing standards generally accepted in the United States of America as set forth by the AICPA, and will include such auditing procedures as we consider necessary under the circumstances. We will apply certain limited procedures, which consist principally of inquiries of management regarding methods of measurement and presentation of required supplementary information. However, we do not audit such information and do not express an opinion on it. Any supplemental financial statements will be subjected to auditing procedures as we consider necessary in relation to the financial statements taken as a whole. The scope of our audit will not include any statistical information, and we will not express an opinion concerning it.



AUDITS TO BE IN ACCORDANCE WITH GAAS AND OTHER REQUIREMENTS (CONTINUED)

Our audits will conform with the guidelines set forth in the AICPA's Industry Audit Guide, *Audits of State and Local Governmental Units*. Also, each examination will comply with the standards for financial and compliance audits contained in the *Government Auditing Standards*, issued by the U.S. General Accounting Office, the provisions of the Single Audit Act and the provisions of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards* (Uniform Guidance).

Also, we will perform an agreed-upon procedures review of the City's Gann Spending Limitation Computation as required by Section 1.5 of Article XIII B of the California Constitution. Our review will be performed in conformance with the provision of the "League of California Cities Uniform Guidelines".

AUDIT APPROACH

- Our audit approach is tailored to meet the technical requirements while maintaining professional skepticism without forgetting that we provide a service. The following aspects of our audit approach will add additional value to the audit services and minimize the amount of time spent by the City's staff in dealing with the audit.
- We will assign experienced staff auditors including the in-charge field auditor having at least 3 years of experience. For first year engagements, all other staff will have at least 1 year of experience. You will not spend time training our auditors.
- Whenever possible, we will use same format for audit supporting schedules used in prior years for the current year audit. This will reduce time spent by the City staff in dealing with the audit when a different audit firm is chosen.
- Throughout the year we are available as a resource to our clients in researching technical questions, dealing with new pronouncements, reviewing complex financial entries and helping with any other issues as they arise.
- The work papers will be reviewed by the manager or partner as field work is being completed to minimize additional questions after the fieldwork is completed.

Our firm uses a governmental audit program which will be modified to the City of Monterey Park's operations to accommodate specific client circumstances. Our audit programs are organized by the financial statement approach and general procedures. The requirements by the Standards for assessing risk are utilized to modify the audit programs to focus on the higher risk areas of the financial statements.

1. Audit Planning Procedures:

- Pre-audit conference with the City to establish process of communication between the audit team and City staff.
- Discuss any new accounting pronouncements to be implemented in the current year.
- Establish scope of work and timing of fieldwork.



AUDIT APPROACH (CONTINUED)

2. Interim Fieldwork:

Gather information about the City and its environment, including internal control:

- Evaluate the design of internal controls that are relevant to the audit and determine whether the control, either individually or in combination is capable of effecting, preventing or detecting and correcting material misstatements.
- Determine that the controls have been implemented, that is, that the controls exist and that the City is using it.
- Specific areas to review include:
 - Accounts payable/cash disbursements
 - Accounts receivable/cash receipts
 - Payroll disbursements
 - Utility billing process
 - Investment compliance
 - Property and equipment
- Review of minutes of the City of Monterey Park.
- Review of important contracts and debt agreements.
- Interim exit conference with the City to review results of interim fieldwork, including any findings.

3. Final Audit Work:

During the final audit work, we will assess "risk" of material misstatement based on understanding of the City's audit environment, including its internal control, to identify account balances to audit that appear in the City's financial statements. Our audit programs will be specifically tailored to address any significant risks identified. The Prepared by Client (PBC) list will be provided at least one month in advance of fieldwork. Our work may include:

- Confirmation of cash and investments balances and testing of bank reconciliations.
- Confirm significant receivable balances or review subsequent cash receipts to verify receivable balance.
- Search for unrecorded liabilities.
- Testing of interfund balances and transfers.
- Test capital asset additions and depreciation expense.
- Confirm long-term debt balances and review the accounting treatment of debt issued or refunded.
- Test support for other significant assets or liabilities.
- Analytical procedures on balance sheet and revenue and expenditure accounts, to evaluate and explain unusual fluctuations from prior year balances or current year budgeted amounts.
- Review of attorney letters for significant legal matters affecting the City's financial position.
- An exit conference will be held to review any significant adjustments or findings.

The audit workpapers will be reviewed by our management team as the work is being performed in the field so that at the conclusion of the fieldwork we are able to report any adjustments or findings.



AUDIT APPROACH REDEVELOPMENT AGENCY/SUCCESSOR AGENCY

Recent legislation related to the dissolution of Redevelopment Agencies will impact our audit approach as detailed below.

Our procedures will include:

- Audit the balances reported for cash, investments, receivables, payables, capital assets and long term liabilities as of end of the year.
- Review the activity reported on ROPS.
- Review the activities of the Successor Agency to ensure compliance with AB 26, AB 1484 and other relevant legislation enacted.

APPROACH TO INTERNAL CONTROL

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Our understanding of the internal controls will be completed by completing narratives and checklists for various processes related to internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards* (Uniform Guidance), we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.



SINGLE AUDIT APPROACH

The single audit will be performed in accordance with all the requirements of the Single Audit Act, the Uniform Guidance and *Government Auditing Standards* issued by the GAO (the “Yellow Book”) for cities that expend greater than \$750,000 in federal awards in fiscal year 2015-2016 and subsequent years.

- We will identify the Major and Nonmajor Federal Programs of the City through the risk-based approach required by the Uniform Guidance. This approach includes consideration of current and prior audit experience, oversight by Federal agencies and pass-through entities, and the inherent risk of the federal program.
- We will review all federal and industry-specific publications and guidance and inform the City of any recent changes.
- We will perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with applicable compliance requirements. If weaknesses in the internal controls are noted, we will modify our audit program as needed.
- Our audit will include tests of transactions related to major federal award programs for compliance with applicable compliance requirements and certain provisions of laws, regulations, contracts and grant agreements.
- Our procedures will consist of the applicable procedures described in the Uniform Guidance for the types of compliance requirements that could have a direct and material effect on each of the City’s major programs. The purpose of those procedures will be to express an opinion on the City’s compliance with requirements applicable to major programs in our report on compliance issued pursuant to the Uniform Guidance.
- We will assist the City in completing and filing the Data Collection Form.

DETERMINING LAWS AND REGULATIONS SUBJECT TO AUDIT

Under provisions of AICPA Auditing Standards, management of the City is responsible for identifying to its outside auditors any laws and regulations which would have a significant effect on the audit. This would include federal laws (such as federal grant regulations), State laws (such as permitted investments under the California Government Code) and local laws (such as restrictions on special revenues levied by the City). After our selection as auditors, we will consult with City officials regarding these matters, to determine what laws and regulations need to be evaluated in connection with our audit. If a City is not able to identify specific laws and regulations that effect it, we have references (California Government Code and Health and Safety Code) to the more common laws, rules and regulations in our standard audit programs for the usual activities of a California City or Successor Agency to the Redevelopment Agency which will assist us in identifying laws and regulations to review in the audit.

METHOD OF SAMPLING

Our approach is to utilize random sampling based in our testing of the internal control systems related to cash receipts, cash disbursements, payroll and utility billings. Based on a statistical conclusion used by the firm our sample sizes can range from 25 to 60 transactions for each system. A random sample selection allows each item in the population of an equal chance of being selected. In addition, for disbursements, we may select a stratified sample of all transactions over a specified dollar amount for review.



ANALYTICAL PROCEDURES

Analytical procedures are used in the planning and final stages of the audit. In the planning phase, we use analytical procedures to identify unusual financial transactions and comparing relationships to expected results. We compare current year information to the prior years for balance sheet items, revenues and expenditures. In addition, revenues and expenditures are compared to budgets to identify unexpected results. In the final stages of the audit, the financial statements are reviewed to identify expected relationships such as comparing debt paid to expenditures recorded on governmental funds, transfers between funds, depreciation expense, etc. For all significant relationships identified, explanations are obtained as to why the situation occurred and additional audit procedures are applied to resolve any concerns.

MANAGEMENT LETTERS

In connection with each audit, a complete review of internal controls will be made of all significant accounting procedures. Our firm uses an internal control questionnaire, computer systems questionnaire and narration to gain an understanding of the internal control process as part of our audit. We will identify weaknesses and after discussion with the appropriate City staff, we will submit a management letter which will identify weaknesses observed during these reviews and throughout the audit. The management letter will also assess the effect of the management letter comments on the financial reporting process and recommend steps towards eliminating the weaknesses.

POTENTIAL AUDIT PROBLEMS

We do not anticipate any significant potential audit problems. If any potential audit problems are identified, we will immediately discuss them with the City's management. Our approach is to coordinate the resolution of any problems with the City's management. Considering our experience with auditing governmental entities and resources, we expect minimal disruption to the City's management in resolving any identified audit problems.

RETENTION OF AND ACCESS TO AUDIT WORKPAPERS

In accordance with provisions of the Uniform Guidance, GAO requirements, and the California Board of Accountancy, our audit workpapers will be maintained for at least seven years after the date of the report. These workpapers will be made available as necessary to your cognizant audit agency (or its designee), to GAO representatives, or to any other federal or state agency needing access to the workpapers. Also, our firm will respond to any reasonable inquiries of successor auditors and we will allow any successor auditors to review our workpapers.

OTHER PROFESSIONAL SERVICES

We will be available for any other professional assistance you require to research and answer accounting and reporting problems raised by the City, regardless of the time of year. Such assistance may include, but is not limited to, tax questions, the review of bond documents, cost allocation programs and employee benefit programs. We have provided several tax opinions to City audit clients for matters relating to deferred compensation, fringe benefits, stipends and allowances, and other issues. We also will keep the City informed of new developments affecting municipal finance and reporting, changes in grant rules and regulations, etc.



IRREGULARITIES AND ILLEGAL ACTS

We will make an immediate, written report of all irregularities, illegal acts or indications of illegal acts of which we become aware, to the following parties: the City Council and the City Manager.

SEGMENTATION OF THE AUDIT HOURS, BY PARTNER AND STAFF LEVEL

<u>Description of Services</u>	<u>Partners</u>	<u>Managers</u>	<u>Staff</u>	<u>Clerical</u>	<u>Total</u>
City of Monterey Park audit, including Management and Audit Committee Letters	10	20	257	15	302
Single Audit	2	4	37	2	45
GANN Limit Review	1	-	2	-	3
City's State Controller's Report	1	3	24	-	28
Successor Agency audit and related reports	1	2	14	3	20
Total Hours	15	29	334	20	398

SEGMENTATION OF THE AUDIT HOURS, BY PHASES OF THE AUDIT

	<u>Partners</u>	<u>Managers</u>	<u>Staff</u>	<u>Clerical</u>	<u>Total</u>
Planning	2	4	28	-	34
Interim Fieldwork	2	8	80	-	90
Final Fieldwork and Review	11	17	226	20	274
Total Hours	15	29	334	20	398



DISCUSSION OF RELEVANT ACCOUNTING ISSUES

GASB STATEMENT NO. 72

GASB Statement No. 72, *“Fair Value Measurement and Application”*, is effective for periods beginning after June 15, 2015. This Statement addresses accounting and financial reporting issues related to fair value measurement. The definition of *fair value* is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. This Statement provides guidance for determining a fair value measurement for financial reporting purposes. This Statement also provides guidance for applying fair value to certain investments and disclosures related to all fair value measurements.

GASB STATEMENT NO. 73

GASB Statement No. 73, *“Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68”*, is effective for periods beginning after June 15, 2015 - except for those provisions that address employers and governmental nonemployer contributing entities for pensions that are not within the scope of Statement 68, which are effective for periods beginning after June 15, 2016. The requirements of this Statement extend the approach to accounting and financial reporting established in Statement 68 to all pensions, with modifications as necessary to reflect that for accounting and financial reporting purposes, any assets accumulated for pensions that are provided through pension plans that are not administered through trusts that meet the criteria specified in Statement 68 should not be considered pension plan assets. It also requires that information similar to that required by Statement 68 be included in notes to financial statements and required supplementary information by all similarly situated employers.

GASB STATEMENT NO. 74

GASB Statement No. 74, *“Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans”*, is effective for periods beginning after June 15, 2016. The objective of this Statement is to improve the usefulness of information about postemployment benefits other than pensions (other postemployment benefits or OPEB) included in the general purpose external financial reports of state and local governmental OPEB plans for making decisions and assessing accountability. This Statement also includes requirements to address financial reporting for assets accumulated for purposes of providing defined benefit OPEB through OPEB plans that are not administered through trusts that meet the specified criteria.

GASB STATEMENT NO. 75

GASB Statement No. 75, *“Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions”*, is effective for periods beginning after June 15, 2017. The scope of this Statement addresses accounting and financial reporting for postemployment benefits other than pension (other postemployment benefits or OPEB) that is provided to the employees of state and local governmental employers. This Statement establishes standards for recognizing and measuring liabilities, deferred outflows of resources, deferred inflows of resources, and expense/expenditures for defined benefit and defined contribution plans.



GASB STATEMENT NO. 76

GASB Statement No. 76, *"The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments"*, is effective for periods beginning after June 15, 2015. The requirements of this Statement improve financial reporting by (1) raising the category of GASB Implementation Guides in the GAAP hierarchy, (2) emphasizing the importance of analogies to authoritative literature when the accounting treatment for an event is not specified in authoritative GAAP; (3) requiring the consideration of consistency with the GASB Concepts Statements when evaluating accounting treatments specified in nonauthoritative literature.

GASB STATEMENT NO. 77

GASB Statement No. 77, *"Tax Abatement Disclosures"*, is effective for periods beginning after December 15, 2015. This Statement requires governments that enter into tax abatement agreements to disclose the following information:

- Brief descriptive information, such as the tax being abated, the authority under which tax abatements are provided, eligibility criteria, the mechanism by which taxes are abated, provisions for recapturing abated taxes, and the types of commitments made by tax abatement recipients.
- The gross dollar amount of taxes abated during the period.
- Commitments made by a government, other than to abate taxes, as part of a tax abatement agreement.

Governments should organize those disclosures by major tax abatement program and may disclose information for individual tax abatement agreements within those programs.

GASB STATEMENT NO. 78

GASB Statement No. 78, *"Pensions Provided Through Certain Multiple-Employer Defined Benefit Pension Plans"*, is effective for periods beginning after December 15, 2015. This Statement amends the scope and applicability of Statement 68 to exclude pensions provided to employees of state or local governmental employers through a cost-sharing multiple-employer defined benefit plan that (1) is not a state or local governmental pension plan, (2) is used to provide defined benefit pensions both to employees of state or local governmental employers and to employees of employers that are not state or local governmental employers, and (3) has no predominant state or local governmental employer (either individually or collectively with other state or local governmental employers that provide pensions through the pension plan). This Statement establishes requirements for recognition and measurement of pension expense, expenditures, and liabilities; note disclosures; and required supplementary information for pensions that have the characteristics described above.

GASB STATEMENT NO. 79

GASB Statement No. 79, *"Certain External Investment Pools and Pool Participants"*, is effective for periods beginning after June 15, 2015, except for certain provisions on portfolio quality, custodial credit risk, and shadow pricing, those provisions are effective for reporting periods beginning after December 15, 2015. This Statement addresses accounting and financial reporting for certain external investment pools and pool participants. It establishes criteria for an external investment pool to qualify for making the election to measure all of its investments at amortized cost for financial reporting purposes. An external investment pool qualifies for that reporting if it meets certain applicable criteria established in this Statement. It establishes additional note disclosure requirements for qualifying external investment pools that measure all of their investment at amortized cost for financial reporting purposes and for government that participate in those pools.



WORK REQUIRED BY CITY STAFF

Our fixed annual fees contemplate that conditions satisfactory to the normal progress and completion of the examination will be encountered and that City accounting personnel will furnish the agreed-upon assistance in connection with the audit. However, if unusual circumstances are encountered which make it necessary for us to do additional work, we shall report such conditions to the responsible City officials and provide the City with an estimate of the additional accounting fees involved.

Noted below is a listing of work required by City staff to assist in the audit.

1. Technical assistance in familiarizing our staff with:
 - The flow of information through the various departments and accounting systems.
 - Reports generated by your accounting system.
 - The system of internal controls.
 - Controls established to monitor compliance with federal grants.
2. Preparation of trial balances for all funds, after posting of all year end journal entries.
3. Preparation of schedules supporting all major balance sheet accounts, and selected revenue and expenditure accounts.
4. Typing of all confirmation requests.
5. Pulling and refiling of all supporting documents required for audit verification.
6. Assistance with the preparation of the CAFR and footnotes, including:
 - a. Determination of major funds.
 - b. Determination of general and program revenues and allocation of program revenues to:
 1. charges for services,
 2. operating grants and contributions, and
 3. capital grants and contributions.
 - c. Determination of components of net position (net investment in capital assets, restricted and unrestricted net position).
 - d. Assistance in determining the amounts to be reported (1) the Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position and (2) in the Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities.
 - e. Consolidation of internal service fund activity into governmental activities or business-type activities in the government-wide financial statements.
 - f. Preparation of the management's discussion and analysis, transmittal letter and all statistical tables for the CAFR.



FEES AND HOURLY RATES

MAXIMUM FEES

Our maximum fees for the three years ending June 30, 2018 will be as follows:

Description of Services	Fiscal Year		
	2015-16	2016-17	2017-18
City of Monterey Park audit, including Management and Audit Committee Letters	\$ 32,600	\$ 33,575	\$ 34,580
Single Audit (1)	5,020	5,170	5,325
GANN Limit Review	450	465	480
City's State Controller's Report	3,175	3,270	3,365
Successor Agency audit and related reports	2,180	2,245	2,315
Total Not to Exceed Fees	<u>\$ 43,425</u>	<u>\$ 44,725</u>	<u>\$ 46,065</u>

This fee contemplates auditing up to two major programs. Additional major programs will be audited for an additional cost of \$2,000 each.

If the contract is extended beyond three years, the fees will be increased by 3% each year.

HOURLY RATES FOR SPECIAL SERVICES

If the City wishes us to perform consulting or other services outside the scope of the services described herein, a separate written request from the City will be required. Our hourly rates for these services during each year under the basic contract will be as follows:

Position	Fiscal Year		
	2015-16	2016-17	2017-18
Partners	\$ 250	\$ 258	\$ 265
Managers	175	180	186
Supervisory Staff	140	144	149
Staff	100	103	106
Clerical	60	62	64



CONSULTING SERVICES DEPARTMENT

OVERVIEW OF SERVICES PROVIDED

White Nelson Diehl Evans LLP offers a wide range of consulting services to governmental agencies. This section of our proposal summarizes the primary types of services provided by the firm.

The firm's Director of Consulting Services is Mr. William S. Morgan, CPA. Mr. Morgan has over thirty years of experience in providing accounting, auditing and consulting services to California cities, counties, successor agencies/redevelopment agencies, water districts, special districts, joint power authorities and nonprofit corporations. Many of the firm's consulting projects are planned, supervised and reviewed by Mr. Morgan.

Our firm provides the following types of services:

- **Governmental Tax Consulting**
- **Performance and Operational Studies**
- **Redevelopment Consulting Services**
- **Reviews of City Treasurer Operations**
- **Cable Television and Broadband Consulting Services**
- **Reviews of Solid Waste Haulers and Assistance With Trash Rate Negotiations**
- **Litigation Support and Dispute Resolution Services**
- **Fraud Investigations**
- **Hotel/Motel Transient Occupancy Tax Reviews**
- **Business License Operation Reviews**

With regard to these engagements, we would intend to perform limited procedures reviews in connection with each assignment, in accordance with the AICPA's attestation standards. Under the provisions of the attestation standards, the City would designate what specific procedures it wishes to have performed. We would then perform those procedures and report on our findings. This type of engagement would not constitute a certified audit in accordance with auditing standards generally accepted in the United States of America. Such special services are not part of our standard fee arrangements and would be subject to a separate fee quotation.



ATTACHMENT I
CURRENT CITY CLIENT REFERENCES
AND
LISTS OF CITY AND SPECIAL DISTRICT ENGAGEMENTS
PERFORMED IN THE LAST 3 YEARS

CURRENT CITY CLIENT REFERENCES

One means of judging the high quality of our auditing and accounting services would be contact with some of our existing clients. We are including the names and phone numbers of our city clients over the past year. We encourage you to contact any of these individuals.

City of Alhambra

Mr. Paul Espinoza
Finance Director
(626) 570-5027

City of Artesia

Ms. Justine Menzel
Deputy City Manager
(562) 865-6249

City of Bellflower

Mr. Tae Rhee
Director of Finance
(562) 804-1424

City of Beverly Hills

Mr. Don Rhoads
Finance Director
(310) 285-2429

City of Burbank

Mr. Dino Balos
Accounting Manager
(818) 238-5518

City of Camarillo

Mr. Ronnie Campbell
Finance Director
(805) 388-5320

City of Campbell

Mr. Jesse Takahashi
Finance Director
(408) 866-2113

City of Colton

Ms. Anita Agramonte
Finance Director
(909) 370-5039

City of Costa Mesa

Ms. Colleen O'Donoghue
Assistant Finance Director
(714) 754-5421

City of Cypress

Mr. Matt Burton
Director of Finance & Administrative Services
(714) 229-6718

City of Del Mar

Ms. Teresa McBroome
Director of Finance/Treasurer
(858) 755-9354

City of Fountain Valley

Mr. David Cain
Finance Director/Treasurer
(714) 593-4501

City of Gilroy

Ms. Christina Turner
Finance Director
(408) 846-0750

City of Goleta

Ms. Genie Wilson
Finance Director
(805) 961-7527

City of Hawaiian Gardens

Ms. Linda Hollinsworth
Finance Director/Treasurer
(562) 420-2641 x236

City of Hesperia

Mr. Brian Johnson
Director of Administrative Services
(760) 947-1442

City of Highland

Mr. Chuck Dantuono
Director of Administrative Services
(909) 864-6861

City of Laguna Hills

Ms. Janice Mateo-Reyes
Finance Manager
(949) 707-2623

City of Laguna Woods

Ms. Margaret Cady
Administrative Services/
City Treasurer
(949) 639-0500

City of Lake Forest

Mr. Keith Neves
Director of Finance
(949) 461-3400

City of Lancaster

Ms. Pamela Statsmann
Assistant Finance Director
(661) 723-6038

City of Newport Beach

Mr. Dan Matusiewicz
Director of Finance
(949) 644-3126

City of Norco

Ms. Gina Schuchard
Finance Officer
(951) 270-5650

City of Norwalk

Ms. Jana Stuard
Director of Finance
(562) 929-5056

City of Palm Desert

Mr. Paul Gibson
Director of Finance
(760) 346-0611

City of Pico Rivera

Mr. Michael Solorza
Director of Finance
(562) 801-4391

City of Rancho Santa Margarita

Ms. Stefanie Turner
Finance Director
(949) 635-1812

City of Rialto

Mr. George Harris, II
Director of Administrative
and Community Services
(909) 421-7219

City of San Buenaventura

Ms. Bridgette McInally
Accounting Manager
(805) 654-7892

City of San Gabriel

Mr. Thomas Marston
Director of Finance
(626) 308-2812

City of Sanger

Ms. Patty Hartman
Interim Finance Director
(559) 876-6300

City of Stanton

Mr. Stephen Parker
Director of Administrative Services
(714) 890-4226

City of Tustin

Ms. Jenny Leisz
Finance Manager
(714) 573-3079

City of West Covina

Ms. Christa Buhagiar
Finance Director
(626) 939-8463

City of West Hollywood

Ms. Lorena Quijano
Accounting Services Manager
(323) 848-6513

City of Westminster

Ms. Sherry Johnson
Accounting Manager
(714) 898-3311

LIST OF CITY ENGAGEMENTS

We have listed below the cities which were under contract with us during the past three fiscal years.

City	Period of Service		Scope of Work
	From	To	
Alhambra	2005	Present	CA, RDA, SA, SCR
Artesia	2012	Present	CA, RDA, SA
Bellflower	2013	Present	CA, SA, SCR, Financing Authority, Public Facilities Corp.
Beverly Hills	2012	Present	CA, SA
Burbank	2013	Present	CA, AQMD, SA, Water & Utility Enterprise Fund
Camarillo	2012	Present	CA, RDA, SA
Campbell	2013	Present	CA, SA, T, Solid Waste Management Authority
Colton	2014	Present	CA, SA, SCR, Child Care Program
Costa Mesa	2012	Present	CA, RDA, PFA, SA, Housing Authority
Cypress	2012	Present	CA, RDA, RA, SA
Del Mar	2014	Present	CA, SA, SCR
Downey	1987	2013	CA, RDA, AQMD, PFA, SA, OCU
Fountain Valley	2013	Present	CA, SA, Housing Authority, Financing Authority
Gilroy	2013	Present	CA, SA
Goleta	2013	Present	CA, SA, SCR, SR
Hawaiian Gardens	2012	Present	CA, RDA, PFA, SA
Hesperia	1997	Present	CA, RDA, SA
Highland	2012	Present	CA, SA
La Habra Heights	2008	2013	CA, SA, SCR
Laguna Hills	2015	Present	CA, SA, SCR. SR
Laguna Woods	2015	Present	CA, SA
Lake Forest	2011	Present	CA, RDA, SA, Housing Authority
Lakewood	1974	2013	CA, RDA, SA
Lancaster	2013	Present	CA, SA, SCR - City, SCR - Power Authority
Newport Beach	2011	Present	CA, SA
Norco	2015	Present	CA, SA, SCR
Norwalk	2015	Present	CA, AQMD, PFA, SA, T, OCU, SCR - City & Transit
Palm Desert	2008	Present	CA, RDA, SA, Housing Authority
Pico Rivera	2012	Present	CA, PFA, SA, SCR, Water Authority
Rancho Santa Margarita	2012	Present	CA, SA
Rialto	2013	Present	CA, SA
San Buenaventura	2011	Present	CA, RDA, PFA, SA, SCR
San Gabriel	2013	Present	CA, SA
Sanger	2011	Present	CA, RDA, PFA, SA, SCR
Signal Hill	1962	2013	CA, RDA, SA
Stanton	2012	Present	CA, RDA, SA
Tustin	2011	Present	CA, RDA, SA, SCR
West Covina	2011	Present	CA, RDA, AQMD, SA
West Hollywood	2014	Present	CA, SA, SCR
Westminster	1997	Present	CA, RDA, AQMD, SA

Legend:

AQMD - Air Quality Management District Audit
 CA - City Audit
 OCU - Other Component Unit Audits
 PFA - Public Financing Authority
 PI - Public Improvement
 PP - Pension Plans

RA - Recreation Authority
 RDA - Former Redevelopment Agency Audit
 SA - Single Audit
 SCR - State Controllers' Reports
 SR - Street Report
 T - Transportation

Substantially all of the above engagements were performed through the firm's Irvine office.

LIST OF SPECIAL DISTRICT ENGAGEMENTS

We have listed below the special districts which were under contract with us during the past three fiscal years.

Client Name	Period of Service	
	From	To
Borrego Water District	2006	2013
Calleguas Municipal Water District	2015	Present
Chino Basin Desalter Authority	2011	Present
Chino Basin Regional Financing Authority	2015	Present
Costa Mesa Sanitary District	2005	2014
Cypress Recreation and Park District	2012	Present
Downey Cemetery District	1987	2013
El Toro Water District	2008	2013
Grossmont Healthcare District	2011	Present
Heber Public Utilities District	2014	Present
Inland Empire Regional Composting Authority	2011	Present
Inland Empire Utilities Agency	2011	Present
La Habra Heights County Water District	2002	Present
La Puente Valley County Water District	1986	Present
Laguna Beach County Water District	2002	Present
Lake Elsinore and San Jacinto Joint Powers Authority	2013	Present
Las Virgenes Municipal Water District	2007	2013
Leucadia Wastewater District	2010	Present
Midway City Sanitary District	2012	Present
Monterey Peninsula Regional Park District	2015	Present
Olivenhain Municipal Water District	2009	Present
Orange County Development Authority - Eco-Rapid Transit	2015	Present
Orange County Vector Control District	2013	Present
Orchard Dale Water District	2012	Present
Otay Water District	2009	2013
Padre Dam Municipal Water District	2009	Present
Pico Water District	2010	Present
Placentia Library District	2015	Present
Rancho California Water District	2012	Present
Rincon del Diablo Municipal Water District	2015	Present
Rowland Water District	2007	Present
Santa Ana Watershed Project Authority	2013	Present
South Coast Water District	2011	2014
South County Regional Wastewater Authority	2013	Present
Sunset Beach Sanitary District	1986	Present
Surfside Colony Stormwater Drainage District	2010	Present
Surfside Community Services District	2010	Present
Vallecitos Water District	2010	2015
Valley Wide Recreation and Park District	1986	Present
Ventura Port District	2011	Present
Yorba Linda Water District	2008	Present

Substantially all of the above engagements were performed through the firm's Irvine office.

ATTACHMENT II
RESULTS OF OUTSIDE QUALITY REVIEW

System Review Report

July 22, 2015

To the Owners of
White Nelson Diehl Evans LLP
and the Peer Review Committee of the CA Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of White Nelson Diehl Evans LLP (the firm) in effect for the year ended March 31, 2015. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included engagements performed under the *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of White Nelson Diehl Evans LLP in effect for the year ended March 31, 2015, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. White Nelson Diehl Evans LLP has received a peer review rating of *pass*.

Heidenreich & Heidenreich CPAs PLLC

Heidenreich & Heidenreich, CPAs, PLLC

ATTACHMENT 2

White Nelson Diehl Evans, LLP's Two-Year Contract Extension Proposal



WNDE

White Nelson Diehl Evans LLP
CPAs | TAX | ADVISORY | AUDIT

May 6, 2020

Ms. Martha Garcia, Director of Management Services
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

Dear Ms. Garcia:

Enclosed is the revised engagement letter to provide audit services to the City of Monterey Park for the two years ending June 30, 2022.

Please return a signed copy of the engagement letter for our files.

If you have questions, please call me.

Very truly yours,

WHITE NELSON DIEHL EVANS LLP

Robert J. Callanan, CPA
Engagement Partner

May 06, 2020

City Council and Management
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

We are pleased to confirm our understanding of the services we are to provide the City of Monterey Park (City) for the two years ending June 30, 2022. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the City as of and for the years ending June 30, 2021 and 2022. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis, to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparison Schedules - General and Major Special Revenue Funds.
- 3) Schedules of Changes in the Net Pension Liability and Related Ratios and Schedules of Plan Contributions for the CalPERS Miscellaneous and Safety Plans and the Mass Mutual Retirement Pension Plan.
- 4) Schedule of Changes in Net OPEB Liability and related ratios and Schedule of Contributions for the City's OPEB Plan.

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditors' report on the financial statements:

- 1) Combining and individual fund financial statements and schedules.
- 2) Schedule of expenditures of federal awards.

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditors' report will not provide an opinion or any assurance on that other information:

- 1) Introductory Section.
- 2) Statistical Section.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on:

- 1) Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- 2) Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance.

Audit Objectives (Continued)

The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the City Council of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the City or to acts by management or employees acting on behalf of the City. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention.

Audit Procedures - General (Continued)

We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a single audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures - Internal Controls

Our audit will include obtaining an understanding of the City and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weakness. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the OMB *Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, the schedule of expenditures of federal awards, and the related notes of the City in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for (1) designing, implementing, establishing and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management Responsibilities (Continued)

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness for that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the City from whom we determine it necessary to obtain audit evidence. Because of the importance of oral and written management representations to the effective performance of our services, the City releases and indemnifies our firm and its personnel from any and all claims, liabilities, costs and expenses attributable to any misrepresentation by management and its representatives.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the City involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the City complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to make the audited financial statements readily available to intended users of the schedule of expenditures of federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon.

Management Responsibilities (Continued)

Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide as defined in the Other Services Section of this letter. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Management Responsibilities (Continued)

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Engagement Administration, Fees and Other

Noted below is a listing of work required by City staff to assist in the audits.

1. Preparation of trial balances for all funds, after posting of all year-end journal entries.
2. Preparation of schedules supporting all major balance sheet accounts, and selected revenue and expenditure accounts.
3. Typing of all confirmation requests.
4. Pulling and refileing of all supporting documents required for audit verification.

Our maximum annual fees for the two years ending June 30, 2021 and 2022, are as follows:

	<u>2021</u>	<u>2022</u>
City of Monterey Park - Financial audit, management and audit committee letters	\$ 40,960	\$ 43,455
Single Audit of Federal Grants (1)	6,030	6,030
GANN Limit Agreed-Upon Procedures review	510	510
Successor Agency Fund audit and related reports	<u>2,455</u>	<u>2,455</u>
	<u>\$ 49,955</u>	<u>\$ 49,955</u>

(1) This fee contemplates auditing only two major programs. Additional major programs will be charged at \$2,000 per major program.

The maximum annual fees stipulated herein contemplate that conditions satisfactory to the normal progress and completion of the examination will be encountered and the City accounting personnel will furnish the agreed upon assistance in connection with the audit. However, if unusual circumstances are encountered which make it necessary for us to do additional work; we shall report such conditions to the responsible City officials and provide the City with an estimate of the additional accounting fees involved.

Engagement Administration, Fees and Other (Continued)

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditors' reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of White Nelson Diehl Evans LLP and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to grantor agencies or their designees, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of White Nelson Diehl Evans LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

In accordance with our firm's current record retention policy, all of your original records will be returned to you at the conclusion of this engagement. Our audit documentation files will be kept for a period of seven years after the issuance of the audit report. All other files will be kept for as long as you retain us as your auditors. However, upon termination of our service, all records will be destroyed after a period of seven years. Physical deterioration or catastrophic events may further shorten the life of these records. The audit documentation files of our firm are not a substitute for your original records.

We expect to begin our interim fieldwork in June each year and final fieldwork in September. In addition, we expect to issue our reports no later than November 30 each year. Mr. Robert J. Callanan, CPA, is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our most recent peer review report accompanies this letter.

Engagement Administration, Fees and Other (Continued)

To ensure that White Nelson Diehl Evans LLP's independence is not impaired under the AICPA *Code of Professional Conduct*, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

We appreciate the opportunity to be of service to the City of Monterey Park and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

White Nelson Diehl Evans LLP

WHITE NELSON DIEHL EVANS, LLP

RESPONSE:

This letter correctly sets forth the understanding of the City of Monterey Park.

By _____

Print Name _____

Title _____

Date _____

Report on the Firm's System of Quality Control

August 15, 2018

To the Owners of
White Nelson Diehl Evans LLP
and the Peer Review Committee of the CA Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of White Nelson Diehl Evans LLP (the firm) in effect for the year ended March 31, 2018. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included an engagement performed under *Government Auditing Standards*, a compliance audit under the Single Audit Act and audits of employee benefit plans.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of White Nelson Diehl Evans LLP in effect for the year ended March 31, 2018, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. White Nelson Diehl Evans LLP has received a peer review rating of *pass*.

Heidenreich & Heidenreich CPAs PLLC

Heidenreich & Heidenreich, CPAs, PLLC



WNDE

White Nelson Diehl Evans LLP
CPAs | TAX | ADVISORY | AUDIT

May 6, 2020

Ms. Martha Garcia, Director of Management Services
City of Monterey Park
320 West Newmark Avenue
Monterey Park, CA 91754

Dear Ms. Garcia:

We are pleased to confirm our understanding of the services we are to provide the City of Monterey Park (the City) for the two years ending June 30, 2022. We will prepare the Cities Annual Financial Transactions Report and Supplement to the Annual Report for the fiscal years ending June 30, 2021 and 2022 and perform a compilation engagement with respect to these reports.

Our Responsibilities

The objective of our engagement is to:

1. Prepare the Cities Annual Financial Transactions Report and Supplement to the Annual Report in accordance with the format prescribed by the California State Controller's Office based on information provided by you, and
2. Apply accounting and financial reporting expertise to assist you in the presentation of the Cities Annual Financial Transactions Report and Supplement to the Annual Report without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the Cities Annual Financial Transactions Report and Supplement to the Annual Report in order for them to be in accordance with the format prescribed the California State Controller's Office.

We will conduct our compilation engagement in accordance with Statements on Standards for Accounting and Review Services (SSARS) promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants ("AICPA") and comply with the AICPA's *Code of Professional Conduct* including the ethical principles of integrity, objectivity, professional competence, and due care.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or a conclusion nor provide any assurance on the Cities Annual Financial Transactions Report and Supplement to the Annual Report.

Our Responsibilities (Continued)

Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the City or noncompliance with laws and regulations.

We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Your Responsibilities

The engagement to be performed is conducted on the basis that you acknowledge and understand that our role is to assist you in the presentation of the Cities Annual Financial Transactions Report and Supplement to the Annual Report in accordance with the format prescribed by the California State Controller's Office.

You have the following overall responsibilities that are fundamental to our undertaking the engagement in accordance with SSARS:

1. The selection of the format prescribed by the California State Controller's Office as the financial reporting framework to be applied in the preparation of the Cities Annual Financial Transactions Report and Supplement to the Annual Report.
2. The preparation and fair presentation of the Cities Annual Financial Transactions Report and Supplement to the Annual Report in accordance with the format prescribed by the California State Controller's Office.
3. The design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the Cities Annual Financial Transactions Report and Supplement to the Annual Report.
4. The prevention and detection of fraud.
5. To ensure that the City complies with the laws and regulations applicable to its activities.
6. The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement.

Your Responsibilities (Continued)

7. To provide us with:

- access to all information of which you are aware that is relevant to the fair presentation of the Cities Annual Financial Transactions Report and Supplement to the Annual Report, such as records, documentation, and other matters.
- additional information that we may request from you for the purpose of the compilation engagement.
- unrestricted access to persons within the City of whom we determine it necessary to make inquiries.

You are also responsible for all management decisions and responsibilities and for designating an individual, preferably within senior management, with suitable skills, knowledge, and experience to oversee our preparation of your Cities Annual Financial Transactions Report and Supplement to the Annual Report. You are responsible for evaluating the adequacy and results of the services performed and accepting responsibility for such services.

Our Report

As part of our engagement, we will issue a report that will state that we did not audit or review the Cities Annual Financial Transactions Report and Supplement to the Annual Report and that, accordingly, we do not express an opinion, a conclusion, or provide any assurance on them. If, for any reason, we are unable to complete the compilation of your Cities Annual Financial Transactions Report and Supplement to the Annual Report, we will not issue a report on such annual reports as a result of this engagement.

Our report will disclose that the Cities Annual Financial Transactions Report and Supplement to the Annual Report are presented in a prescribed form in accordance with the requirements of the California State Controller's Office and are not intended to be a presentation in accordance with accounting principles generally accepted in the United States of America.

You agree to include our accountants' compilation report in any document containing the Cities Annual Financial Transactions Report and Supplement to the Annual Report that indicates we have performed a compilation engagement on such annual reports and, prior to inclusion of the report, to ask our permission to do so.

Ms. Martha Garcia, Director of Management Services
City of Monterey Park
May 6, 2020
Page 4

Other Relevant Information

Mr. Robert J. Callanan, CPA, is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Our fees for these services will be \$3,810 for fiscal year ending June 30, 2021 and \$3,810 for fiscal year ending June 30, 2022. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the work performed. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. You agree to hold us harmless and to release, indemnify, and defend us from any liability or costs, including attorney's fees, resulting from management's knowing misrepresentations to us.

To ensure that White Nelson Diehl Evans LLP's independence is not impaired under the AICPA *Code of Professional Conduct*, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you acknowledge and agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



WHITE NELSON DIEHL EVANS LLP

RESPONSE:

This letter correctly sets forth the understanding of the City of Monterey Park.

By _____

Title _____

Date _____



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-A

TO: The Honorable Mayor and City Council
FROM: Joseph Leon, City Treasurer
SUBJECT: Monthly Investment Report – April 2020

RECOMMENDATION: It is recommended that the City Council:

- (1) Receive and file the monthly investment report; and
- (2) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

As of April 30, 2020 invested funds for the City of Monterey Park is \$91,763,906.18.

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:



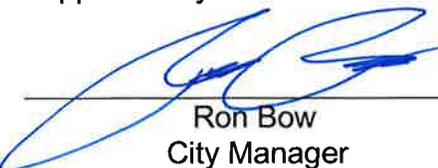
Joseph Leon
City Treasurer

Prepared by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

ATTACHMENT 1

Investment Report

**CITY OF MONTEREY PARK
INVESTMENT REPORT
AS OF APRIL 30, 2020**

INVESTMENTS PORTFOLIO PROFILE:

TOTAL BALANCE AT 4/30/2020

\$ 91,763,906.18

INVESTMENT COMPOSITION

(1)	<u>LA COUNTY POOLED INVESTMENT FUND</u> <i>(See Schedule A for LA County Pool Composition)</i>	ON DEMAND	1.710%	<u>\$ 2,738,626.14</u>
(2)	<u>LOCAL AGENCY INVESTMENT FUND</u>	ON DEMAND	1.660%	<u>\$ 82,020,280.04</u>

		<u>Purchase Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	
(3)	<u>CERTIFICATES OF DEPOSIT</u>				
1	PREFERRED BANK	09/30/19	09/03/20	2.00%	140,000
2	ROYAL BUSINESS BANK	06/23/19	06/22/20	2.45%	250,000
3	ALLY BANK MIDVALE	10/06/17	10/05/20	1.95%	245,000
4	AMERICAN EXPRESS BANK	05/03/17	05/04/20	1.80%	245,000
5	AMERICAN FIRST CREDIT UNION	03/06/20	03/07/22	1.60%	245,000
6	CAPITAL ONE NATL BANK	10/25/17	10/26/20	2.00%	245,000
7	CITIBANK NATIONAL BANK	02/07/19	02/08/21	2.65%	245,000
8	COMMERCIAL BANK	06/21/18	06/22/20	2.75%	245,000
9	CUSTOMERS BANK	06/19/19	06/19/20	2.40%	245,000
10	DIRECT CFED CREDIT UNION	11/22/17	11/23/20	2.00%	245,000
11	DISCOVER BANK	09/01/17	09/01/20	1.90%	245,000
12	ENVISION CREDIT UNION	06/07/19	06/07/21	2.50%	245,000
13	FIRST SOURCE FED CREDIT UNION	10/08/19	03/26/21	1.95%	245,000
14	GARRETT BANK	05/09/18	05/11/20	2.55%	245,000
15	GOLDMAN SACHS BANK	10/18/17	10/19/20	1.95%	245,000
16	GRAND RIVER BANK	11/28/17	05/28/20	1.80%	245,000
17	GUARANTY BANK	03/15/18	09/15/20	2.40%	245,000
18	IBERIABANK	05/30/18	11/30/20	2.70%	245,000
19	KEESLER FEDERAL CREDIT UNION	12/21/18	06/22/20	3.00%	245,000
20	LAKESIDE BANK CHICAGO	05/10/17	05/11/20	1.65%	245,000
21	MORGAN STANLEY BANK	02/27/20	02/28/22	1.70%	245,000
22	MORGAN STANLEY PRIVATE BANK	02/27/20	02/28/22	1.70%	245,000
23	NATIONWIDE BANK	11/30/17	08/31/20	2.00%	245,000
24	STEARNS BANK	05/31/18	05/29/20	2.70%	245,000
25	THIRD FED SAVINGS & LOAN	12/21/17	12/21/20	2.10%	245,000
26	UNIVERSITY IOWA CMNTY	04/30/18	04/30/21	2.75%	245,000
27	VIBRANT CREDIT UNION	12/21/18	06/22/20	2.95%	245,000
28	WELLS FARGO BANK	02/13/19	02/16/21	2.65%	245,000
29	WEX BANK	06/02/17	06/02/20	1.80%	245,000
	<i>Total CDs (29)</i>			2.219%	<u>\$ 7,005,000.00</u>

**CITY OF MONTEREY PARK
INVESTMENT REPORT
AS OF APRIL 30, 2020**

OTHER INFORMATION:

BANK BALANCE: ⁽¹⁾	<u>\$ 12,969,171.28</u>
AVERAGE MATURITY DAYS	17
AVERAGE INTEREST RATE FOR THE MONTH	1.704%

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 3RD QUARTER 2019-2020 **\$ 464,923.00**

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 MARCH 31, 2020

SCHEDULE A

<u>PORTFOLIO PROFILE</u>	<u>Pooled Surplus Investments</u>	<u>Specific Purpose Investments</u>
Inventory Balance at 3/31/20		
At Cost	\$ 32,673,781,121	\$ 117,986,464
At Market	\$ 32,789,510,837	\$ 121,975,565
Repurchase Agreements	\$ -	\$ -
Reverse Repurchase Agreements	\$ -	\$ -
Composition by Security Type:		
Certificates of Deposit	9.49%	16.95%
United States Government and Agency Obligations	58.91%	43.74%
Bankers Acceptances	0.00%	0.00%
Commercial Paper	31.05%	0.00%
Municipal Obligations	0.24%	2.98%
Corporate and Deposit Notes	0.31%	0.00%
Repurchase Agreements	0.00%	0.00%
Asset-Backed	0.00%	0.00%
Other	0.00%	36.33%
1-60 days	37.45%	0.00%
61 days-1 year	17.76%	52.80%
Over 1 year	44.79%	47.20%
Weighted Average Days to Maturity	713	



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-B

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)

- (1) Approve the minutes from the regular meeting of April 15, 2020 and the special meeting of April 15, 2020; and
- (2) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

None.

BACKGROUND:

None.

FISCAL IMPACT:

None.

Respectfully submitted,

Prepared by:



Vincent D. Chang
City Clerk



Henry Lu
Minutes Clerk

Approved By:



Ron Bow
City Manager

Attachments: Minutes

ATTACHMENT 1
Minutes

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
SPECIAL MEETING
APRIL 15, 2020**

The City Council of the City of Monterey Park held a Special Meeting on Wednesday, April 15, 2020 at 5:00 p.m. The special 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.

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:

Participants are encouraged to join the meeting 30 minutes before the start of the meeting.

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

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: 94991482547 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.

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 by visiting the city’s website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>.

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 Liang called the meeting to order at 5:02 p.m.

ROLL CALL:

City Manager Ron Bow called the roll:

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

Council Members Absent: None

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None.

ORAL AND WRITTEN COMMUNICATIONS

None.

CLOSED SESSION

The City Council adjourned to closed session at 5:03 p.m.

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code § 54956.9(d)(1)): Number of Cases: Five**

1. *Jessica S. v. City of Monterey Park, et al.* (filed March 21, 2019), United States District Court, Central District of California, Case No. 2:19-CV-00833-ODW-GJS
2. *Chu Thai v. City of Monterey Park* (filed March 6, 2018, LASC Case No. BC696884
3. *Betty Lu v. City of Monterey Park* (filed July 25, 2018) LASC Case No. EC068865
4. *Betty Lu v. City of Monterey Park* (DOI July 20, 2016) WCAB Case No: ADJ10969750
5. *Betty Lu v. City of Monterey Park* (DOI April 14, 1989) WCAB Case No.: ADJ10969766

RECONVENE & ADJOURNMENT

The City Council reconvened from Closed Session with all Council Members present. The meeting was adjourned at 6:26 p.m.

Action Taken: No reportable action taken in Closed Session.

Vincent D. Chang
City Clerk

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
APRIL 15, 2020**

The City Council of the City of Monterey Park held a Regular Teleconference Meeting on Wednesday, April 15, 2020 at 7:00 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:

Participants were encouraged to join the meeting 30 minutes before the start of the meeting.

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

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling (877) 853-5247 or (888) 788-0099 and entering Zoom Meeting ID: 763220761 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.

The public may also 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>.

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 Liang called the meeting to order at 7:02 p.m.

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, Assistant City Attorney Karl Berger, City Treasurer Joseph Leon, Fire Chief Matt Hallock, Police Chief Kelly Gordon, Director of Public Works Mark McAvoy, Director of Management Services Martha Garcia, Director of Recreation & Community Services Inez Alvarez, Interim Director of Human Resources Danielle Tellez, City Librarian Diana Garcia, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Assistant City Attorney Berger reported there was a revised ordinance for consideration for Item No. 3H.

City Clerk Chang reported 3 written communications for Agenda Item No. 3K.

ORAL AND WRITTEN COMMUNICATIONS

None.

1. PRESENTATION

1A. MPK COUNTS CENSUS 2020 – INFORMATIONAL UPDATE

Director of Recreation & Community Services Alvarez and City Librarian Garcia presented an Informational Update on the MPK Counts Census 2020.

2. OLD BUSINESS

None.

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

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 Items Nos. 3A, 3B, 3D, 3E, 3I, 3J, and 3K on Consent Calendar, excluding Items Nos. 3C, 3F, 3G, 3H, and 3L 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 Chan and seconded by Council Member Lo motion carried by the following vote:

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

3A. MONTHLY INVESTMENT REPORT – MARCH 2020

As of March 31, 2020 invested funds for the City of Monterey Park is \$91,592,455.87.

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

3B. MINUTES

Approve the minutes from the regular meeting of February 5, 2020 and March 4, 2020 and the special meeting of February 5, 2020, March 4, 2020, and March 18 2020.

Action Taken: The City Council approved the Minutes from the regular meeting of February 5, 2020 and March 4, 2020 and the special meeting of February 5, 2020, March 4, 2020, and March 18, 2020 on Consent Calendar.

3C. ACCEPT A \$50,000 DONATION ON BEHALF OF THE CITY OF MONTEREY PARK FOR LANGLEY CENTER

Pursuant to Resolution No. 11776, the City Council may accept donations with a value estimated at \$25,000 or greater (Attachment 1 in the staff report). Therefore, it is requested that the City Council accept a donation of \$50,000 from Mr. Don Knudsen for Langley Center.

Action Taken: The City Council accepted a \$50,000 donation on behalf of the City of Monterey Park for Langley Center.

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

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

3D. RENEWAL OF THE ASSESSMENT DISTRICT FOR FISCAL YEAR 2020-21 AND SCHEDULE A PUBLIC HEARING PURSUANT TO STREETS AND HIGHWAYS CODE §§ 22500, ET SEQ.

In 1993 the City formed a citywide benefit assessment district to finance the operation and maintenance of public street lighting and landscaping. The district was renewed each of the past 27 years and must be renewed for 2020-21 in order for the City to continue the collection of assessments. To begin the district renewal, staff recommends a public hearing be held on June 3, 2020. Scheduling the public hearing is a required process and it does not automatically renew the district. The district renewal will follow the City Council's action at the conclusion of the June 3rd public hearing.

CEQA (California Environmental Quality Act):

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

Action Taken: The City Council adopted Resolution No. 12144 declaring the City Council's intent to levy and collect assessments for Fiscal Year 2020-21 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code §§ 22500, *et seq.* and setting a time and place for a public hearing on Consent Calendar.

Resolution No. 12144, entitled:

RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2020-21 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING

3E. SECOND READING AND ADOPTION: AN ORDINANCE AMENDING THE CITY'S CALPERS CONTRACT CAUSING MEMBERS OF THE MONTEREY PARK POLICE OFFICERS' MID-MANAGEMENT ASSOCIATION ("MPPOMMA"), MONTEREY PARK POLICE CAPTAINS ASSOCIATION ("MPPCA") AND THE PROFESSIONAL CHIEF FIRE OFFICERS ASSOCIATION ("PCOA") TO MAKE ADDITIONAL PAYMENTS TOWARD CALPERS COSTS AS FOLLOWS: AN ADDITIONAL 3% BY CLASSIC EMPLOYEES; AND 0.5% FOR PEPRA EMPLOYEES

On April 7, 2020, the City Council introduced and waived the first reading of an ordinance amending the City's CalPERS contract in accordance with Government Code § 20471. At the same meeting, the City Council adopted an urgency ordinance to help facilitate the process.

Second reading and adoption of the ordinance is recommended; the ordinance will become effective 30 days after adoption.

Action Taken: The City Council waived the second reading and adopted Ordinance No. 2169 on Consent Calendar.

Ordinance No. 2169 Second Reading, entitled:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

3F. NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK RESOLUTION

The Monterey Park Police Department is celebrating the week of April 12-18, 2020 as National Public Safety Telecommunicators Week. This week, sponsored by the Association of Public-Safety Communications Officials (APCO) International and celebrated annually, honors the thousands of men and women who respond to emergency calls, dispatch emergency professionals and equipment, and render life saving assistance to the citizens of the United States. We are enlisting your support in the form of a resolution to honor these men and women in our area for the work that they do every day to protect the residents of Monterey Park.

Action Taken: The City Council adopted Resolution No. 12145 declaring the week of April 12-18, 2020 to be National Public Safety Telecommunicators Week in Monterey Park.

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

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

Resolution No. 12145, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING APRIL 12-18, 2020, NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK IN MONTEREY PARK

3G. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION UPDATING THE CITY'S DESIGNATION OF APPLICANT'S AGENT RESOLUTION (FORM 130) WITH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL-OES) FOR THE PURPOSES OF OBTAINING FINANCIAL ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AUTHORITY (FEMA)

Cal-OES Form 130 designates the agents authorized to submit applications and engage with Cal-OES and FEMA for the purposes of obtaining federal financial assistance. The Emergency Management Performance Grant requires that the city file a Form 130 with the State once every three years; the City's last Form 130 resolution was approved on July 17, 2013 and is expired. A Cal-OES Form 130 is required for the City to be eligible for funding.

CEQA (California Environmental Quality Act):

This Resolution is exempt from the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; "CEQA") and CEQA Guidelines (California Code Regulations Title 14, §§ 15000, et seq.) because it does not constitute a "Project" under CEQA § 15378. Projects that may be funded by FEMA and Cal OES financial assistance may require project-specific environmental review.

Action Taken: The City Council adopted Resolution No. 12146 updating the City's designation of applicant's agent resolution with the California Governor's Office of Emergency Services.

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

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

Resolution No. 12146, entitled:

RESOLUTION DESIGNATING THE CITY MANAGER; THE FIRE CHIEF; OR THE DIRECTOR OF MANAGEMENT SERVICES TO ACT AS THE AGENT FOR THE CITY OF MONTEREY PARK FOR THE PURPOSE OF APPLYING FOR FEDERAL AND STATE FINANCIAL ASSISTANCE, PURSUANT TO 42 USC §§ 5121, ET SEQ.

3H. CONSIDERATION AND INTRODUCTION OF AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL TO REGULATE THE UNLAWFUL USE OF PUBLIC PROPERTY

In 2018 and 2019 the Ninth Circuit Court of Appeals rendered a decision in *Martin v. City of Boise*. In sum, the Court found that the Eighth Amendment to the United States constitution prevents public entities from enforcing regulations prohibiting homeless persons from sitting, sleeping or lying on sidewalks or other public places whenever the number of homeless individuals in the jurisdiction exceeds the number of available shelter beds. As a result, most public entities in the Ninth Circuit suspended enforcing such regulations. A review of the Monterey Park Municipal Code (“MPMC”) shows that it is desirable to reconcile the City’s existing regulations with the *Martin v. City of Boise* case.

CEQA (California Environmental Quality Act):

The proposed Ordinance is exempt from the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; “CEQA”) and CEQA Guidelines (California Code Regulations Title 14, §§ 15000, et seq.) because it does not constitute a “Project” under CEQA § 15378.

Action Taken: The City Council introduced and waived first reading of a ordinance amending the Monterey Park Municipal Code to regulate the unlawful use of public property as revised by changing “public nuisances” to “health hazards” in part D of section 6.37.010, removing “and the “Trail” as defined by § 12.44.010 of this Code” from the definition of “Restricted Area” in Section 6.37.030, and changed “Langley” to “Beth Ryan” in Section 12.04.190.

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

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

Ordinance 1st Reading, entitled:

AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REGULATE THE UNLAWFUL USE OF PUBLIC PROPERTY

31. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A REVISED RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE AND APPROVE GRANT FUNDS FOR THE PLANNING GRANTS PROGRAM

The California Department of Housing and Community development (HCD) is soliciting applications for funding from the Planning Grants Program to eligible local governments. Eligible grant activities include updates to general, community or specific plans and updates to zoning ordinances, among other things. On December 18, 2019, the City Council adopted Resolution No. 12131, triggering the

application process for the receipt and approval of grant funds for the Planning grants Program. On or about February 10, 2020, HCD began reviewing the City's application; on March 4, 2020, HCD notified the City of its preference (not a legal requirement) that certain information be added to the City's resolution. To expedite processing of the grant, staff revised the resolution and recommends that the City Council consider adopting the attached draft resolution. The staff report from the December 18, 2019 meeting is attached to the staff report for reference.

Action Taken: The City Council adopted Resolution No. 12147 authorizing the City Manager, or designee, to apply for, receive and appropriate grant funds for the Planning Grants Program on Consent Calendar

Resolution No. 12147, entitled:

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE AND APPROVE GRANT FUNDS FOR THE PLANNING GRANTS PROGRAM

3J. ONE-YEAR TIME EXTENSION (EX-20-01) FOR TENTATIVE MAP NO. 82024 (TM-18-02) TO SUBDIVIDE AIR-RIGHTS FOR A THREE-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT – 217 NORTH NICHOLSON AVENUE

On March 2, 2020, Jack Lee of Cal Engineering, Inc., submitted an application pursuant to Title 20 of the Monterey Park Municipal Code ("MPMC") requesting approval of a one-year time extension for Tentative Map No. 82024 (TM-18-02) to subdivide air-rights for a three-unit residential condominium development at 217 North Nicholson Avenue ("Project"). Pursuant to MPMC § 20.10.020, the City Council "shall grant the extension and any subsequent extensions; provided, that it finds good cause for doing so and that such extensions exists.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15315 as a Class 15 categorical exemption (Minor land Divisions). The Project consists of the division of property in an urbanized area that is zoned for residential use. The Project conforms to the General Plan because, according to the Land Use Element, the Single-Family Residential land use category allows for low density residential units, traditionally single-family homes with one dwelling permitted per legal lot. The Project is the subdivision of air-rights for the construction of three new residential dwelling units. The Project is consistent with zoning. Furthermore, the Project does not require any variances or exceptions, all services and access to the proposed parcels are available (to the City's standards), the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

Action Taken: The City Council adopted Resolution No. 12148 approving a Time Extension (EX-20-01) for Tentative Map No. 82024 (TM-18-02) on Consent Calendar.

Resolution No. 12148, entitled:

A RESOLUTION APPROVING A ONE-YEAR EXTENSION OF TIME (EX-20-01) FOR TENTATIVE MAP NO. 82024 (TM-18-02) TO SUBDIVIDE AIR-RIGHTS FOR A 3-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 217 NORTH NICHOLSON AVENUE

3K. ONE-YEAR TIME EXTENSION (EX-19-03) FOR TENTATIVE MAP NO. 73622 (TM-15-05) TO SUBDIVIDE ONE LOT INTO NINE LOTS – 1585 SOMBRERO DRIVE

On December 30, 2019, the property owner, Yaonan Duan of RCAM Investment Inc., submitted an application pursuant to Title 20 of the Monterey Park Municipal Code (“MPMC”) requesting approval of a one-year time extension for Tentative Map No. 73622 (TM-15-05) to subdivide one lot into nine lots at 1585 Sombrero Drive (“Project”). Pursuant to MPMC §20.10.020, the City Council “shall grant the extension and any subsequent extensions; provided, that it finds good cause for doing so and that such extensions do not exceed an aggregate of three years.” It is recommended that the City Council determine whether good cause for the extension exists.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) in that the project consists of the subdivision of land for the construction of new single-family dwelling units. The property is designated Low Density Residential in the General Plan Land Use Element. The proposed development will take place within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species in that the property was formerly developed with a service station; furthermore, the construction of the proposed project will take place entirely upon the existing, developed lot approval of the project would not result in any significant effect relating to traffic, noise, air quality, or water quality in that the project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

Public Speakers:

- City Clerk Chang read into the record three written communications from Carl Yoshioka, Phong (Derek) Loi, and Linda Yoshioka voicing their opposition to the development project.

Action Taken: The City Council adopted Resolution No. 12149 approving a Time Extension (EX-19-03) for Tentative Map No. 73622 (TM-15-05) on Consent Calendar.

Resolution No. 12149, entitled:

A RESOLUTION APPROVING A ONE-YEAR EXTENSION OF TIME (EX-19-03) FOR TENTATIVE MAP NO. 73622 (TM-15-05) TO SUBDIVIDE ONE LOT INTO NINE LOTS AT 1585 SOMBRERO DRIVE

3L. RESOLUTION IDENTIFYING A PUBLIC WORKS STREET MAINTENANCE PROJECT TO BE INCLUDED IN THE FY 2020-21 BUDGET AND FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

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

RMRA funds made available for the Local Streets and Roads Funding Program are prioritized for expenditure on basic road maintenance and rehabilitation projects, and on critical safety projects. The CTC provided a number of example projects and uses for Rehabilitation, Safety Projects, Railroad Grade Separations, Complete Streets Components (including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project), and Traffic Control devices.

Action Taken: The City Council adopted Resolution No. 12150 identifying a street maintenance project to be included in the FY 2020-21 budget and funded with Road Maintenance and Rehabilitation Act (RMRA) funds, in a form approved by the City Attorney on Consent Calendar.

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

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

Resolution No. 12150, entitled:

A RESOLUTION IDENTIFYING A STREET MAINTENANCE PROJECT TO BE INCLUDED IN THE FY 2020-21 BUDGET AND FUNDED BY SENATE BILL 1: ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

4. PUBLIC HEARING

None.

5. NEW BUSINESS

5A. EXTENSION OF EMERGENCY REGARDING COVID-19 PANDEMIC

On March 18, 2020, the City Council adopted Resolution No. 12142 which declared a local emergency resulting from the COVID-19 Pandemic (the "COVID-19 Pandemic"). Pursuant to resolution No. 12142 and Monterey Park Municipal Code ("MPMC"), the City Manager implemented certain emergency policies and procedures ("EP&P") to protect public health and safety. Generally, these relate to designation of quarantine sites; protection of public employees; and continuity of government.

Government Code § 8630 requires that the City Council review a local emergency at least once every 60 days. Based upon readily available information, it does not appear that the Pandemic will end any time soon. Indeed, it may be that the situation will become worse than it is at the time this staff report is written.

CEQA (California Environmental Quality Act):

The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare. CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529)

Action Taken: The City Council adopted Resolution No. 12151 ratifying certain actions completed by the City Manager and extending the existence of a local Emergency.

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

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

Resolution No. 12151, entitled:

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK RATIFYING CERTAIN ACTIONS COMPLETED BY THE CITY MANAGER AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY

RECESSED AND RECONVENED

The City Council recessed at 8:54 p.m. and reconvened with all council members present at 8:59 p.m.

5B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA APPOINTING COUNCIL REPRESENTATIVES TO SPECIFIC ORGANIZATIONS

Pursuant to Section VIII of the City Council's Policies and Procedures, the City Council generally appoints representatives to various regional and community organizations each July. Appointments are recommended by the Mayor and confirmed by the City Council.

Action Taken: The City Council adopted Resolution No. 12152 appointing representatives to specific organizations.

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

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

Resolution No. 12152, entitled:

A RESOLUTION ASSIGNING REPRESENTATIVES TO SPECIFIC ORGANIZATIONS IN ACCORDANCE WITH SECTION VIII OF THE CITY COUNCIL POLICIES AND PROCEDURES

5C. CITY COUNCIL APPOINTMENTS TO VARIOUS COMMISSIONS, BOARDS AND COMMITTEES

Pursuant to Monterey Park Municipal Code (“MPMC”) Chapter 2.82, each council member appoints his/her respective representative(s) to the City’s nine commissions to serve a one-year term (beginning on May 1st and ending April 30th). Commissioners may not serve more than **eight** consecutive one-year terms on the same commission. A Commissioner’s term will automatically roll over unless otherwise directed by council members.

Action Taken: The City Council received and filed the list of Commission/Board/Committee members as listed in Attachment 1 to the Staff Report.

5D. MAYORAL ROTATION

On April 1, 2020, the City Council deferred selection of a mayor pro tempore until its meeting of April 15, 2020. As noted at that time, Resolution No. 11507 determines the mayoral rotation for the City Council. That Resolution, however, anticipates that all City Council elections will be at-large; it has not been amended to reflect the district-based elections that are now in effect. Based upon that Resolution, Mayor Hans Liang’s term will end May 4, 2020.

Recommendation: It is recommended that the City Council consider:

1. Give direction regarding the method by which the Mayor and Mayor pro tempore are selected;
2. If appropriate, select the Mayor pro tem and direct that a resolution memorializing the City Council’s determination be placed on the consent calendar for the next regular meeting; and
3. Take such additional, related, action that may be desirable.

Action Taken: The City Council extended the Mayoral term for Hans Liang and appointed Peter Chan as Mayor Pro Tem to a time indefinite until a time sequence is in place.

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

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

Action Taken: The City Council established Council Sequence in the following order: Mayor Hans Liang, Mayor Pro Tem Peter Chan, District 4 Council Member Fred Sornoso, District 3 Council Member Henry Lo, District 2 Council Member Yvonne Yiu and to bring back a mayoral rotation schedule for consideration.

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

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

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

6A. A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK ENCOURAGING THE COMMUNITY TO ADHERE TO THE “SAFER AT HOME” ORDERS AND CDC RECOMMENDATIONS TO COMBAT THE COVID-19 PANDEMIC – REQUESTED BY COUNCIL MEMBER LO

Action Taken: The City Council adopted Resolution No. 12153 encouraging the community to adhere to the “Safe at Home” orders and CDC recommendation to combat the COVID-19 pandemic.

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

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

Resolution No. 12153, entitled:

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK ENCOURAGING THE COMMUNITY TO ADHERE TO THE “SAFER AT HOME” ORDERS AND CDC RECOMMENDATIONS TO COMBAT THE COVID-19 PANDEMIC

COUNCIL COMMUNICATIONS

Council Member Chan wished for everyone to stay safe and healthy.

Council Member Sornoso reported he is staying safe and eating healthy.

Council Member Lo wished for everyone to stay safe and healthy.

Council Member Yiu thanked the people helping the community during the pandemic.

Mayor Liang reminded the community that starting April 16, 2020 face coverings will be required when out in public.

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

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:39 p.m.

Vincent D. Chang
City Clerk



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO:

Consent Calendar
Agenda Item 3-C

TO: The Honorable Mayor and City Council

FROM: Vincent D. Chang, City Clerk

SUBJECT: WAIVE SECOND READING AND ADOPT AN ORDINANCE
AUTHORIZING DIGITAL AND ELECTRONIC SIGNATURES FOR ALL
CITY DOCUMENTS

RECOMMENDATION:

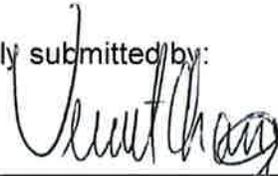
It is recommended that the City Council:

1. Waive second reading and adopt an Ordinance authorizing digital and electronic signatures for all City documents; or
2. Take such additional related action that may be desirable.

EXECUTIVE SUMMARY:

The ordinance was introduced on May 6, 2020. At that meeting, the City Council conducted the first reading. The staff report from the May 6, 2020 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:



Vincent D. Chang
City Clerk

Prepared by:



Cindy Trang
Deputy City Clerk

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT(S):

1. Attachment 1 - Draft Ordinance
2. Attachment 2 - May 6, 2020 City Council Staff Report

ATTACHMENT 1
Draft Ordinance

CITY OF MONTEREY PARK

ORDINANCE NO. XXXX

AN UNCODIFIED ORDINANCE AUTHORIZING DIGITAL AND ELECTRONIC SIGNATURES FOR OFFICIAL CITY DOCUMENTS

THE COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds, determines and declares as follows:

- A. On March 11, 2020, at 7:00 p.m., the City declared a state of local emergency due to the COVID-19 Pandemic (the "Emergency"). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020 and extended on April 15, 2020 by Resolution No. 12151;
- B. Among other things, the Emergency is a significant threat to public welfare and the well-being of the City's employees. As a result, the Governor and the Los Angeles County Department of Public Health implemented requirements as to physical distancing. Accordingly, the City ordered the closure of all public facilities; cancelled in-person public meetings; and is taking numerous additional steps to help ensure that the likelihood of being exposed to COVID-19 is significantly reduced;
- C. Since the start of the Emergency, it became apparent that the City must improve its protocols in order to facilitate the timely processing of documents while also adhering to State and County requirements of physical distancing;
- D. California Government Code § 16.5 expressly authorizes municipalities to use digital signatures with appropriate security standards in place of traditional ink signatures ("wet signatures") for all official documents;
- E. Civil Code §§ 1633.1, *et seq.*, the Uniform Electronic Transactions Act, provides standards that govern electronic records and electronic signatures relating to the conduct of business, commercial, or governmental affairs; and
- F. The Council finds that it is in the best interest of the public safety, welfare and convenience of the City to implement the use of electronic and digital signatures during, at least, the Emergency. The City Manager and City Clerk may recommend changes to this Ordinance – including

codification within the Monterey Park Municipal Code – when it is practicable after termination of the Emergency.

SECTION 2. The City Clerk may utilize the following standards when processing all City documents including, without limitation, ordinances, resolutions, and contracts:

“DIGITAL AND ELECTRONIC SIGNATURES

I. Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these standards:

- A. “Acceptable technology” means technology, acceptable for use in the State of California, capable of creating signatures and which conforms to the requirements in both Government Code § 16.5 and 2 California Code of Regulations § 22003.
- B. “Digitally signed communication” means a message that is processed by acceptable technology in such a manner that ties the message to the signer.
- C. “Electronic document” means all records retained by the City in its regular course of business that are specifically designated by the City Council, City Manager, City Clerk, or City Attorney as being eligible for execution via an electronic signature. Such designation must be set forth in the body of a record and substantially read as follows: “This Document 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.”
- D. “Electronic signature” means an electronic symbol or process attached to or logically associated with an electronic document and executed or adopted by a person with the intent to sign the electronic document. For purposes of these standards, a “digital signature” as defined in Government Code § 16.5 is a type of electronic signature.
- E. “Message” means a digital representation of information intended to serve as a written communication provided to the city by a public entity or private entity.
- F. “Person” means a human being or any organization capable of signing a document, either legally or as a matter of fact.
- G. “Public entity” has the same meaning as Government Code § 811.2.
- H. “Signer” means the person who signs a digitally signed

communication with the use of an acceptable technology to uniquely link the message with the person sending it.

- I. "Technology" means the computer hardware and/or software-based method or process used to create digital signatures.

II. Digital signatures.

- A. Digital signatures may be used for electronic documents. Only digital signatures created by an acceptable technology will be deemed valid.
- B. Before accepting a digital signature, the City Clerk, or designee will determine acceptable technologies and vendors to provide the means for employing digital signatures under these standards, consistent with industry best practices, to ensure the security and integrity of the data and the signature; including, ensuring that:
 1. The level of security used to identify the signer of a document and transmit the signature is sufficient for the transaction being conducted; and
 2. The certificate format used by the signer is sufficient for the security and interoperability needs of the public entity.
- C. The use of a digital signature compliant with this section will have the same force and effect as the use of a manual signature using ink applied to paper (aka "wet signature").

III. Electronic signatures.

For any electronic document consisting of an agreement with the City, in which a signature is required or used, the City may authorize the use of an electronic signature by any party, so long as the electronic transaction complies with the requirements of Civil Code §§ 1633.1, *et seq.*"

SECTION 3. This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, this Ordinance is exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 4. *Electronic Signatures.* This Ordinance may be executed with

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

electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 5. Construction. This Ordinance must be broadly construed 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. 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 7. 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 8. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 9. This Ordinance will take effect on the 30th day following its final passage and adoption.

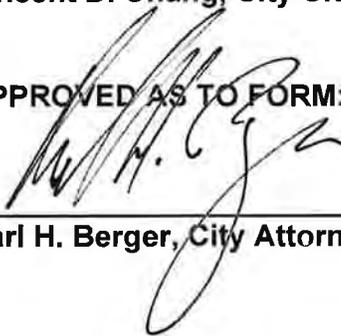
ORDINANCE NO. XXXX WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF April 27, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

ATTACHMENT 2
May 6, 2020 City Council Staff Report



City Council Staff Report

DATE: May 6, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-A

TO: The Honorable Mayor and City Council
FROM: Vincent D. Chang, City Clerk
SUBJECT: Consideration and possible action to adopt an Urgency Ordinance authorizing digital and electronic signatures for official city documents. Additionally, consideration and possible action to introduce and waive first reading of an ordinance that would take the same action as the urgency ordinance.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting an Urgency Ordinance upon 4/5ths vote authorizing digital and electronic signatures for all City documents;
2. Waiving first reading and introduce an Ordinance authorizing digital and electronic signatures for all City documents; and/or
3. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On March 11, 2020, the City declared a state of local emergency due to the COVID-19 Pandemic (the "Emergency"). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020 and extended on April 15, 2020 by Resolution No. 12151. In response to the requirements related to physical distancing issued by the Governor and the Los Angeles County Department of Public Health, the City ordered the closure of all public facilities; cancelled in-person public meetings; and is taking numerous additional steps to help ensure that the likelihood of being exposed to COVID-19 is significantly reduced.

Since the start of the Emergency, it became apparent that the City must improve its protocols in order to facilitate the timely processing of documents while also adhering to State and County requirements of physical distancing. The attached urgency and regular ordinances would authorize digital and electronic signatures for all City documents (e.g., ordinances, resolutions and contracts) by providing specific standards for the City Clerk to utilize when processing such documents. Following the termination of the Emergency, the City Manager and City Clerk may recommend changes to these protocols, including codification within the Monterey Park Municipal Code.

BACKGROUND:

The City may execute documents either by electronic or digital signature(s). The general legal framework for the use of electronic signatures on electronic records has been in place for more than twenty years. In 1999, California adopted a version of the Uniform Electronic Transactions Act (UETA), guaranteeing that electronic signatures would have the same legal effect as a “wet” or manual signature.¹ In addition, in 1995, five years before the UETA was adopted, the California Legislature passed a statute authorizing public entities to accept “digital signatures” if and only if they comply with stringent verification procedures established by the Secretary of State.² The Secretary of State adopted regulations in 1998 approving the use of digital signatures in certain circumstances.³

The attached ordinances would authorize the use of electronic signatures on City documents while allowing the City to strike a balance between flexibility and the need for signature security and integrity. Specifically, the ordinances would: (1) establish that digital signatures will be effective on electronic documents, so long as certain guidelines regarding the security and integrity of digital signatures are met; (2) authorize the City Clerk to determine the particular technologies or vendors that presumptively satisfy these guidelines; and (3) authorize the use of an electronic signature for certain documents (e.g., electronic transactions that comply with Civil Code §§ 1633.1, *et seq.*).

In order for the City to improve its protocols to facilitate the timely processing of documents, while also adhering to State and County requirements of physical distancing, one of the recommendations is for the City Council to adopt an urgency ordinance that would take effect immediately. Additionally, the City Council would introduce a regular ordinance; adoption would be scheduled for the regular May 20th City Council meeting. Both ordinances would accomplish the same goal: authorizing digital and electronic signatures for official city documents.

FISCAL IMPACT:

Adoption of the ordinance would not result in any fiscal impact. There may, however, be costs associated with the selection and implementation of electronic and/or digital signature platforms. In the event the City Council adopts either or both ordinance(s), the City should likely select a software system for digital signatures which has been approved by the Secretary of State based on specific criteria and acceptable technology that ensures security, authentication, and confidentiality.

¹ Civil Code §§ 1633.1-1633.17

² Government Code § 16.5

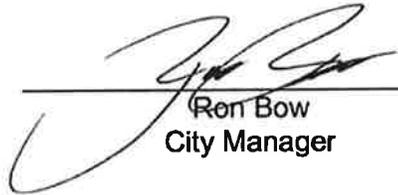
³ 2 C.C.R. § 22003

Respectfully submitted by:



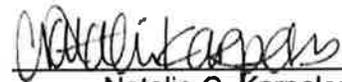
Vincent D. Chang
City Clerk

Approved by:



Ron Bow
City Manager

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

ATTACHMENTS:

1. Urgency Ordinance
2. Regular Ordinance

ATTACHMENT 1

Urgency Ordinance

CITY OF MONTEREY PARK

ORDINANCE NO. U-_____

**AN UNCODIFIED URGENCY ORDINANCE AUTHORIZING
DIGITAL AND ELECTRONIC SIGNATURES FOR OFFICIAL CITY
DOCUMENTS**

THE COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds, determines and declares as follows:

- A. On March 11, 2020, at 7:00 p.m., the City declared a state of local emergency due to the COVID-19 Pandemic (the "Emergency"). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020 and extended on April 15, 2020 by Resolution No. 12151;
- B. Among other things, the Emergency is a significant threat to public welfare and the well-being of the City's employees. As a result, the Governor and the Los Angeles County Department of Public Health implemented requirements as to physical distancing. Accordingly, the City ordered the closure of all public facilities; cancelled in-person public meetings; and is taking numerous additional steps to help ensure that the likelihood of being exposed to COVID-19 is significantly reduced;
- C. Since the start of the Emergency, it became apparent that the City must improve its protocols in order to facilitate the timely processing of documents while also adhering to State and County requirements of physical distancing;
- D. California Government Code § 16.5 expressly authorizes municipalities to use digital signatures with appropriate security standards in place of traditional ink signatures ("wet signatures") for all official documents;
- E. Civil Code §§ 1633.1, *et seq.*, the Uniform Electronic Transactions Act, provides standards that govern electronic records and electronic signatures relating to the conduct of business, commercial, or governmental affairs; and
- F. The Council finds that it is in the best interest of the public safety, welfare and convenience of the City to implement the use of electronic and digital signatures during, at least, the Emergency. The City Manager and City Clerk may

recommend changes to this Ordinance – including codification within the Monterey Park Municipal Code – when it is practicable after termination of the Emergency.

- G. Because of the findings set forth above, the City Council finds that this Ordinance should be adopted on an urgency basis to preserve the public health, safety, and welfare in accordance with Government Code §§ 36934 and 36937(b).

SECTION 2. The City Clerk may utilize the following standards when processing all City documents including, without limitation, ordinances, resolutions, and contracts:

“DIGITAL AND ELECTRONIC SIGNATURES

I. Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these standards:

- A. “Acceptable technology” means technology, acceptable for use in the State of California, capable of creating signatures and which conforms to the requirements in both Government Code § 16.5 and 2 California Code of Regulations § 22003.
- B. “Digitally signed communication” means a message that is processed by acceptable technology in such a manner that ties the message to the signer.
- C. “Electronic document” means all records retained by the City in its regular course of business that are specifically designated by the City Council, City Manager, City Clerk, or City Attorney as being eligible for execution via an electronic signature. Such designation must be set forth in the body of a record and substantially read as follows: “This Document 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.”
- D. “Electronic signature” means an electronic symbol or process attached to or logically associated with an electronic document and executed or adopted by a person with the intent to sign the electronic document. For purposes of these standards, a “digital signature” as defined in Government Code § 16.5 is a type of electronic signature.
- E. “Message” means a digital representation of information intended to serve as a written communication provided to the city by a public entity or private entity.

- F. "Person" means a human being or any organization capable of signing a document, either legally or as a matter of fact.
- G. "Public entity" has the same meaning as Government Code § 811.2.
- H. "Signer" means the person who signs a digitally signed communication with the use of an acceptable technology to uniquely link the message with the person sending it.
- I. "Technology" means the computer hardware and/or software-based method or process used to create digital signatures.

II. Digital signatures.

- A. Digital signatures may be used for electronic documents. Only digital signatures created by an acceptable technology will be deemed valid.
- B. Before accepting a digital signature, the City Clerk, or designee will determine acceptable technologies and vendors to provide the means for employing digital signatures under these standards, consistent with industry best practices, to ensure the security and integrity of the data and the signature; including, ensuring that:
 - 1. The level of security used to identify the signer of a document and transmit the signature is sufficient for the transaction being conducted; and
 - 2. The certificate format used by the signer is sufficient for the security and interoperability needs of the public entity.
- C. The use of a digital signature compliant with this section will have the same force and effect as the use of a manual signature using ink applied to paper (aka "wet signature").

III. Electronic signatures.

For any electronic document consisting of an agreement with the City, in which a signature is required or used, the City may authorize the use of an electronic signature by any party, so long as the electronic transaction complies with the requirements of Civil Code §§ 1633.1, *et seq.*"

SECTION 3. This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service

essential to the public, health and welfare.¹ Additionally, this Ordinance is exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 4. Declaration of Urgency. Based on the findings set forth in Section 1, this is an Urgency Ordinance adopted for the immediate preservation of the public peace, health, safety and welfare.

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 Ordinance will become effective immediately upon adoption pursuant to Government Code §§ 36934 and 36937 for the immediate preservation of the public peace, health, safety, and welfare. Pursuant to those statutes this Ordinance is adopted by fourth-fifths vote of the City Council.

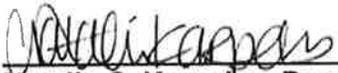
URGENCY ORDINANCE NO. _____ WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF May 6, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

**APPROVED AS TO FORM:
MARK D. HENSLEY, CITY ATTORNEY**



Natalie C. Karpeles, Deputy City Attorney

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

ATTACHMENT 2

Regular Ordinance

CITY OF MONTEREY PARK

ORDINANCE NO. _____

AN UNCODIFIED ORDINANCE AUTHORIZING DIGITAL AND ELECTRONIC SIGNATURES FOR OFFICIAL CITY DOCUMENTS

THE COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. *Findings.* The City Council finds, determines and declares as follows:

- A. On March 11, 2020, at 7:00 p.m., the City declared a state of local emergency due to the COVID-19 Pandemic (the “Emergency”). That Emergency was ratified by Resolution No. 12142, adopted March 18, 2020 and extended on April 15, 2020 by Resolution No. 12151;
- B. Among other things, the Emergency is a significant threat to public welfare and the well-being of the City’s employees. As a result, the Governor and the Los Angeles County Department of Public Health implemented requirements as to physical distancing. Accordingly, the City ordered the closure of all public facilities; cancelled in-person public meetings; and is taking numerous additional steps to help ensure that the likelihood of being exposed to COVID-19 is significantly reduced;
- C. Since the start of the Emergency, it became apparent that the City must improve its protocols in order to facilitate the timely processing of documents while also adhering to State and County requirements of physical distancing;
- D. California Government Code § 16.5 expressly authorizes municipalities to use digital signatures with appropriate security standards in place of traditional ink signatures (“wet signatures”) for all official documents;
- E. Civil Code §§ 1633.1, *et seq.*, the Uniform Electronic Transactions Act, provides standards that govern electronic records and electronic signatures relating to the conduct of business, commercial, or governmental affairs; and
- F. The Council finds that it is in the best interest of the public safety, welfare and convenience of the City to implement the use of electronic and digital signatures during, at least, the Emergency. The City Manager and City Clerk may recommend changes to this Ordinance – including

codification within the Monterey Park Municipal Code – when it is practicable after termination of the Emergency.

SECTION 2. The City Clerk may utilize the following standards when processing all City documents including, without limitation, ordinances, resolutions, and contracts:

“DIGITAL AND ELECTRONIC SIGNATURES

I. Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in these standards:

- A. “Acceptable technology” means technology, acceptable for use in the State of California, capable of creating signatures and which conforms to the requirements in both Government Code § 16.5 and 2 California Code of Regulations § 22003.
- B. “Digitally signed communication” means a message that is processed by acceptable technology in such a manner that ties the message to the signer.
- C. “Electronic document” means all records retained by the City in its regular course of business that are specifically designated by the City Council, City Manager, City Clerk, or City Attorney as being eligible for execution via an electronic signature. Such designation must be set forth in the body of a record and substantially read as follows: “This Document 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.”
- D. “Electronic signature” means an electronic symbol or process attached to or logically associated with an electronic document and executed or adopted by a person with the intent to sign the electronic document. For purposes of these standards, a “digital signature” as defined in Government Code § 16.5 is a type of electronic signature.
- E. “Message” means a digital representation of information intended to serve as a written communication provided to the city by a public entity or private entity.
- F. “Person” means a human being or any organization capable of signing a document, either legally or as a matter of fact.
- G. “Public entity” has the same meaning as Government Code § 811.2.
- H. “Signer” means the person who signs a digitally signed

communication with the use of an acceptable technology to uniquely link the message with the person sending it.

- I. "Technology" means the computer hardware and/or software-based method or process used to create digital signatures.

II. Digital signatures.

- A. Digital signatures may be used for electronic documents. Only digital signatures created by an acceptable technology will be deemed valid.
- B. Before accepting a digital signature, the City Clerk, or designee will determine acceptable technologies and vendors to provide the means for employing digital signatures under these standards, consistent with industry best practices, to ensure the security and integrity of the data and the signature; including, ensuring that:
 1. The level of security used to identify the signer of a document and transmit the signature is sufficient for the transaction being conducted; and
 2. The certificate format used by the signer is sufficient for the security and interoperability needs of the public entity.
- C. The use of a digital signature compliant with this section will have the same force and effect as the use of a manual signature using ink applied to paper (aka "wet signature").

III. Electronic signatures.

For any electronic document consisting of an agreement with the City, in which a signature is required or used, the City may authorize the use of an electronic signature by any party, so long as the electronic transaction complies with the requirements of Civil Code §§ 1633.1, *et seq.*"

SECTION 3. This Ordinance was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this Ordinance is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹ Additionally, this Ordinance is exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment.

SECTION 4. *Electronic Signatures.* This Ordinance may be executed with

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

electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 5. Construction. This Ordinance must be broadly construed 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. 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 7. 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 8. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 9. This Ordinance will take effect on the 30th day following its final passage and adoption.

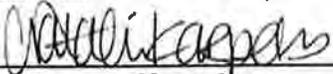
ORDINANCE NO. _____ WAS DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AT ITS REGULAR MEETING OF May 6, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

**APPROVED AS TO FORM:
MARK D. HENSLEY, CITY ATTORNEY**



Natalie C. Karpeles, Deputy City Attorney



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-D

TO: Honorable Mayor and Members of the City Council

FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner

SUBJECT: Waive further reading and adopt an ordinance amending the Garfield Village Specific Plan (SPA-19-01) and Zone Change (ZC-19-01) to change the zoning from GVN-S to GVC-S to allow for the reconstruction of an existing service station (ARCO) and construction of new 24-hour drive-through coffee shop at 2425 and 2439 South Garfield Avenue.

RECOMMENDATION:

It is recommended that the City Council:

- (1) Waive second reading and adopt the proposed ordinance; and/or
- (2) Take such additional, related, action that may be desirable.

SUMMARY:

The ordinance was introduced at the May 6, 2020 City Council meeting. At that meeting, the City Council conducted the first reading. The staff report from the May 6, 2020 meeting is attached for reference. Second reading and adoption of this ordinance is recommended; the ordinance take effect in 30 days.

Respectfully Submitted by:

Prepared By:



Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner



Samantha Tewasart
Senior Planner



Ron Bow
City Manager



Natalie C. Karpeles
Deputy City Attorney

Attachments:

Staff Report
May 20, 2020
Page 2

Attachment 1: Draft Ordinance
Attachment 2: May 6, 2020 City Council Staff Report

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP (ZC-19-01) AND GARFIELD VILLAGE SPECIFIC PLAN (SPA-19-01) TO CHANGE THE ZONE AT 2425 AND 2439 SOUTH GARFIELD AVENUE FROM GVN-S TO GVC-S TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW 24-HOUR COFFEE SHOP WITH A DRIVE-THROUGH.

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

SECTION 1: The City Council finds and declares that:

- A. On February 26, 2019, Garfield Oil, LLC ("Applicant") submitted an application to amend the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for 2425 and 2439 South Garfield Avenue from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)(Zone Change (ZC-19-01)) and requesting approval of a Conditional Use Permit (CU-19-04) to allow reconstruction of an existing service station and construction of a new 24-hour drive-through coffee shop (collectively, the "Project");
- B. The proposed Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for October 22, 2019. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On October 22, 2019, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff, members of the public, and the applicant's representatives. The Planning Commission adopted Resolution No. 20-19 which recommended that the City Council adopt the Zone Change (ZC-19-01) and Specific Plan Amendment (SPA-19-01);
- F. The City Council reviewed the proposed Project and related environmental aspects of the proposal as required by the MPMC at its December 18, 2019, February 5, 2020, and May 6, 2020 meetings; and

- G. The City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearings of December 18, 2019, February 5, 2020, and May 6, 2020.

SECTION 2: Factual Findings and Conclusions. The City Council finds as follows:

- A. The Project is consistent with the goals, policies, and objectives of the General Plan. The proposed Specific Plan Amendment and Zone Change will allow for the revitalization of the existing property by providing the Applicant the opportunity to redevelop the Project Site.
- B. The Project will not adversely affect surrounding properties. The proposed Project is consistent with the type of the uses that are currently developed in that neighborhood. The Project would decrease the building square footages, which will help improve mobility on- and off-site, allow for connectivity between the Specific Plan area and the surrounding neighborhoods, and make efficient use of the Project Site. The proposed Project would also increase the use of an underutilized property (which occupies half a prominent street block and intersection) by complementing the existing businesses in the area and functioning as a retail draw.
- C. The proposed Specific Plan Amendment and Zone Change will allow the Applicant to: (1) rebuild the service station, upgrade the intersection and continue to utilize the existing alleyway as a secondary circulation network; (2) make improvements to the property and incorporate new uses which will be both automobile- and pedestrian-oriented; and (3) create more activity in the Specific Plan area and contribute to revitalizing the commercial area and neighborhood (GVSP § 2.4.4).
- D. The proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC. Without the proposed Specific Plan Amendment and Zone Change, the existing service station will be legal non-conforming use and the proposed coffeeshop with drive-through would be prohibited. Rezoning of the site to accommodate the project will be consistent with general welfare as it will allow the Applicant to improve the existing service station property and to promote increased economic activity in the Garfield Village Specific Plan.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed with an existing service station which will be reconstructed as part of the proposed in-fill Project and the construction of the proposed drive-through coffee shop

will take place entirely upon the existing, developed lot. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Approvals. The zoning for the Project site is changed from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S) (Zone Change (ZC-19-01)). Accordingly, the Zoning Map is amended as set forth in attached Exhibit "B," and incorporated by reference.

SECTION 5: Reliance on Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: Limitations. The City Council's analysis and evaluation of the Project are based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the Project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 8: Repeal of any provision of the MPMC, or any other City resolution or ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for

**ORDINANCE NO.
MAY 6, 2020
PAGE 4 of 4**

sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 9: 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 10: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 10 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 11: This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED, APPROVED, AND ADOPTED this May 6, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

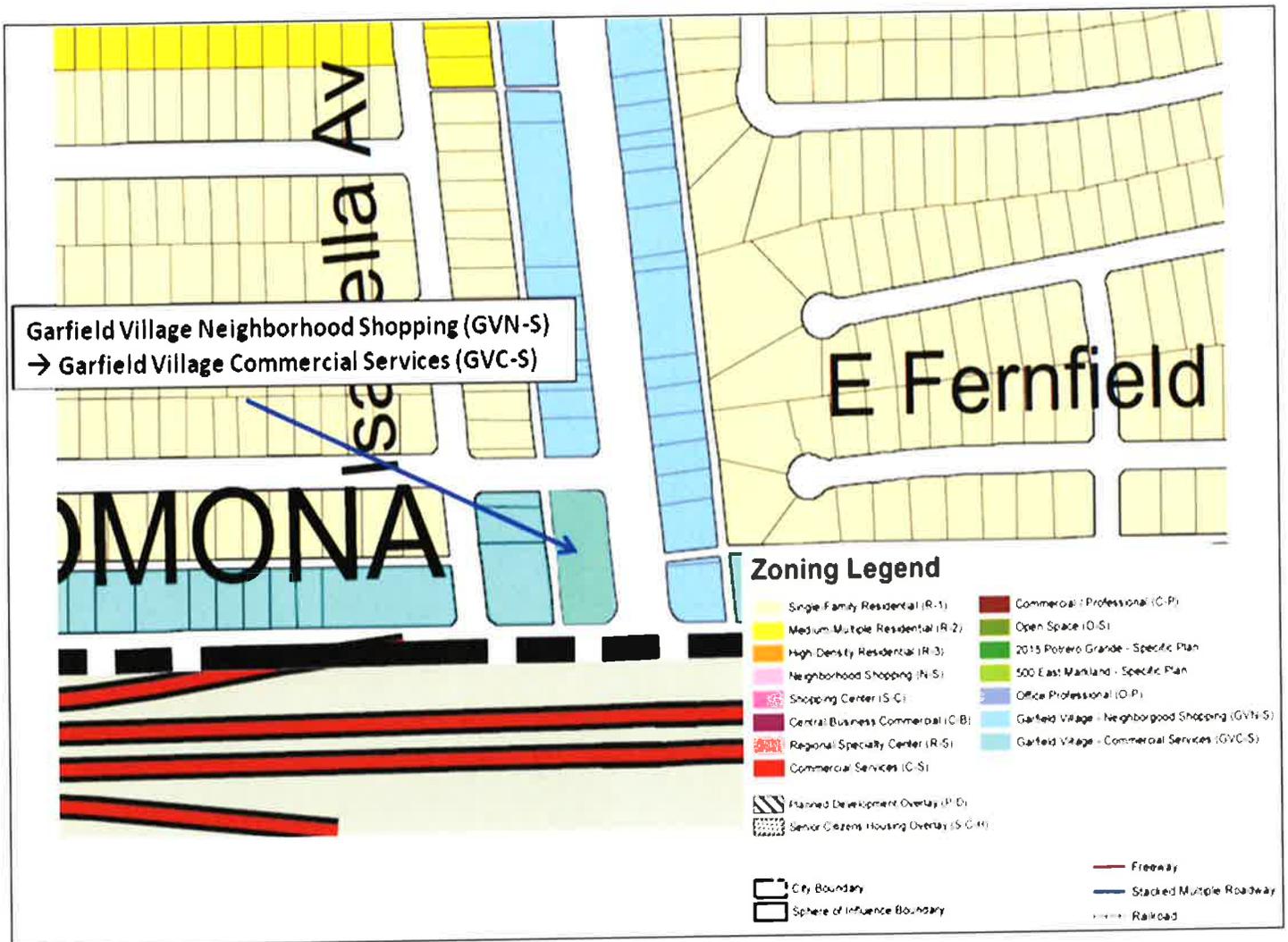
By:



Natalie C. Karpeles, Deputy City Attorney

Exhibit B

2425-2439 SOUTH GARFIELD AVENUE



Amendment of the Zoning Map from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)

ATTACHMENT 2

May 6, 2020 Staff Report



City Council Staff Report

DATE: May 6, 2020

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: Honorable Mayor and Members of the City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider an amendment to the Garfield Village Specific Plan (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04) for the reconstruction of an existing service station (ARCO) and construction of new 24-hour drive-through coffee shop at 2425 and 2439 South Garfield Avenue.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Opening the continued public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Taking the following action:
 - a. Waiving first reading and introducing an Ordinance approving a Specific Plan Amendment (SPA-19-01) and Zone Change (ZC-19-01);
 - b. Adopting a Resolution approving a Conditional Use Permit (CU-19-04), subject to SPA-19-01 and ZC-19-01, along with conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) in that the Project consists of demolishing and reconstructing an existing service station. The property is designated Commercial in the General Plan Land Use Element. The proposed development will take place within city limits on a site of no more than five acres substantially surrounded by urban uses. The Project site has no value as habitat for endangered, rare or threatened species in that the property is already developed with an existing service station which will be demolished and reconstructed as part of the proposed Project; furthermore, the construction of the proposed drive-thru coffee shop will take place entirely upon the existing, developed lot. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality in that the Project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

EXECUTIVE SUMMARY:

The Applicant is requesting an amendment to the Garfield Village Specific Plan ("GVSP"), a Zone Change (from Garfield Village Neighborhood Shopping District (GVN-S) to Garfield Village Commercial Services District (GVC-S)) and a Conditional Use Permit to allow the demolishing and reconstruction of an existing service station and construction of a new 24-hour drive-through coffee shop. Pursuant to the GVSP, service stations are conditionally permitted within the GVC-S zone, only. On October 22, 2019, the Planning Commission adopted Resolution No. 20-19.¹

The Project was presented to the City Council at its December 18, 2020 regular meeting.² The City Council reiterated the concerns raised by the Planning Commission and, in order to sufficiently address these concerns, the item was set for the February 5, 2020 City Council meeting. Due to scheduling conflicts, the Applicant requested that the item be continued to a date uncertain. At the February 5, 2020 meeting, the City Council granted the Applicant's request for a continuance, requested a copy of the focused traffic analysis³, and requested that the public notification radius be extended to 500 feet (rather than the 300 feet required by Government Code § 65090 and Monterey Park Municipal Code (MPMC) § 21.32.070.⁴

BACKGROUND AND ANALYSIS:

2425 and 2439 South Garfield Avenue are adjacent lots located in the South Garfield Village ("Project Site"). The applicant, Garfield Oil, LLC ("Applicant"), seeks an amendment to the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for the Project Site from GVN-S to GVC-S (Zone Change (ZC-19-01)). To allow for the demolition and reconstruction of a service station and a 24-hour drive-through coffee shop in the GVC-S zone, the Applicant also requests approval of a Conditional Use Permit (CU-19-04) (collectively, these requests are referred to as the "Project"). 2439 Garfield and 2425 Garfield were both purchased by the same property owner and together these addresses take up two lots on the same block. The Applicant is proposing to combine and develop both lots in a single phase as part of the Project. An in-depth analysis of the Project is set forth in the Planning Commission staff report dated October 22, 2019 (which is attached for reference).

At its October 22, 2019 meeting, the Planning Commission raised the following concerns:

- Traffic circulation within the alleyway and on-site;

¹ The staff report and draft minutes from the October 22, 2019 Planning Commission meeting are attached for reference.

² The minutes of the December 18, 2019 City Council meeting are attached for reference.

³ The focused traffic analysis was provided to the City Council on February 6, 2020 and is attached for reference.

⁴ The staff report and minutes from the February 5, 2020 City Council meeting are attached for reference.

- Security and lighting issues related to the operation of a 24-hour drive-through coffee shop; and
- Whether the proposed Project conforms with the intent of the GVSP.

While the alleyway is one alternative to access the property, the primary accessways will be two existing driveways on Garfield Avenue and one existing driveway on Pomona Boulevard. Further, the proposed drive-through aisle will exit directly onto a public right-of-way (*i.e.*, the alleyway to the rear of the Project Site). According to the GVSP, vacation of alleyways may be provided as a lot-consolidation incentive bonus. However, the City's Engineering Division determined that, for this Project, vacation of the alleyway would not be feasible because it would require the alley to be divided between the Project Site and a few other properties located to the west. To incentivize the consolidation and development of the Project Site, and in consideration of the fact that the alleyway by nature tends to carry less volume than streets and roadways, the drive-through aisle may exit directly onto a public right-of-way for this Project.

With regard to security, the Police Department was informed of the proposed 24-hour operation of the drive-through coffee shop and recommended conditions of approval, including installation of security cameras and an alarm system, among other things. New lighting must also be provided on the property to deter any unwanted activity.

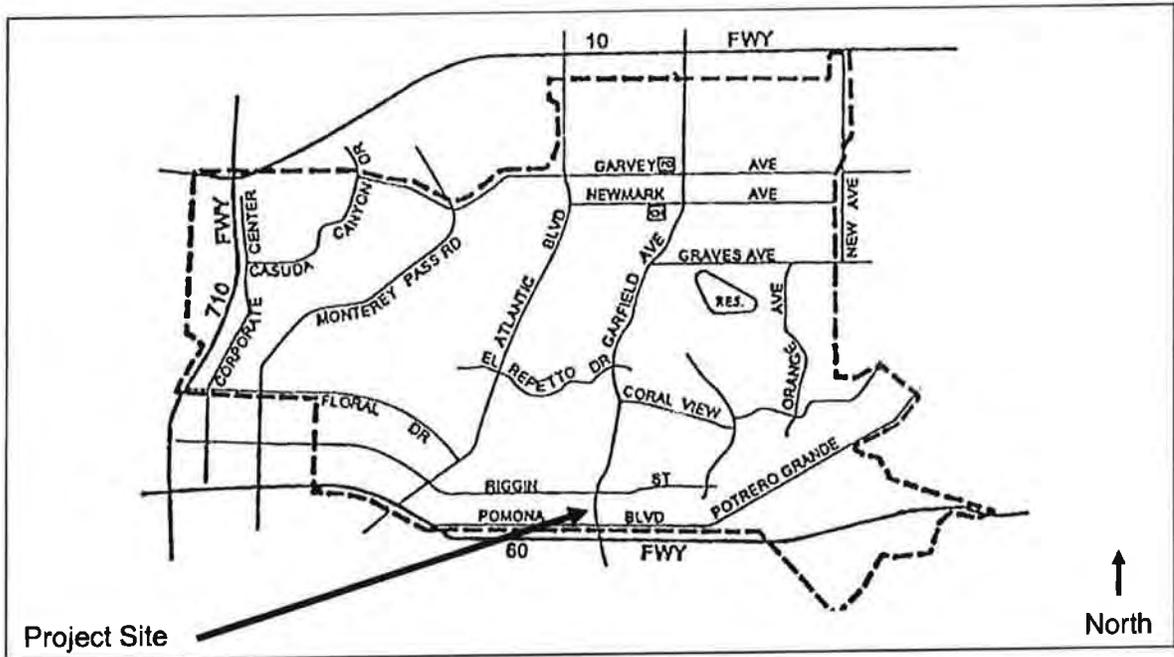
Finally, with regard to the South Garfield Village Specific Plan, four character-areas were identified as part of the Specific Plan – one area being the Primary Village Gateway, which is the general area around the corner of Pomona Boulevard and Garfield Avenue. According to GVSP § 2.4.2, this is a major gateway area for automobile traffic into Garfield Village, as well as for transit users and pedestrians (especially with the potential location of a future Gold Line station in proximity to this area). Additionally, parklets, outdoor dining and public gathering areas also help to emphasize the high-energy entryway into Garfield Village. The objectives of the GVSP also include improving mobility in the area and encouraging revitalization of the neighborhood commercial business area and connectivity to the surrounding neighborhoods (GVSP § 1.2.2). The proposed Project would: increase the use of a currently underutilized property and complement the surrounding neighborhood by taking advantage of nearby retail draws (GVSP § 2.3.1); upgrading the appearance of the Garfield/Pomona intersection and existing facades (GVSP § 2.3.2); and provide outdoor gathering/dining areas (GVSP § 2.3.3).

OTHER ITEMS:

Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **April 13, 2020** and published in the Wave on **April 13, 2020**, with affidavits of posting on file. The legal notice of this hearing was mailed to **75** property owners within a 500 feet radius and current tenants of the property concerned on **April 16, 2020**.

Vicinity Map



Aerial Map



ALTERNATIVE COMMISSION CONSIDERATIONS:

None.

FISCAL IMPACT:

There will be an increase in property tax revenue, and an incidental increase in sales tax revenue by the introduction of additional housing along Potrero Grande Drive.

Respectfully Submitted by:

Prepared By:



Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner



Samantha Tewasart
Senior Planner



Ron Bow
City Manager



Natalie C. Karpeles
Deputy City Attorney

Attachments:

- Attachment 1: Draft Ordinance
- Attachment 2: Draft Resolution
- Attachment 3: Architectural Plans
- Attachment 4: Focused Traffic Impact Analysis
- Attachment 5: City Council Staff Report dated February 5, 2020
- Attachment 6: City Council Minutes dated February 5, 2020
- Attachment 7: City Council Staff Report dated December 18, 2019
- Attachment 8: City Council Minutes dated December 18, 2019
- Attachment 9: Planning Commission Staff Report dated October 22, 2019
- Attachment 10: Planning Commission Minutes dated October 22, 2019

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP (ZC-19-01) AND GARFIELD VILLAGE SPECIFIC PLAN (SPA-19-01) TO CHANGE THE ZONE AT 2425 AND 2439 SOUTH GARFIELD AVENUE FROM GVN-S TO GVC-S TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW 24-HOUR COFFEE SHOP WITH A DRIVE-THROUGH.

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

SECTION 1: The City Council finds and declares that:

- A. On February 26, 2019, Garfield Oil, LLC ("Applicant") submitted an application to amend the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for 2425 and 2439 South Garfield Avenue from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)(Zone Change (ZC-19-01)) and requesting approval of a Conditional Use Permit (CU-19-04) to allow reconstruction of an existing service station and construction of a new 24-hour drive-through coffee shop (collectively, the "Project");
- B. The proposed Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for October 22, 2019. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On October 22, 2019, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff, members of the public, and the applicant's representatives. The Planning Commission adopted Resolution No. 20-19 which recommended that the City Council adopt the Zone Change (ZC-19-01) and Specific Plan Amendment (SPA-19-01);
- F. The City Council reviewed the proposed Project and related environmental aspects of the proposal as required by the MPMC at its December 18, 2019, February 5, 2020, and May 6, 2020 meetings; and

G. The City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearings of December 18, 2019, February 5, 2020, and May 6, 2020.

SECTION 2: Factual Findings and Conclusions. The City Council finds as follows:

- A. The Project is consistent with the goals, policies, and objectives of the General Plan. The proposed Specific Plan Amendment and Zone Change will allow for the revitalization of the existing property by providing the Applicant the opportunity to redevelop the Project Site.
- B. The Project will not adversely affect surrounding properties. The proposed Project is consistent with the type of the uses that are currently developed in that neighborhood. The Project would decrease the building square footages, which will help improve mobility on- and off-site, allow for connectivity between the Specific Plan area and the surrounding neighborhoods, and make efficient use of the Project Site. The proposed Project would also increase the use of an underutilized property (which occupies half a prominent street block and intersection) by complementing the existing businesses in the area and functioning as a retail draw.
- C. The proposed Specific Plan Amendment and Zone Change will allow the Applicant to: (1) rebuild the service station, upgrade the intersection and continue to utilize the existing alleyway as a secondary circulation network; (2) make improvements to the property and incorporate new uses which will be both automobile- and pedestrian-oriented; and (3) create more activity in the Specific Plan area and contribute to revitalizing the commercial area and neighborhood (GVSP § 2.4.4).
- D. The proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC. Without the proposed Specific Plan Amendment and Zone Change, the existing service station will be legal non-conforming use and the proposed coffeeshop with drive-through would be prohibited. Rezoning of the site to accommodate the project will be consistent with general welfare as it will allow the Applicant to improve the existing service station property and to promote increased economic activity in the Garfield Village Specific Plan.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed with an existing service station which will be reconstructed as part of the

ORDINANCE NO.
MAY 6, 2020
PAGE 3 of 4

proposed in-fill Project and the construction of the proposed drive-through coffee shop will take place entirely upon the existing, developed lot. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Approvals. The zoning for the Project site is changed from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S) (Zone Change (ZC-19-01)). Accordingly, the Zoning Map is amended as set forth in attached Exhibit "B," and incorporated by reference.

SECTION 5: Reliance on Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: Limitations. The City Council's analysis and evaluation of the Project are based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the Project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 8: Repeal of any provision of the MPMC, or any other City resolution or ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this

**ORDINANCE NO.
MAY 6, 2020
PAGE 4 of 4**

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 9: 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 10: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 10 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 11: This Ordinance will take effect on the 30th day following its final passage and adoption.

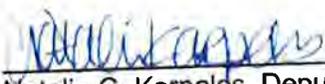
PASSED, APPROVED, AND ADOPTED this May 6, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 

Natalie C. Karpeles, Deputy City Attorney

ATTACHMENT 2

Draft Resolution

RESOLUTION NO.

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW 24-HOUR COFFEE SHOP WITH A DRIVE-THROUGH AT 2425 AND 2439 SOUTH GARFIELD AVENUE.

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

SECTION 1: The City Council finds and declares that:

- A. On February 26, 2019, Garfield Oil, LLC ("Applicant") submitted an application to amend the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for 2425 and 2439 South Garfield Avenue from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)(Zone Change (ZC-19-01)) and requesting approval of a Conditional Use Permit (CU-19-04) to allow the demolition and reconstruction of an existing service station and construction of a new 24-hour drive-through coffee shop (collectively, the "Project");
- B. The Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for October 22, 2019. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On October 22, 2019, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and the applicant's representatives. The Planning Commission adopted Resolution No. 20-19 which recommended that the City Council approve Conditional Use Permit (CU-19-04);
- F. The City Council reviewed the proposed Project and related environmental aspects of the Project as required by the MPMC at the December 18, 2019, February 5, 2020 and May 6, 2020 meetings; and
- G. The City Council has carefully considered all pertinent testimony and the staff report offered in the case presented at the public hearings of December 18, 2019, February 5, 2020, and May 6, 2020.

SECTION 2: *Factual findings and Conclusions.* The City Council finds that the following facts exist and makes the following conclusions:

- A. 2425 and 2439 South Garfield Avenue are adjacent lots currently located in the South Garfield Village ("Project Site"); and are designated zone GVN-S in the South Garfield Village Specific Plan ("GVSC") and Commercial in the General Plan. No changes are proposed to the Commercial designation of the properties. 2439 Garfield and 2425 Garfield were both purchased by the same property owner and together these addresses take up two lots on the same block. The Applicant proposes to combine and develop both lots in a single phase as part of the Project. The Project would demolish and reconfigure an existing service station and service-station canopy (currently, ARCO) at 2439 Garfield and demolish an existing one-story office building to construct a new detached coffee shop with a drive-through at 2425 Garfield. According to the GVSP, a service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).
- B. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at 2439 Garfield Avenue (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station). On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business to operate in conjunction with ARCO; and the ARCO station has remained continuously in operation.
- C. The Project Site is located at the northwest corner of South Garfield Avenue and Pomona Boulevard. It is comprised of two consolidated parcels totaling 22,148 square feet (0.51 acres) in size, rectangularly shaped and relatively flat. All the existing structures located at-grade would be demolished (except for the existing underground fuel storage tanks, landscape planter areas and freestanding pylon sign). The proposed total building area of the coffee shop and cashier kiosk would be 997 gross square feet; this is four percent of the lot area. All buildings and structures on the property would be one-story. The proposed coffee shop will have a walk-up window, no indoor seating, a drive-through aisle, and an outdoor seating area. The outdoor seating area would feature a covered patio, partially enclosed with trellis green screens. The proposed coffee shop would be designed to screen all service areas, restrooms and mechanical equipment; landscaping will be provided to screen the drive-through driveway aisle. The drive-through aisle and building will be setback 25 feet from the curb face. The menu board will be no more than 30 square feet and seven feet high and will face away from the street. The building design/architectural style, landscaping and new signage would be subject to the review and approval of the Design Review Board to maintain consistency with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale.

- D. The MPMC requires that the Project provide at least six parking spaces; the Project proposes seven spaces. The Project will maintain three existing driveway cuts and the existing alleyway along the western property line. The drive-through will be accessible from a two-way driveway on South Garfield Avenue, a two-way driveway on Pomona Boulevard and an alleyway west of the lot. The drive-through aisle will be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; and will be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements or repairs are anticipated. The drive-through aisle will be made of concrete and will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars.
- E. To the north of the Project Site are West Fernfield Drive (a local street that is 36-foot curb-to-curb within a 50-foot wide right-of-way) and one-story commercial buildings; directly to the south is the Pomona Freeway (SR-60) and Pomona Boulevard (a principal arterial street); to the east are South Garfield Avenue (a principal arterial street that ranges in width from 84- to 100-foot curb-to-curb within a 100- to 120-foot wide right-of-way) and a one-story auto service building; and to the west is a two-story office building occupied by a California Driving School. Those properties located to the north and east of the subject property are zoned GVN-S and those to the west are zoned GVC-S.
- F. The proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- G. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed with an existing service station which will be reconstructed as part of the proposed in-fill Project and the construction of the proposed drive-through coffee shop will take place entirely upon the existing, developed lot. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is

consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Conditional Use Permit Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.040(I), 21.10.250 and 21.32.020(B), the City Council finds as follows:

- A. The proposed use complies with all MPMC requirements for a conditional use permit. Accordingly, the City Council finds pursuant to MPMC § 21.32.020:
1. The project site is adequate in size, shape and topography for the proposed Project. The site is two parcels totaling 22,148 square feet (0.51 acres), rectangularly shaped, and relatively flat. The total building area of the coffee shop and cashier kiosk will be 997 gross square feet. The proposed total building area will be substantially less than the maximum floor area allowed.
 2. The site has sufficient access to streets and highways and is adequate in width and pavement type. The Project would include three existing driveway cuts and the existing alleyway along the western property line.
 3. The proposed use is consistent with the General Plan and the South Garfield Specific Plan. No changes are proposed to the Commercial designation of the property and the Commercial land use category of the City's General Plan allows for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand. The objectives of the GVSP include improving mobility in the area and encouraging revitalization of the neighborhood commercial business area and connectivity to the surrounding neighborhoods (GVSP § 1.2.2). The proposed Project involves reconstructing the existing service station and creating a coffee shop with a drive-through and adjacent outdoor seating area; these improvements would: increase the use of a currently underutilized property and complement the surrounding neighborhood by taking advantage of nearby retail draws (GVSP § 2.3.1); upgrading the appearance of the Garfield/Pomona intersection (GVSP § 2.3.2); and providing outdoor gathering/dining areas along with the appearance of the existing facades (GVSP § 2.3.3).
 4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood. The Project's contribution to cumulative impacts to local and regional transportation facilities will not be considerable. The proposed Project would decrease the building square

footages (making efficient use of space at the Project Site) and increase the use of an underutilized property; which will help improve mobility on- and off-site, provide connectivity between the Specific Plan area and the surrounding neighborhoods, complement the existing businesses in the area, and function as a retail draw for the other existing businesses in the area.

5. The proposed Project will not have an adverse effect on the public health, safety and general welfare. The proposed Project will promote general welfare of the community by improving the aesthetics of an aging property and increasing the economic vitality of the surrounding neighborhood. The Project would not significantly impact any scenic vistas, scenic resources, or the visual character of the area and would not result in excessive light or glare. Based on the analysis of the Project's impacts, there is no indication that this project could result in substantial adverse effects on human beings.
6. The use is properly one authorized by conditional use permit pursuant to the MPMC. A service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).

B The proposed drive-through complies with all requirements set forth for a conditional use permit pursuant to MPMC § 21.10.040(I):

1. The drive-through is an accessory to an established restaurant or commercial business, namely a coffee shop;
2. The proposed location of the drive-through is designated commercial in the City's General Plan and is not located in any area designated as MU-I in the General Plan Land Use Map;
3. The pedestrian walkways will have clear visibility and will be emphasized by striping;
4. The drive-through aisle will be 12-foot width on curves and a minimum 11-foot width on straight sections;
5. The drive-through aisle will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
6. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment will be screened from view;

7. The proposed landscaping will screen drive-through or drive-in aisles from the public right-of-way and will be used to minimize the visual impact of reader board signs and directional signs;
8. The drive-through aisles will be constructed with concrete;
9. The parking areas and the drive-through aisle and structure will be set back from the ultimate curb face a minimum of 25 feet;
10. The menu board will be no more than 30 square feet and seven feet high, and will face away from the street;
11. The architectural style of the drive-through will be consistent with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale, among other things; and
12. The drive-through aisle will exit into an alleyway, pursuant to a Lot-Consolidation-Incentive bonus (GVSP § 3.8.3).

C. The proposed service station complies with all requirements for a conditional use permit pursuant to MPMC § 21.10.250(A):

1. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at the Project Site (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station);
2. On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business in conjunction with the service station approved at the Project Site; and
3. The preexisting service station has remained continuously in operation.

SECTION 5: Recommendations. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the City Council approves Conditional Use Permit (CU-19-04).

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: Limitations. The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 11: This Resolution will become effective immediately upon adoption.

ADOPTED AND APPROVED this ____ day of May 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 

Natalie C. Karpeles, Deputy City Attorney

RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

2425-2439 SOUTH GARFIELD AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Garfield Oil LLC agrees that it will comply with the following conditions for the City of Monterey Park's approval of Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01), and Conditional Use Permit (CU-19-04) ("Project Conditions").

PLANNING:

1. Garfield Oil LLC ("Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of SPA-19-01, ZC-19-01, and CU-19-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of SPA-19-01, ZC-19-01, and CU-19-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the City Council and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Divisions. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

**CTIY COUNCIL
RESOLUTION NO.**

6. The real property subject to SPA-19-01, ZC-19-01, and CU-19-04 must remain well-maintained and free of graffiti.
7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.
9. With the exception of the MPMC prohibition against drive-through aisles exiting directly onto a public right of way (see MPMC § 21.10.040(I)(12)), the drive-through component of the Project must otherwise comply with MPMC § 21.10.040(I) and must be reviewed and approved by the Design Review Board, where applicable. Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
 - b. The drive-through aisles must have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
 - c. The drive-through aisles must provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 - d. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment must be screened from view;
 - e. Landscaping will screen the drive-thru or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
 - f. The drive-through aisles must be constructed with (PCC) concrete;
 - g. The parking areas and the drive-through aisle and structure must be set back from the ultimate curb face a minimum of 25 feet; and
 - h. Menu boards can be no more than 30 square feet, with a maximum height of seven feet, and must face away from the street.

ENGINEERING:

10. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a permittee, this project involves the disturbance of soils by grading, clearing and/or excavation. Developer/owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the issuance of the grading permit on evidence of compliance with this permit and its requirements. This project will require the preparation of a Low Impact Development (LID) and a Storm Water Pollution Prevention Plan (SWPPP). Upon approval of the NPDES document by the

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RESOLUTION NO.**

City, Developer/Owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading Permit (the electronic copy requirement pertains to projects greater than an acre).

11. The Applicant must pay all City development fees including, without limitation, wastewater deficiency fees, water meter fees and metered water service impact fees as required by MPMC.
12. All improvement plans, including grading and public improvement plans must be based upon City approved data. Benchmark references to be obtained from the Engineering Division.
13. A grading and drainage plan must be prepared for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer.
14. A hydrology and hydraulic study of the site must be submitted to and approved by the City Engineer.
15. All storm drainage facilities serving the development must accommodate a 50-year storm. If existing storm drain facilities are inadequate, they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the City Engineer before the approval of the grading and drainage plans.
16. Landscaping and irrigation plans must be prepared and/or incorporated into the public improvement plans; any proposed parkway tree types must be reviewed and approved by the City. The Applicant must provide landscaping and irrigation system for parkways.
17. All public works improvements must comply with the standards and specifications of the City to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the Public Works Director, or designee.
18. All on-site electric, telephone and cable TV utility services must be installed fully underground and to required City standards. All other utilities and service connections, including water, sewer and gas, must satisfy City and public utility standards. A utility plan must be prepared and submitted before the City approves grading and drainage plans, showing all existing and proposed utilities. The utilities may be shown on a separate plan.
19. Before the City issues a building permit, the Applicant must provide water system calculations that include domestic and fire system demand sizing. The cost of any water meter upgrades and any fire line installation required by the City must be submitted before the City issues a building permit.

**CTIY COUNCIL
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20. The public works improvement plans, which include the location of the domestic water meter, water service laterals, fire service lines, all new sewer and water connections, and all existing utilities in the right of way, must be approved (or substantially complete) by the City Engineer before the City issues a grading permit.
21. The Applicant must replace the existing streetlight fronting Pomona Boulevard with Marbelite concrete streetlight.
22. The Applicant must install one new streetlight on Fernfield Drive at the alley as shown on the plans.
23. The Applicant must provide adequate lighting along the alley, whether from private or public lighting sources.
24. The Applicant must reconstruct or rehabilitate Fernfield Drive full street width from Garfield Avenue west to the alley behind the property.
25. The Applicant must reconstruct the adjacent alleyway (full depth pavement structural section) from Fernfield Drive to Pomona Boulevard to include a new concrete gutter or provide a recommended pavement section for repair as determined by an investigation approved by the City Engineer.
26. The Applicant must reconstruct alleyway approaches to include ADA compliant ramps.
27. The Applicant must remove old concrete bus pad along Pomona Boulevard and replace with asphalt pavement section and reconstruct the existing damaged sewer manhole fronting the alley on Pomona Boulevard and replace the sewer lid and ring, and reset to grade.
28. The Applicant must repair or reconstruct curb, gutter, sidewalk and driveway approaches along the entire frontage of Fernfield Drive, Garfield Avenue, and Pomona Boulevard as determined by a field investigation and the City Engineer.
29. All improvement plans, including grading and public improvement plans must incorporate all applicable site development information and include any and all necessary reports, attachments, and required materials to be considered a complete submittal or they will be rejected. Provide details and elevations for the new trash enclosures.

FIRE:

30. All conditional identified by the Monterey Park Fire Department are subject to the review and approval of the Fire Chief, or designee, for determination of applicability and extent to which any condition may be required.

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31. A permit must be obtained from the Fire Department before engaging in activities, operations, practices or functions as required by California Fire Code (CFC) §§ 106.6 and 105.7, as adopted by MPMC Chapter 17.
32. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 17.
33. All fire safeguards required by CFC Chapter 33, as adopted by MPMC Chapter 17, must be adhered to and maintained during the course of construction.
34. Provide an approved automatic fire sprinkler system and fire alarm as set forth by CFC §§ 903 and 907, as adopted by MPMC Chapter 17, for new structures. The Fire Sprinkler System or Fire Alarm requirements and/or modifications require a separate plan check submittal and approval. Work shall not commence until a permit is obtained.
35. Fuel dispensing station must comply with provisions of CFC Chapter 23, as adopted by MPMC Chapter 17.
36. Provide approved signs or other approved notices or markings that include the works NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the Fire Chief per CFC § 503.3, as adopted by MPMC Chapter 17.
37. Fire Department vehicular access must be installed and maintained in a serviceable manner before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 5.
38. The minimum fire flow required must be determined as specified by the current adopted edition of the CFC Appendix B with adopted amendments.
39. The required fire flow for the new structure is 1,000 gallons per minutes (gpm) as 20 pounds per square inch (psi) of 2 hours duration.
40. Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gallons per minute at 20 psi must be installed and in service along the access road/driveway at a location approved by the Fire Chief, or designee, but no further than 250 feet from the construction site. The owner of the combustible construction is responsible for the cost of this installation.
41. Per California Fire Code Appendix C, a minimum of one fire hydrant must be provided within 250 feet of the new structure.
42. A Knox box(es) must be provided at an approved location per CFC § 505.1.
43. Portable fire extinguishers must be installed per the CFC § 906.

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44. If revised plans are required, additional fees will be due for the review of the drawings.

POLICE:

45. Exterior lighting must be in full operation at all times.

46. All major common areas of the locations, including all parking areas, must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrance/exits and must be positioned to capture the faces of people entering and existing. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the management must comply with the request within seven days. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.

47. The applicant/property owner must install an adequate alarm system at any fixed money handling areas. The alarm system will allow notification of the Police Department in the event of any such attempt. The type of alarm system installed must be connected with the alarm company, and the system must have the capability to distinguish if the need for the Police service is for a robbery or burglary. The business must obtain an alarm permit from the Police Department.

48. Access to the roof, if there is one, will be locked and secure. Access to the roof will be restricted to maintenance personnel, building management, or other authorized personnel.

49. The business is encouraged to join and participate in the Monterey Park Police Department's Business Watch Program; a free service designed to educate businesses about minimizing criminal activity. The Community Services Bureau can be contacted at (626) 307-1215.

50. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.

51. The business must comply with federal, state, and local laws governing business licensing, and noise levels.

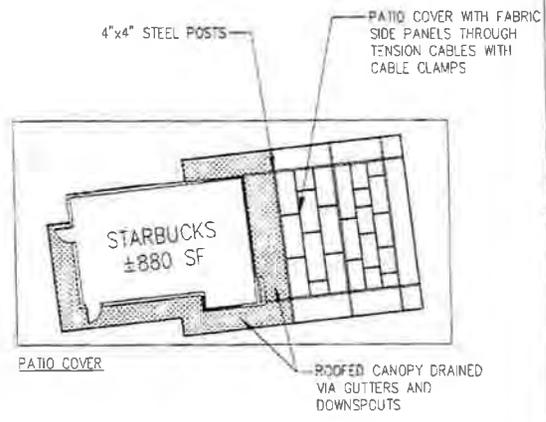
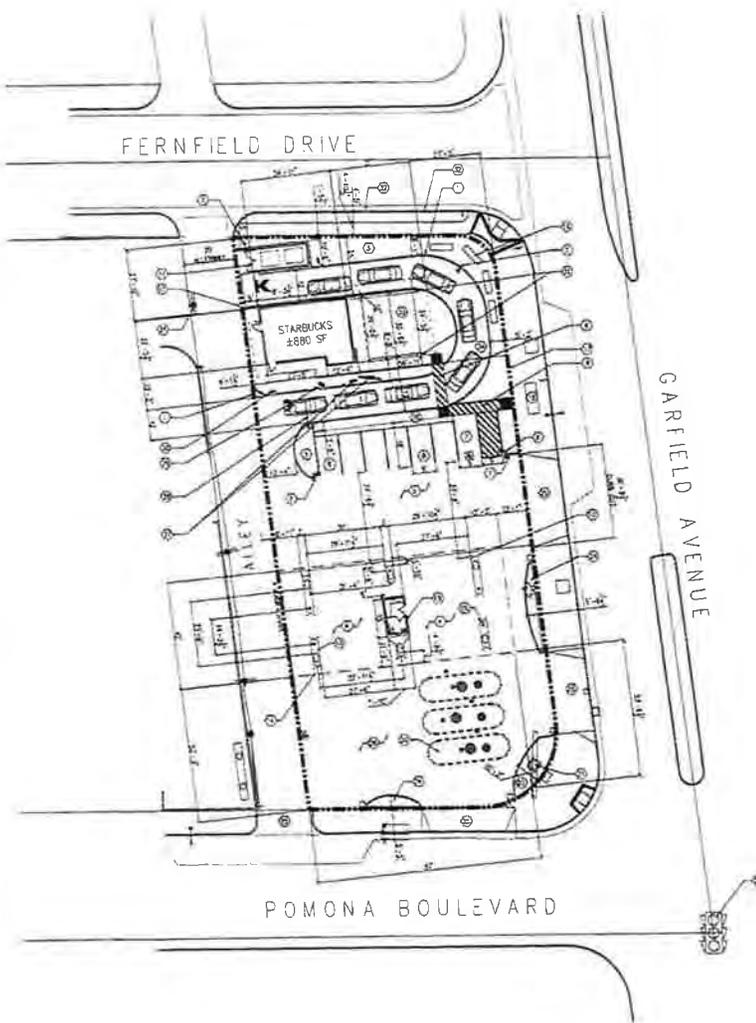
By signing this document, Garfield Oil LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

**CTIY COUNCIL
RESOLUTION NO.**

Garfield Oil LLC, Applicant

ATTACHMENT 3

Architectural Plans



DIRECTIONAL ARROW/GRAPHIC SCALE

GRAPHIC SCALE
1" = 20'-0"

CONSTRUCTION NOTES

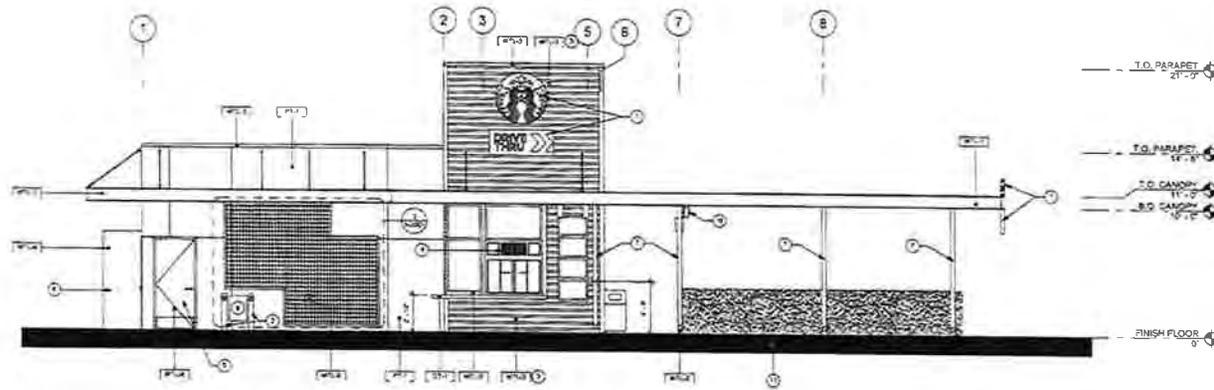
- 1 NEW 6" CONCRETE CURB
- 2 NEW AREA LIGHT
- 3 NEW LANDSCAPING WITH AUTOMATIC IRRIGATION
- 4 NEW 6" CONCRETE DRIVE SLAB WITH #3 BARS @ 18" O.C OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE
- 5 NEW 6" OVER 4" AB ASPHALT PAVING OR AS SPECIFIED IN SOILS REPORT IF AVAILABLE
- 6 NEW 48" HANDICAP PATH OF TRAVEL (SLOPE NOT TO EXCEED 2% EACH WAY)
- 7 NEW 17'X15' HANDICAP PARKING SPACE WITH ALL RELATED SIGNAGE (SLOPE NOT TO EXCEED 2% E/W)
- 8 NEW 9'X15' STANDARD PARKING SPACES
- 9 CROSSWALK TO COORDINATE WITH GRADING TO PRESERVE SERVICE ENTRY AT BACK OF BUILDING
- 10 NEW CONCRETE SIDEWALK (MIN 48" WHERE HANDICAP PATH OF TRAVEL OCCURS)
- 11 NEW TRASH ENCLOSURE WITH (2) SIFTEL GATES
- 12 NEW U-SHAPE STEEL GUARD POSTS
- 13 NEW CONCRETE ISLAND WITH (1) MULTI PRODUCT DISPENSER (6" MIN & 8" MAX HEIGHT)
- 14 NEW FUELING CANOPY
- 15 NEW FUELING CANOPY COLUMNS
- 16 NEW PLANTERS TO PROTECT CUSTOMERS FROM TRAFFIC
- 17 EXISTING PROPERTY LINE
- 18 EXISTING BUS STOP
- 19 NEW ISLAND CASHIER KIOSK
- 20 EXISTING UNDERGROUND STORAGE TANKS
- 21 EXISTING ID SIGN
- 22 EXISTING PLANTER AT 223 SF
- 23 EXISTING TRAFFIC SIGNAL
- 24 EXISTING PLANTER
- 25 EXISTING DRIVEWAY
- 26 EXISTING CONCRETE DRIVE SLAB
- 27 NEW ORDER SCREEN, BOLLARD & 5-PANEL MENU BOARD
- 28 NEW CLEARANCE BAR
- 29 NEW PRE-MENU
- 30 NEW DIRECTIONAL SIGN
- 31 EXISTING POWER POLE
- 32 EXISTING CURB CUT TO BE REMOVED
- 33 NEW STARBUCKS PATIO
- 34 CONCRETE LANE: TP
- 35 DWARF ENGLISH BOXWOOD GREEN SCREEN

PLANS PREPARED BY
A & S ENGINEERING INC.
LANDSCAPE ARCHITECTURE, CONSTRUCTION ADMINISTRATION
1000 SHAW BLVD SUITE 100
MANTENA, CA 94027
PHONE 708.330.3000 FAX 708.330.3000

INDEPENDENT SHELL STATION
ADDRESS: 248 & 249 E GARFIELD AVENUE
MANTENA, CA

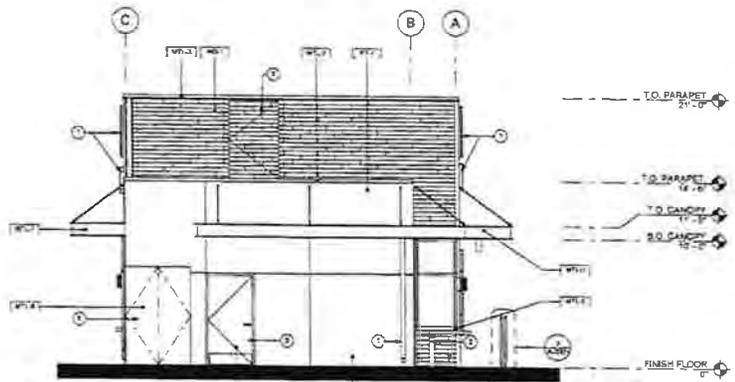
Scale: 1" = 20'-0"

S1



1 EAST ELEVATION
1/4" = 1'-0"

NO.	DESCRIPTION	FINISH	NOTES	QTY	UNIT
101	CONCRETE RETAINING SHELF	PRECAST	PRECAST	1	EA
102	ALUMINUM WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
103	METAL COLLARS AND BOLTS	PRECAST	TO MATCH WINDOW	1	EA
104	METAL CORNER BRACKET	PRECAST	TO MATCH WINDOW	1	EA
105	WOOD	PRECAST	TO MATCH WINDOW	1	EA
106	ALUMINUM WINDOW SYSTEM	PRECAST	TO MATCH WINDOW	1	EA
107	METAL WINDOW FRAME	PRECAST	TO MATCH WINDOW	1	EA
108	ALUMINUM WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
109	METAL WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
110	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
111	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
112	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
113	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
114	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
115	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
116	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
117	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
118	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
119	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA
120	CONCRETE WINDOW SILL	PRECAST	TO MATCH WINDOW	1	EA



2 SOUTH ELEVATION
1/4" = 1'-0"

EXTERIOR ELEVATION NOTES

- 1. GENERAL CONTRACTOR TO PROVIDE AND INSTALL EXTERIOR FINISHES TO MATCH EXISTING EXTERIOR FINISHES.
- 2. GENERAL CONTRACTOR TO PROVIDE AND INSTALL EXTERIOR FINISHES TO MATCH EXISTING EXTERIOR FINISHES.
- 3. GENERAL CONTRACTOR TO PROVIDE AND INSTALL EXTERIOR FINISHES TO MATCH EXISTING EXTERIOR FINISHES.
- 4. GENERAL CONTRACTOR TO PROVIDE AND INSTALL EXTERIOR FINISHES TO MATCH EXISTING EXTERIOR FINISHES.
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- 7. GENERAL CONTRACTOR TO PROVIDE AND INSTALL EXTERIOR FINISHES TO MATCH EXISTING EXTERIOR FINISHES.
- 8. GENERAL CONTRACTOR TO PROVIDE AND INSTALL EXTERIOR FINISHES TO MATCH EXISTING EXTERIOR FINISHES.

SHEET NOTES

- 1. DONOR VENDOR TO INSTALL BUILDING SIGNAGE AS INDICATED WITHIN REPAIRS PERMIT.
- 2. DONOR VENDOR TO INSTALL BUILDING SIGNAGE AS INDICATED WITHIN REPAIRS PERMIT.
- 3. DONOR VENDOR TO INSTALL BUILDING SIGNAGE AS INDICATED WITHIN REPAIRS PERMIT.
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- 18. DONOR VENDOR TO INSTALL BUILDING SIGNAGE AS INDICATED WITHIN REPAIRS PERMIT.
- 19. DONOR VENDOR TO INSTALL BUILDING SIGNAGE AS INDICATED WITHIN REPAIRS PERMIT.
- 20. DONOR VENDOR TO INSTALL BUILDING SIGNAGE AS INDICATED WITHIN REPAIRS PERMIT.

TEMPORARY WOOD CONTACT ROYAL PLYWOOD
800 WITH STUDENT END
SACRAMENTO, CA 95812
LARRY PERAZZOLLE
LARRY@ROYALPLYWOOD.COM
708-62-0282

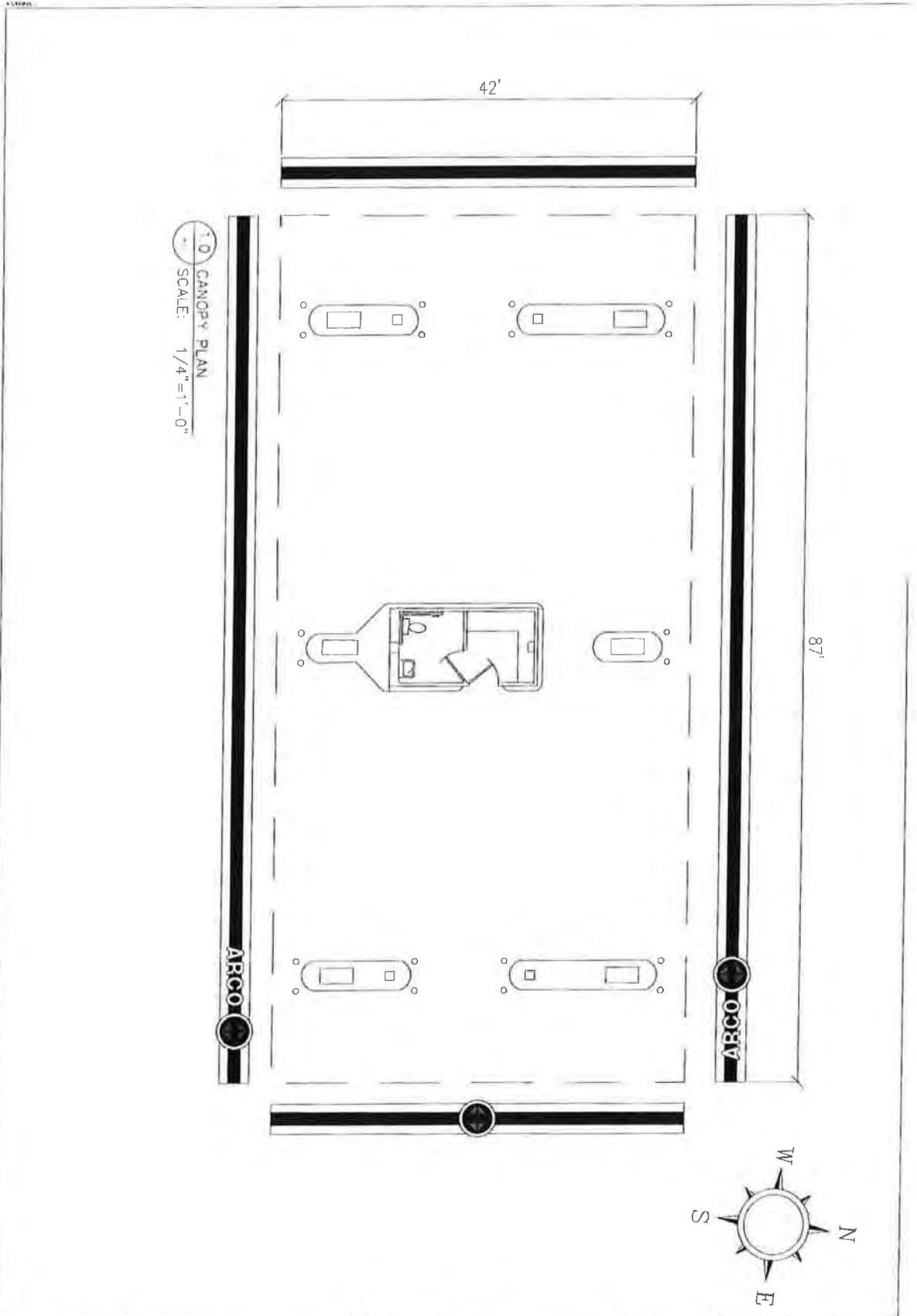
NO.	DESCRIPTION	QTY	UNIT
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16	CONCRETE WINDOW SILL	1	EA
17	CONCRETE WINDOW SILL	1	EA
18	CONCRETE WINDOW SILL	1	EA
19	CONCRETE WINDOW SILL	1	EA
20	CONCRETE WINDOW SILL	1	EA

PLANS PREPARED BY:
A. & S. ENGINEERING INC.
1000 N. G ST. SUITE 100
SACRAMENTO, CA 95811
PHONE: (916) 291-1000 FAX: (916) 291-1001

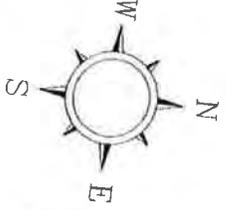
INDEPENDENT SHELL STATION
ADDRESS: 1000 N. G ST. SUITE 100
SACRAMENTO, CA 95811
PHONE: (916) 291-1000 FAX: (916) 291-1001

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14	CONCRETE WINDOW SILL	1	EA
15	CONCRETE WINDOW SILL	1	EA
16	CONCRETE WINDOW SILL	1	EA
17	CONCRETE WINDOW SILL	1	EA
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20	CONCRETE WINDOW SILL	1	EA

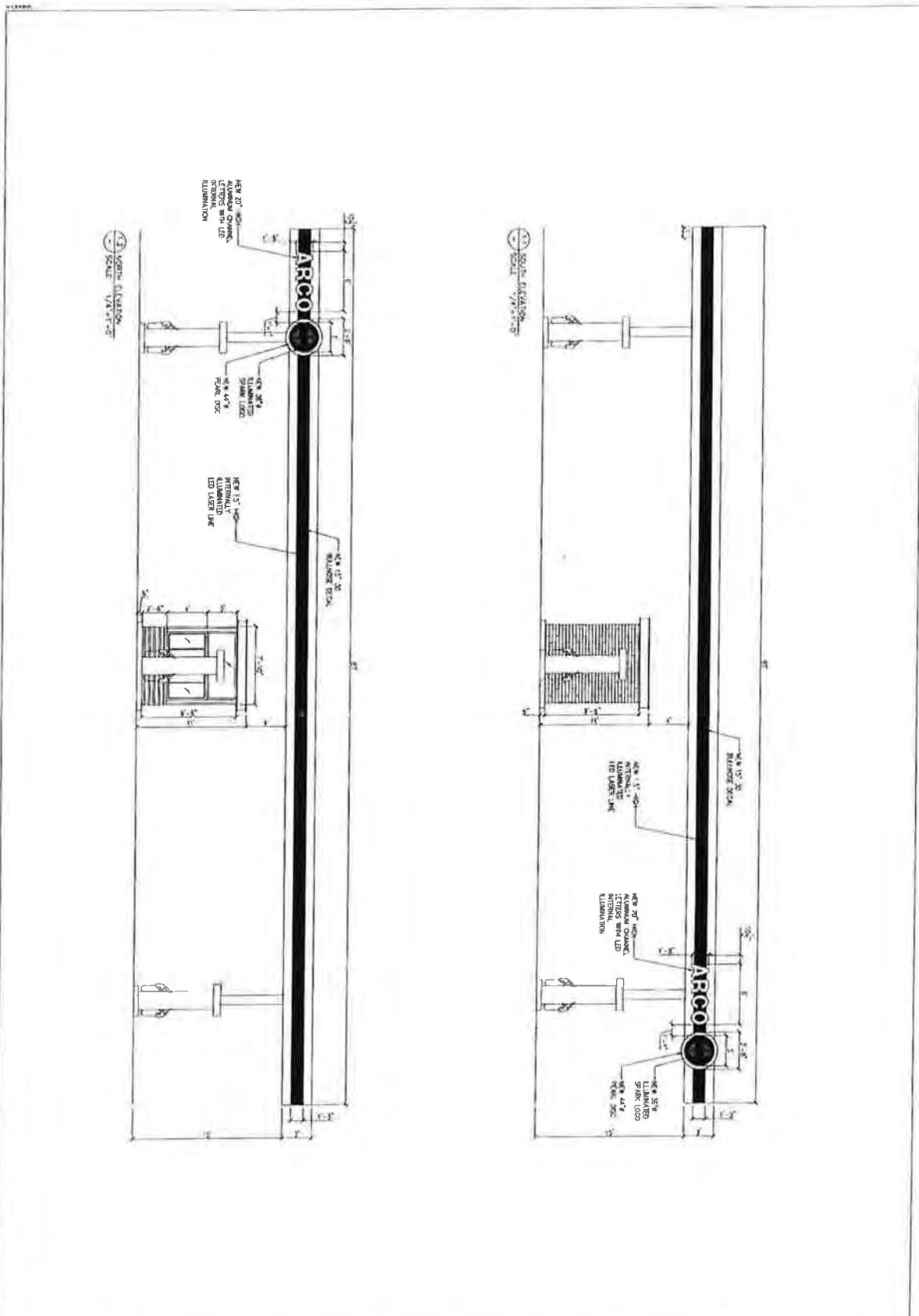
A2.1



1.0' CANOPY PLAN
SCALE: 1/4"=1'-0"



A2.2.1	INDEPENDENT SHELL STATION ADDRESS: 2425 & 2439 S CARBILD AVENUE MONTEREY PARK, CA	 PLANS PREPARED BY: A & S ENGINEERING INC. PLANNING ENGINEERING CONSTRUCTION MANAGEMENT 2425 SIBB CANOPY ROAD, SUITE B GARDEN GROVE, CA 92640 PHONE: (949) 766-1324 FAX: (949) 766-9333	



A2.2.2	PROJECT NO. SHEET NO. DATE	INDEPENDENT SHELL STATION ADDRESS: 1475 & 2430 S GARFIELD AVENUE WOODBURY PARK, CA	PLANS PREPARED BY A & S ENGINEERING INC. PROJECT ENGINEERING / CONSTRUCTION MANAGEMENT 1040 5800 CENTER ROAD, SUITE 9 DUBLIN, CALIFORNIA 94568 PHONE: (925) 206-1200 FAX: (925) 206-1100	REVISIONS NO. DESCRIPTION DATE
	DRAWN BY CHECKED BY APPROVED BY			

ATTACHMENT 4

Focused Traffic Impact Analysis

**2425 & 2439 S GARFIELD AVENUE
PROJECT
FOCUSED TRAFFIC IMPACT ANALYSIS**

City of Monterey Park

June 28, 2019



Traffic Engineering • Transportation Planning • Parking • Noise & Vibration
Air Quality • Global Climate Change • Health Risk Assessment

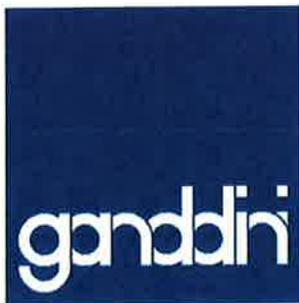
2425 & 2439 SOUTH GARFIELD AVENUE PROJECT TRAFFIC IMPACT ANALYSIS

City of Monterey Park

June 28, 2019

prepared by

Perrie Ilercil, P.E. (AZ)
Giancarlo Ganddini, PE, PTP



GANDDINI GROUP, INC.
550 Parkcenter Drive, Suite 202
Santa Ana, California 92705
714.795.3100 | www.ganddini.com

19-0104

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- Appendix B Scoping Agreement
- Appendix C Intersection Turning Movement Count Worksheets
- Appendix D Intersection Level of Service Worksheets
- Appendix E Trip Generation Count Worksheets
- Appendix F Traffic Signal Warrant Worksheets
- Appendix G Drive-Thru Queueing Analysis Worksheets

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EXECUTIVE SUMMARY

The purpose of this traffic impact analysis is to provide an assessment of traffic operations resulting from development of the proposed 2425 & 2439 South Garfield Avenue Project and to identify measures necessary to mitigate potentially significant traffic impacts. The traffic issues related to the proposed land use and development have been evaluated in the context of the California Environmental Quality Act (CEQA). The City of Monterey Park is the lead agency responsible for evaluation of potential environmental impacts associated with the proposed project. This report analyzes traffic impacts for the anticipated project opening year in 2021.

Although this is a technical report, effort has been made to write the report clearly and concisely. A glossary is provided in Appendix A to assist the reader with technical terms related to transportation engineering.

PROJECT DESCRIPTION

The approximately 0.51-acre project site is located at 2425 & 2439 S Garfield Avenue in the City of Monterey Park. The project site is currently developed with a 2,600 square foot music studio and a gasoline service station with 12 vehicle fueling positions and a 2,300 square foot building with 250 square feet of convenience market and two (2) automobile care service bays. The proposed project consists of redeveloping the project site to consist of a gasoline service station with twelve (12) vehicle fueling positions and an 880 square foot coffee shop with drive-thru window. The proposed project will maintain three existing driveway cuts, and the existing alleyway along the western property line also provides a full access at Fernfield Drive and a right-in/right-out only access at Pomona Boulevard. The proposed project is anticipated to be constructed and fully operational by Year 2021.

EXISTING CONDITIONS

The study intersections currently operate within acceptable Levels of Service (D or better) during the peak hours for Existing conditions, (see Table 1).

PROJECT TRIPS

The proposed project is forecast to generate a total of approximately 1,360 net daily trips, including 154 net trips during the AM peak hour and 86 net trips during the PM peak hour (see Table 2).

PROJECT DESIGN FEATURES

The proposed project will maintain three existing driveway cuts, and the existing alleyway along the western property line also provides a full access at Fernfield Drive and a right-in/right-out only access at Pomona Boulevard.

Right-in/right-out only access is provided by the Pomona Boulevard driveways because of the one-way traffic flow. Right-in/right-out only access is provided by the south Garfield Avenue driveway because of the raised median in the roadway.

FORECAST CONDITIONS

Existing Plus Project Conditions: The study intersections are projected to operate within acceptable Levels of Service (D or better) during the peak hours for Existing Plus Project conditions, with the exception of the following study driveways that are forecast to continue to operate at Levels of Service F (see Table 4):

- Project West Driveway at Pomona Boulevard - #7 (AM peak hour)
- SW Alley Driveway at Pomona Boulevard - #8 (AM peak hour)

The proposed project is forecast to result in no significant traffic impact at the study intersections for Existing Plus Project conditions without mitigation based on the established thresholds of significance (see Table 5). While the unsignalized project driveways on Pomona Boulevard are forecast continue to operate at Level of Service F, the driveways are forecast to not warrant a traffic signal, and therefore the project addition is considered not significant.

Opening Year (2021) Without Project: The study intersections are projected to operate within acceptable Levels of Service (D or better) during the peak hours for Opening Year (2021) Without Project , with the exception of the following study driveways that are forecast to continue to operate at Levels of Service F, (see Table 6):

- Project West Driveway at Pomona Boulevard - #7 (AM peak hour)
- SW Alley Driveway at Pomona Boulevard - #8 (AM peak hour)

Opening Year (2021) With Project: The study intersections are projected to operate within acceptable Levels of Service (D or better) during the peak hours for Opening Year (2021) With Project conditions, with the exception of the following study driveways that are forecast to continue to operate at Levels of Service F (see Table 6):

- Project West Driveway at Pomona Boulevard - #7 (AM peak hour)
- SW Alley Driveway at Pomona Boulevard - #8 (AM peak hour)

The proposed project is forecast to result in no significant traffic impact at the study intersections for Existing Plus Project conditions without mitigation based on the established thresholds of significance (see (see Table 7). While the unsignalized project driveways on Pomona Boulevard are forecast continue to operate at Level of Service F, the driveways are forecast to not warrant a traffic signal, and therefore the project addition is considered not significant.

MITIGATION MEASURES

Direct Impacts

The proposed project is forecast to result in no significant traffic impacts at the study intersections for Existing Plus Project and Opening Year (2021) conditions; therefore, no mitigation is required for direct project impacts.

Cumulative Impacts

As mitigation for potential cumulative impacts, the proposed project shall contribute towards the City's Development Impact Fee program was adopted in Year 2016 (Ord. 2134 § 2, 2016). The Development Impact Fee provides a funding mechanism for arterial streets, traffic signals, interchange improvements as well as emergency services. The purpose of such fees is to minimize, to the greatest extent practicable, the impact that new development has on the city's public services and public facilities. Toward that end, the city intends that applicants for such development projects pay their fair share of the costs of providing such public services and public facilities. Unless otherwise approved by the City, all development projects are required to pay the Development Impact Fee as a condition of development.

GENERAL RECOMMENDATIONS

Site-specific circulation and access recommendations are depicted on Figure 28.

The proposed project will maintain three existing driveway cuts and the existing alleyway along the western property line. No off-site roadway improvements and minimal site-adjacent improvements or repair is anticipated.

On-site and site-adjacent improvements including project driveways, roadway design, traffic signing and striping, and traffic control improvements relating to the proposed project should be constructed in accordance with applicable engineering standards and to the satisfaction of the City of Monterey Park Public Works Department.

Sight distance at project access points should comply with applicable City of Monterey Park/California Department of Transportation sight distance standards. The final grading, landscaping, and street improvement plans should demonstrate that sight distance standards are met.

Off-street parking should be provided to meet City of Monterey Park Municipal Code requirements.

As is the case for any roadway design, the City of Monterey Park should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.

1. INTRODUCTION

This section describes the purpose of this traffic impact analysis, project location, proposed development, and study area. Figure 1 shows the project location map and Figure 2 illustrates the project site plan.

PURPOSE AND OBJECTIVES

The purpose of this traffic impact analysis is to provide an assessment of traffic operations resulting from development of the proposed 2425 & 2439 South Garfield Avenue Project and to identify measures necessary to mitigate potentially significant traffic impacts. The traffic issues related to the proposed land use and development have been evaluated in the context of the California Environmental Quality Act (CEQA). The City of Monterey Park is the lead agency responsible for evaluation of potential environmental impacts associated with the proposed project. This report analyzes traffic impacts for the anticipated project opening year in 2021.

Although this is a technical report, effort has been made to write the report clearly and concisely. A glossary is provided in Appendix A to assist the reader with technical terms related to transportation engineering.

PROJECT DESCRIPTION

The approximately 0.51-acre project site is located at 2425 & 2439 S Garfield Avenue in the City of Monterey Park. The project site is currently developed with a 2,600 square foot music studio and a gasoline service station with 12 vehicle fueling positions and a 2,300 square foot building with 250 square feet of convenience market and two (2) automobile care service bays. The proposed project consists of redeveloping the project site to consist of a gasoline service station with twelve (12) vehicle fueling positions and an 880 square foot coffee shop with drive-thru window. The proposed project will maintain three existing driveway cuts, and the existing alleyway along the western property line also provides a full access at Fernfield Drive and a right-in/right-out only access at Pomona Boulevard. The proposed project is anticipated to be constructed and fully operational by Year 2021.

STUDY AREA

Based on the study intersections identified in the scoping agreement (Appendix B), the study area consists of the following study intersections and project driveways within the Cities of Monterey Park and Montebello:

Study Intersections	Jurisdiction
1. Garfield Avenue (NS) at Riggin Street (EW)	Monterey Park
2. Garfield Avenue (NS) at Pomona Boulevard (EW)	Monterey Park/Montebello
3. Garfield Avenue (NS) at Via Campo (EW)	Montebello
4. Wilcox Avenue (NS) at Pomona Boulevard (EW)	Monterey Park/Montebello
5. Garfield Avenue (NS) at Project North Driveway (EW)	Monterey Park
6. Garfield Avenue (NS) at Project South Driveway (EW)	Monterey Park
7. Project West Driveway (NS) at Pomona Boulevard (EW)	Monterey Park
8. SW Alley Driveway (NS) at Pomona Boulevard (EW)	Monterey Park
9. NW Alley Driveway (NS) at Fernfield Drive (EW)	Monterey Park

ANALYSIS SCENARIOS

The following scenarios are analyzed during typical weekday AM and PM peak hour conditions:

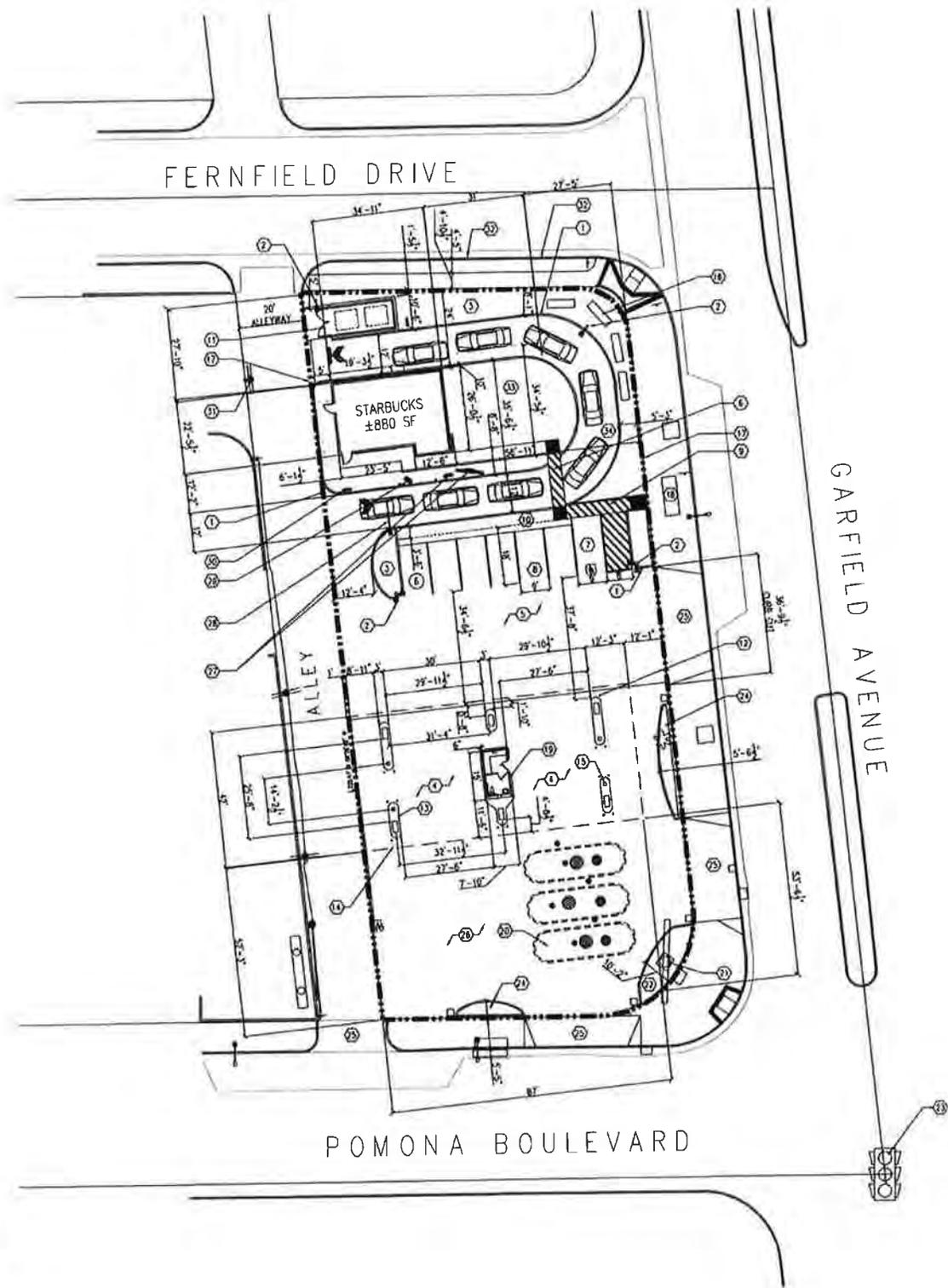
- Existing
- Existing Plus Project
- Opening Year (2021) Without Project
- Opening Year (2021) With Project



Figure 1
Project Location Map



2425 & 2439 South Garfield Avenue Project
Traffic Impact Analysis
19-0104



**Figure 2
Site Plan**

2. METHODOLOGY

This section describes the analysis methodologies used to assess transportation facility performance as adopted by the respective jurisdictional agencies.

INTERSECTION CAPACITY UTILIZATION METHODOLOGY

Analysis of signalized intersections within the Cities of Monterey Park and Montebello is based on the Intersection Capacity Utilization (ICU) methodology. The ICU methodology compares the volume of traffic using the intersection to the capacity of the intersection. The resulting volume-to-capacity (V/C) ratio represents that portion of the hour required to provide sufficient capacity to accommodate all intersection traffic if all approaches operate at capacity.

The volume-to-capacity ratio is then correlated to a performance measure known as Level of Service based on the following thresholds:

Level of Service	Volume/Capacity Ratio
A	≤ 0.600
B	0.601 to 0.700
C	0.701 to 0.800
D	0.801 to 0.900
E	0.901 to 1.000
F	> 1.000

Source: Transportation Research Board, Interim Materials on Highway Capacity, Transportation Research Circular No. 212, January 1980.

Level of Service is used to qualitatively describe the performance of a roadway facility, ranging from Level of Service A (free-flow conditions) to Level of Service F (extreme congestion and system failure). ICU analysis was performed using the Vistro (Version 6.00-00) software.

Consistent with City of Monterey Park requirements, this analysis uses the following input parameters for the ICU analysis: 1,700 vehicles per hour per lane for through and right-turn lanes, 1,600 vehicles per hour for left-turn and shared lanes, and a total clearance time of 10 percent.

- Left Turn Lanes 1600 vehicles per hour
- Through Lanes 1700 vehicles per hour
- Right Turn Lanes 1700 vehicles per hour
- Shared Lanes 1600 vehicles per hour
- Yellow clearance/lost time 10 percent (0.10)

INTERSECTION DELAY METHODOLOGY

The technique used to assess the performance of unsignalized intersections and intersections within the California Department of Transportation jurisdiction is known as the intersection delay methodology based on the procedures contained in the Highway Capacity Manual (Transportation Research Board, 6th Edition). The methodology considers the traffic volume and distribution of movements, traffic composition, geometric characteristics, and signalization details to calculate the average control delay per vehicle and corresponding Level of Service. Control delay is defined as the portion of delay attributed to the intersection traffic control

(such as a traffic signal or stop sign) and includes initial deceleration, queue move-up time, stopped delay, and final acceleration delay. The intersection control delay is then correlated to Level of Service based on the following thresholds:

Level of Service	Intersection Control Delay (Seconds / Vehicle)	
	Signalized Intersection	Unsignalized Intersection
A	≤ 10.0	≤ 10.0
B	> 10.0 to ≤ 20.0	> 10.0 to ≤ 15.0
C	> 20.0 to ≤ 35.0	> 15.0 to ≤ 25.0
D	> 35.0 to ≤ 55.0	> 25.0 to ≤ 35.0
E	> 55.0 to ≤ 80.0	> 35.0 to ≤ 50.0
F	> 80.0	> 50.0

Source: Transportation Research Board, Highway Capacity Manual (6th Edition)

Level of Service is used to qualitatively describe the performance of a roadway facility, ranging from Level of Service A (free-flow conditions) to Level of Service F (extreme congestion and system failure). At intersections with traffic signal or all way stop control, Level of Service is determined by the average control delay for the overall intersection. At intersections with cross street stop control (i.e., one- or two-way stop control), Level of Service is determined by the average control delay for the worst individual movement (or movements sharing a single lane). Intersection delay analysis was performed using the Vistro (Version 6.00-00) software using default values recommended in the Highway Capacity Manual.

PERFORMANCE STANDARDS

City of Monterey Park. The City of Monterey Park General Plan does not identify a minimum acceptable Level of Service for intersections in the City of Monterey Park.

City of Montebello. The current City of Montebello General Plan does not identify a minimum acceptable Level of Service for intersections in the City of Montebello.

THRESHOLDS OF SIGNIFICANCE

City of Monterey Park. For signalized study intersections within City of Monterey Park jurisdiction, a project traffic impact is considered significant if the proposed project generated trips results in a significant impact, and thus requires mitigation:

<u>Existing ICU</u>	<u>Project-Related Increase in ICU</u>
0.00 - 0.69	0.06
0.70 - 0.79	0.04
0.80 - 0.89	0.02
0.90+	0.01

City of Montebello. For signalized study intersections within City of Montebello jurisdiction, thresholds of significance established by the County of Los Angeles (*Traffic Impact Analysis Report Guidelines*, Los Angeles County Department of Public Works, January 1997) to determine whether the addition of project-generated trips results in a significant impact, and thus requires mitigation:

<u>Level of Service</u>	<u>Pre-Project V/C</u>	<u>Project-Related V/C Increase</u>
C	0.71 - 0.80	0.04
D	0.81 - 0.90	0.02
E/F	0.91 or more	0.01

It should be noted that many jurisdictions, including the Cities of Monterey Park and Montebello, do not have established significant impact thresholds for unsignalized intersections. For this traffic impact analysis, a project impact at an unsignalized intersection is considered significant if the addition of project-generated trips is forecast to cause or worsen Level of Service E or F and installation of a traffic signal is warranted.

If a project is forecast to cause a significant impact, feasible mitigation measures that will reduce the impact to a less than significant level will be identified. Mitigation measures can be in many forms, including the addition of lanes, traffic control modification, or demand management measures. If no feasible mitigation measures can be identified for a significantly impacted facility, the impact will remain significant and unavoidable and a statement of overriding considerations will be required.

3. EXISTING CONDITIONS

EXISTING ROADWAY SYSTEM

Figure 3 identifies the lane geometry and intersection traffic controls for Existing conditions based on a field survey of the study area. Regional access to the project area is provided by the SR-60 freeway south of the project site. The key north-south roadways providing local circulation is Garfield Avenue and Wilcox Avenue. The key east-west roadway providing local circulation is Riggin Street, Pomona Boulevard, and Via Campo.

SR-60 Freeway is a ten-lane divided freeway classified as a State Highway on the City of Monterey Park General Plan Circulation Element. SR-60 Freeway access is provided via grade separated interchanges at west of Garfield Avenue and east of Vail Avenue. It currently carries approximately 232,000 to 250,000 vehicles per day in the project vicinity.

Garfield Avenue is a four-lane divided roadway in the study area. Garfield has two-way left turn lane with intermittent raised median north of Pomona Boulevard and a painted median south of Via Campo. Garfield Avenue classified as a Principal Arterial (6-8 lanes divided roadway without parking) in the City of Monterey Park General Plan. On-street parking is generally permitted in the project area. Dedicated on-street bicycle lanes are not provided in the study area. Sidewalks are generally provided on both sides of the roadway. The posted speed limit is 35 miles per hour.

Wilcox Avenue is a two-lane undivided north of Pomona Boulevard to four-lane divided roadway south of Via Campo. Wilcox Avenue classified as a Minor Arterial (4 lanes divided roadway with parking) in the City of Monterey Park General Plan. On-street parking is generally permitted north of Pomona Boulevard and prohibited south of Via Campo. Dedicated on-street bicycle lanes are not provided in the study area. Sidewalks are generally provided on both sides of the roadway. The posted speed limit is 35 miles per hour.

Riggin Street is a two-lane undivided to six-lane divided roadway. Riggin Street classified as a Minor Arterial (4 lanes divided roadway with parking) in the City of Monterey Park General Plan. On-street parking is generally permitted in the project area. Dedicated on-street bicycle lanes are not provided in the study area. Sidewalks are generally provided on both sides of the roadway. The posted speed limit is 30 miles per hour.

Pomona Boulevard is a three-lane westbound one-way roadway in the study area. Pomona Boulevard is classified as a Principal Arterial (6-8 lanes divided roadway without parking) in the City of Monterey Park General Plan. On-street parking is generally permitted on the north side of the road. Dedicated on-street bicycle lanes are not provided. Sidewalks are provided on north side of the road. The posted speed limit is 40 miles per hour.

Via Campo is a five-lane undivided roadway between Garfield Avenue and Wilcox Avenue and a 3 lane eastbound one-way roadway west of Garfield Avenue. Via Campo is classified as a Collector (60-70-foot roadway cross-section) in the City of Montebello General Plan. On-street parking is generally prohibited within the study area. Dedicated on-street bicycle lanes are not provided. Sidewalks are provided on south side of the road.

PEDESTRIAN FACILITIES

Existing pedestrian facilities in the project vicinity are shown on Figure 4. As shown on Figure 4, a pedestrian sidewalk is currently provided along the project site frontage.

TRANSIT FACILITIES

Figure 5 shows the existing transit routes available in the project vicinity. As shown in Figure 5, the study area is currently served by Route 68 along Garfield Avenue, Pomona Boulevard and Via Campo, as well as Route 2 and 5 along Riggin Street.

GENERAL PLAN CONTEXT

Figure 6 shows the City of Monterey Park General Plan Circulation Element roadway classifications map. This figure shows the nature and extent of arterial and collector highways that are needed to adequately serve the ultimate development depicted by the Land Use Element of the General Plan. The City of Monterey Park standard roadway cross-sections are illustrated on Figure 7.

BICYCLE ROUTES

There are currently no bicycle lanes provided in the study area. On-street bicycle lanes are proposed in the City of Monterey Park General Plan for Garfield Avenue, Riggin Street, Pomona Boulevard, and Wilson between Riggin Street and Pomona Boulevard. The City of Monterey Park General Plan Bike Routes is depicted on Figure 8.

TRUCK ROUTES

Figure 9 shows the designated truck routes as identified in the City of Monterey Park General Plan. Garfield Avenue and Pomona Boulevard are designated truck routes.

EXISTING ROADWAY VOLUMES

Figure 10 shows the Existing average daily traffic volumes. The Existing average daily traffic volumes have been obtained from the [2017 Traffic Volumes on California State Highways by the California Department of Transportation](#) and factored from peak hour intersection turning movement volumes using the following formula for each intersection leg:

$$\text{Evening Peak Hour (Approach Volume + Exit Volume)} \times 10 = \text{Leg Volume.}$$

Existing peak hour intersection turning movement volumes are based upon AM peak period and PM peak period intersection turning movement counts obtained in May 2019 during typical weekday conditions. The AM peak period was counted between 7:00 AM and 9:00 AM and the PM peak period was counted between 4:00 PM and 6:00 PM. The actual peak hour within the peak period is the four consecutive 15-minute periods with the highest total volume when all movements are added together. Thus, the weekday PM peak hour at one intersection may be 4:45 PM to 5:45 PM if those four consecutive 15-minute periods have the highest combined volume. Intersection turning movement count worksheets are provided in Appendix C.

Figure 11 and Figure 12 show the Existing AM peak hour and PM peak hour intersection turning movement volumes, respectively.

EXISTING INTERSECTION LEVEL OF SERVICE

The study intersection Levels of Service for Existing traffic conditions have been calculated and are shown in Table 1. Existing Level of Service worksheets are provided in Appendix D.

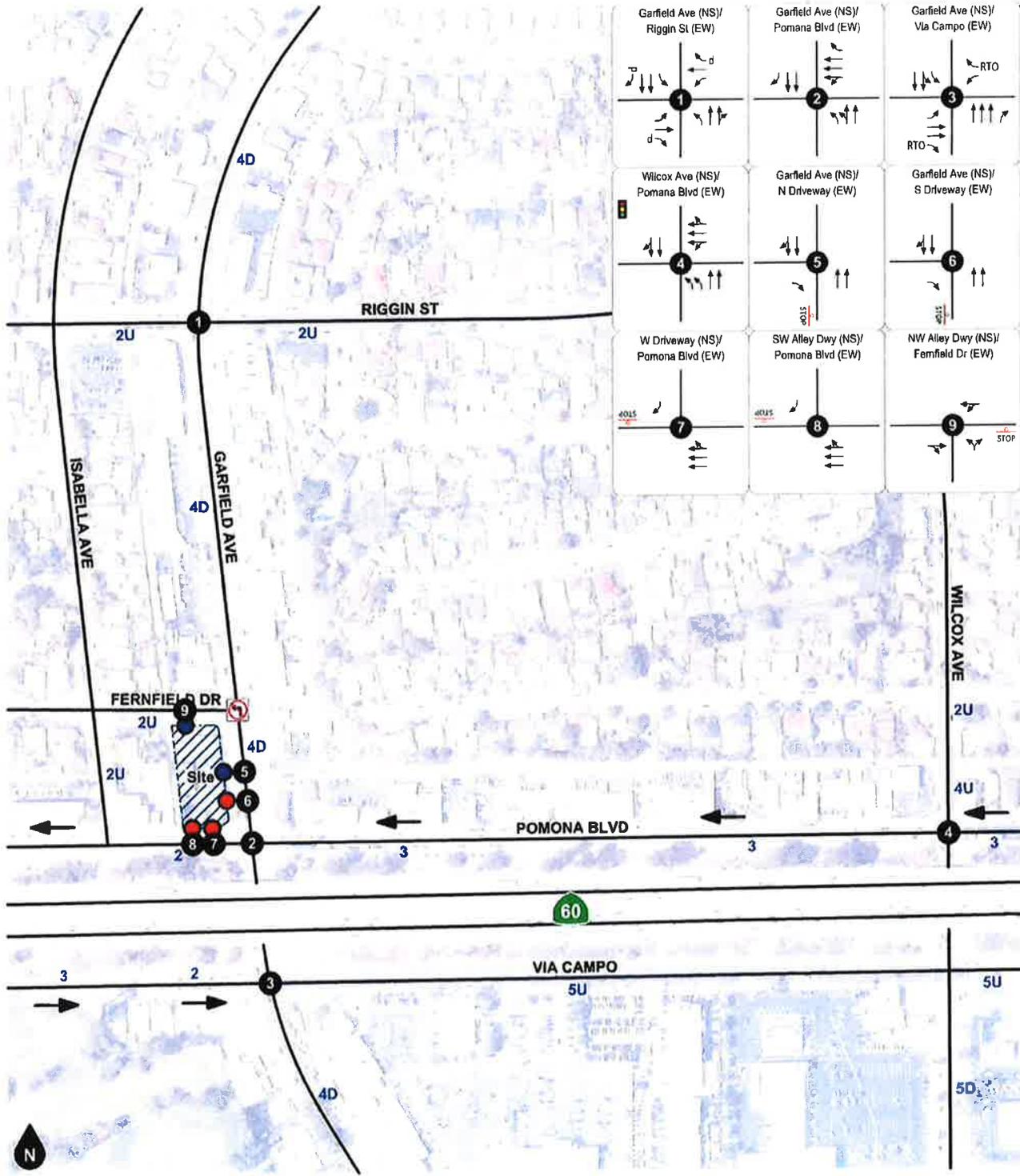
As shown in Table 1, the study intersections currently operate within acceptable Levels of Service (D or better) during the peak hours for Existing conditions.

Table 1
Existing Intersection Levels of Service

ID	Study Intersection	Traffic Control ¹	AM Peak Hour		PM Peak Hour	
			V/C or [Delay] ²	LOS ³	V/C or [Delay]	LOS
1.	Garfield Ave at Riggins St	TS	0.623	B	0.714	C
2.	Garfield Ave at Pomana Blvd	TS	0.752	C	0.694	B
3.	Garfield Ave at Via Campo	TS	0.830	D	0.777	C
4.	Wilcox Ave at Pomana Blvd	TS	0.551	A	0.601	B

Notes:

- (1) TS = Traffic Signal; CSS = Cross Street Stop; AWS = All Way Stop
- (2) Intersection Capacity Utilization (ICU) LOS shown in volume per capacity (V/C) for the signalized intersection. Delay is shown in [seconds] per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst individual lane (or movements sharing a lane)
- (3) LOS = Level of Service



Legend

- Traffic Signal
- Existing Lane
- #D #-Lane Divided Roadway
- RTO Right Turn Overlap
- #U #-Lane Undivided Roadway
- d De Facto Right Turn Lane

Figure 3
Existing Lane Geometry and Intersection Traffic Controls



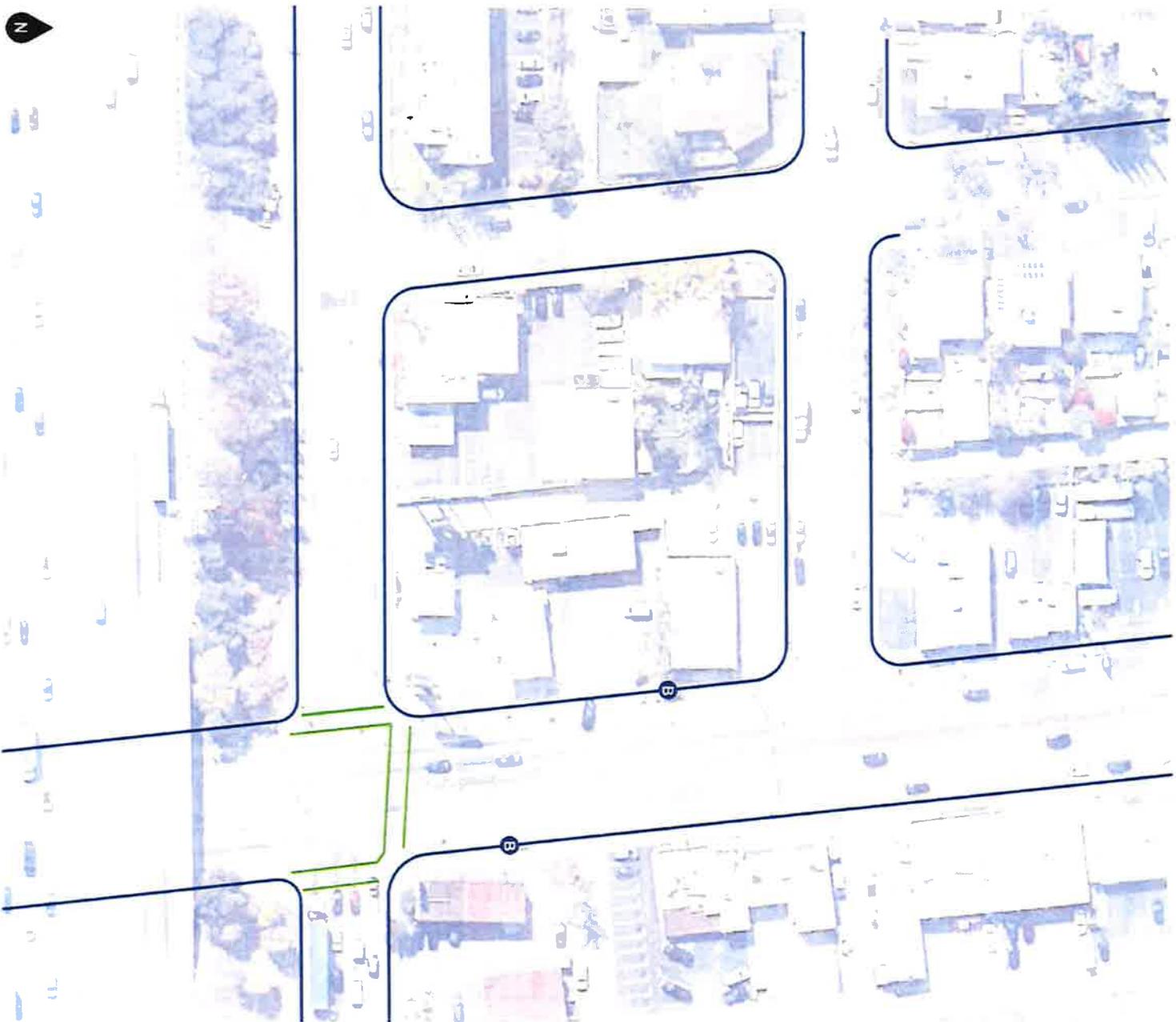
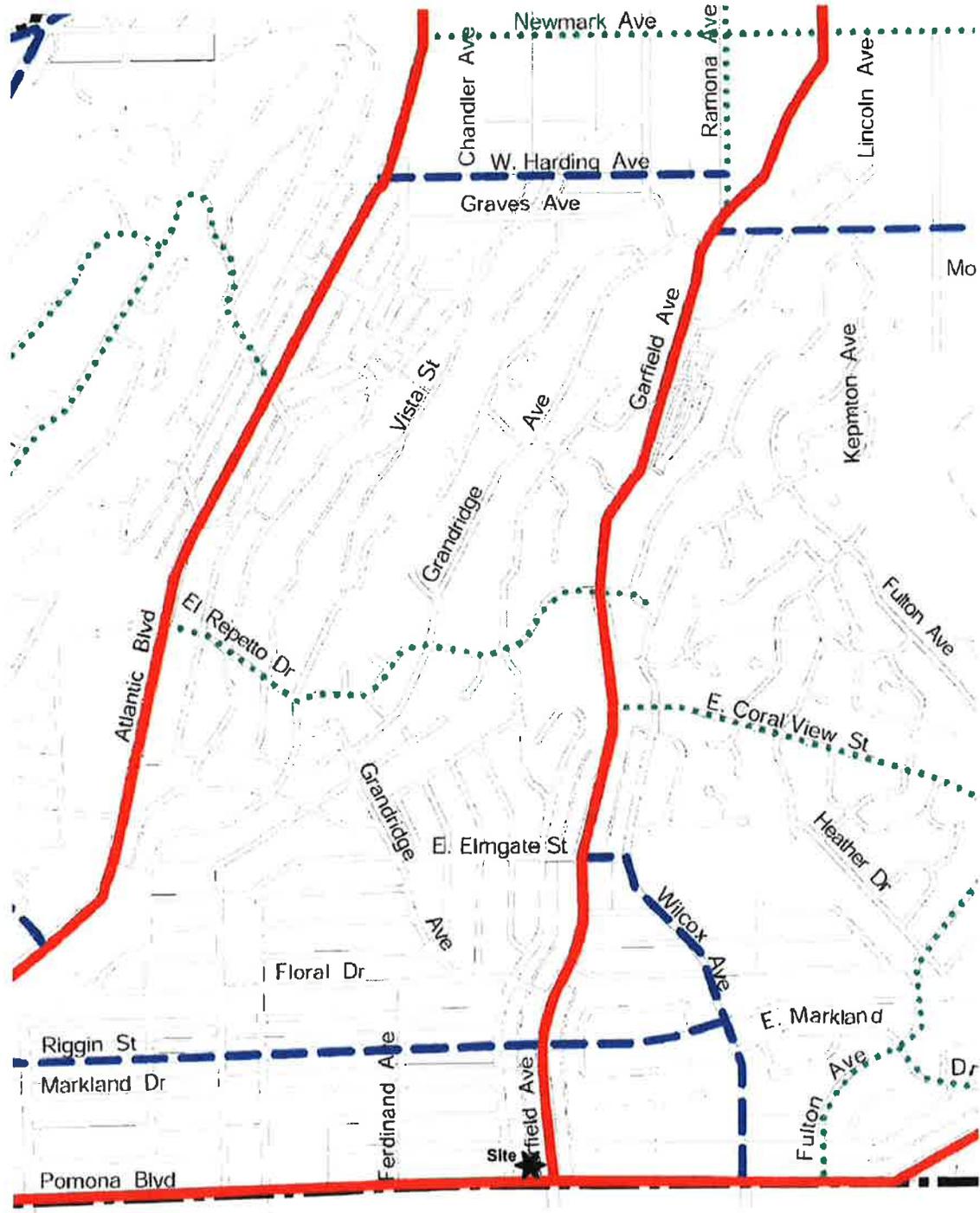


Figure 4
Existing Pedestrian Facilities

2425 & 2439 South Garfield Avenue Project
 Traffic Impact Analysis
 19-0104



- N
- Principal Arterial
- Minor Arterial
- Collector
- City Boundary
- Special Influence Boundary

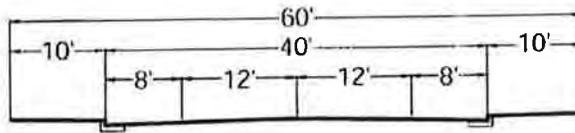
Source: City of Monterey Park

Figure 6
City of Monterey Park General Plan Circulation Element

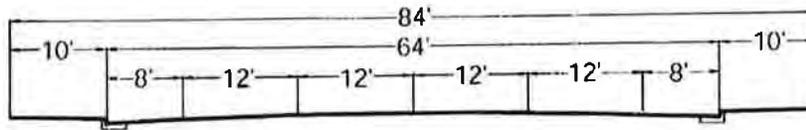


2425 & 2439 South Garfield Avenue Project
 Traffic Impact Analysis
 19-0104

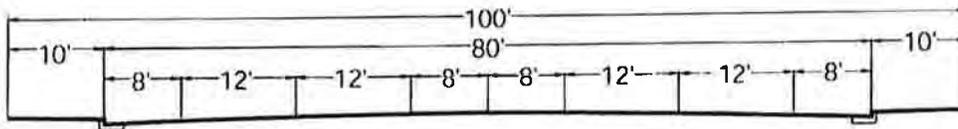
**LOCAL
(2 LANES, UNDIVIDED WITH PARKING)**



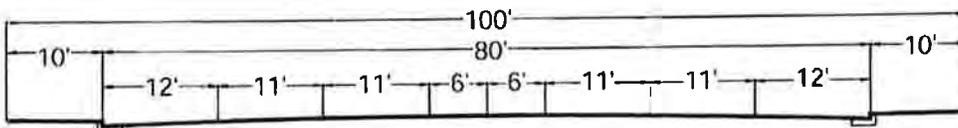
**COLLECTOR
(4 LANES, UNDIVIDED WITH PARKING)**



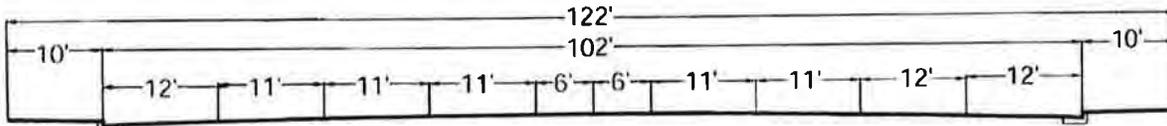
**MINOR ARTERIAL
(4 LANES, DIVIDED WITH PARKING)**



**PRINCIPAL ARTERIAL
(6 LANES, DIVIDED WITHOUT PARKING)**



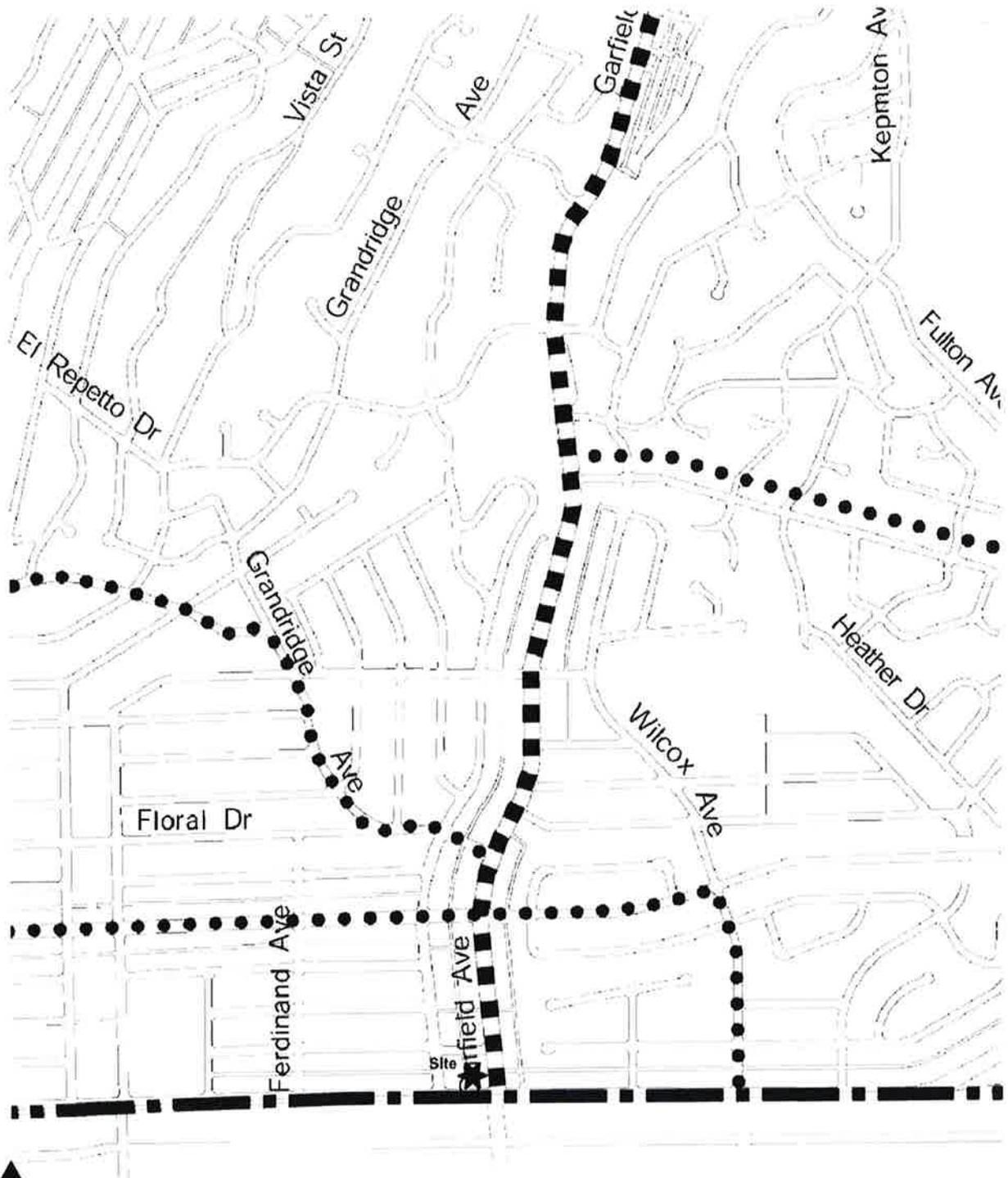
**PRINCIPAL ARTERIAL
(8 LANES, DIVIDED WITHOUT PARKING)**



**Figure 7
City of Monterey Park General Plan Cross-Sections**

Source: City of Monterey Park



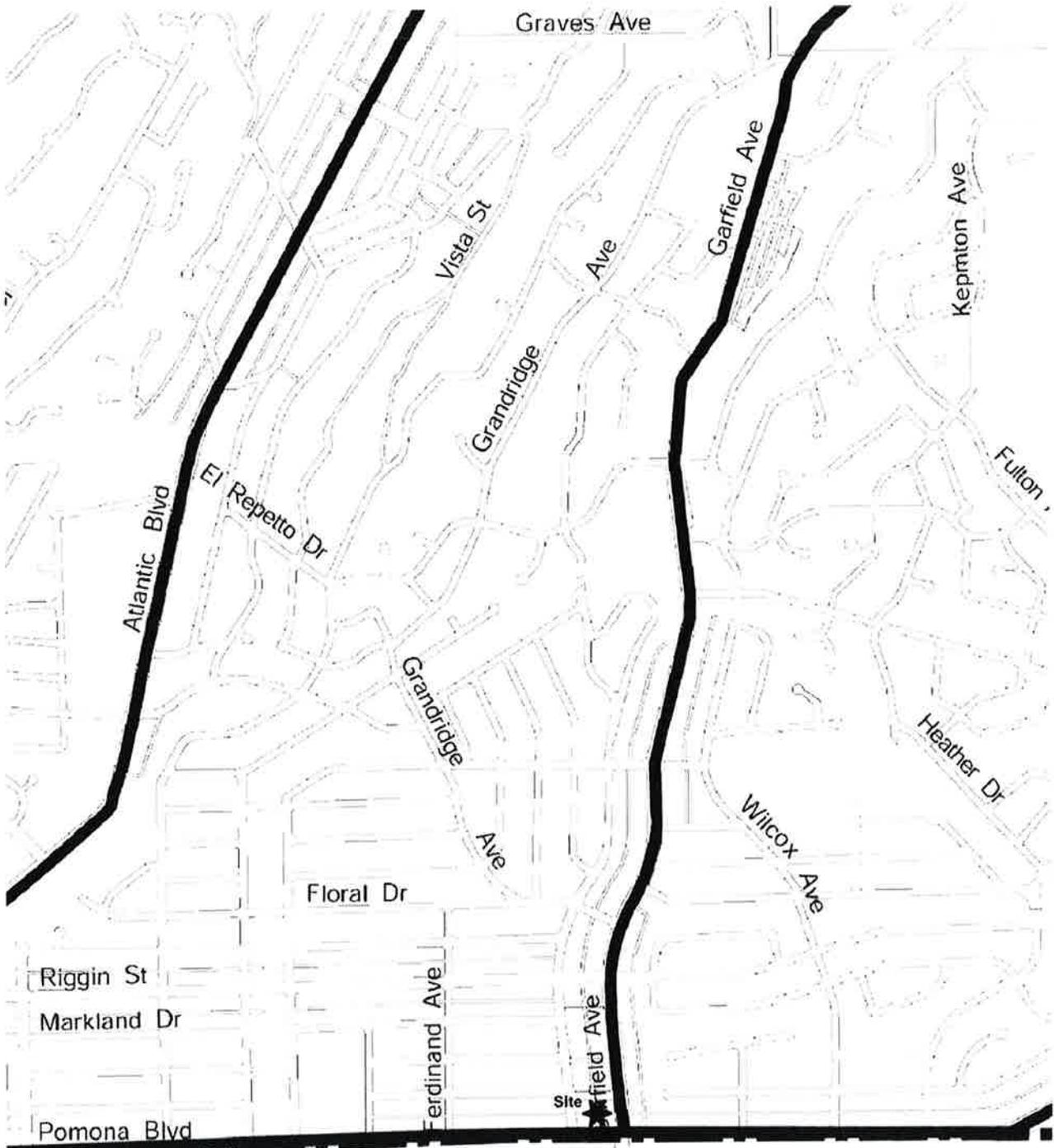


-  N
-  MTA Class II Bicycle Route
-  MTA Class III Bicycle Route
-  City Bicycle Route
-  City Boundary
-  Sphere of Influence Boundary

Source: City of Monterey Park

Figure 8
City of Monterey Park General Plan Bike Routes



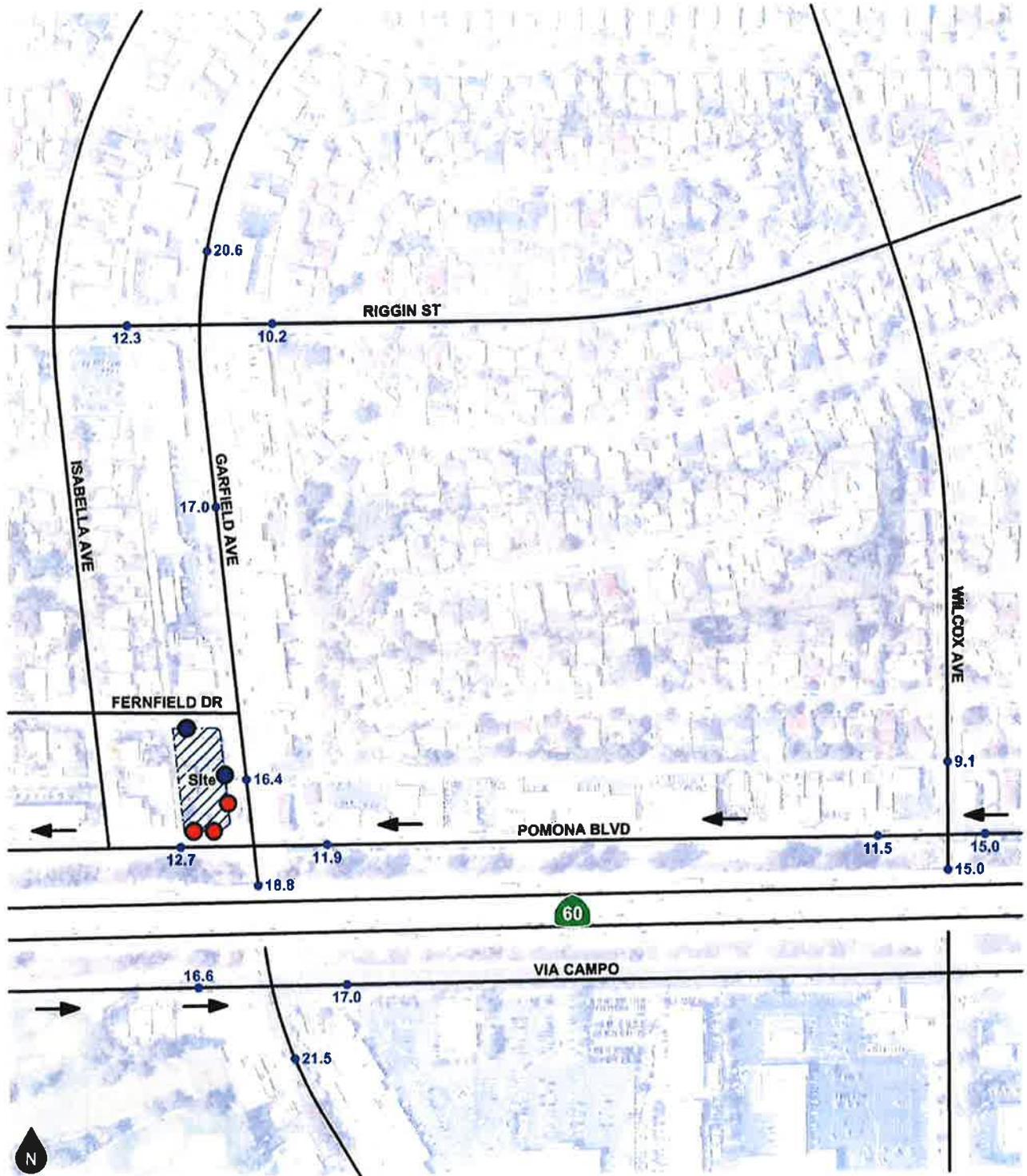


-  Truck Route
-  City Boundary
-  Sphere of Influence Boundary

Source: City of Monterey Park

Figure 9
City of Monterey Park General Plan Roadway Truck Routes





Legend
 ●## Vehicles Per Day (1,000's)

Figure 10
Existing Average Daily Traffic Volumes

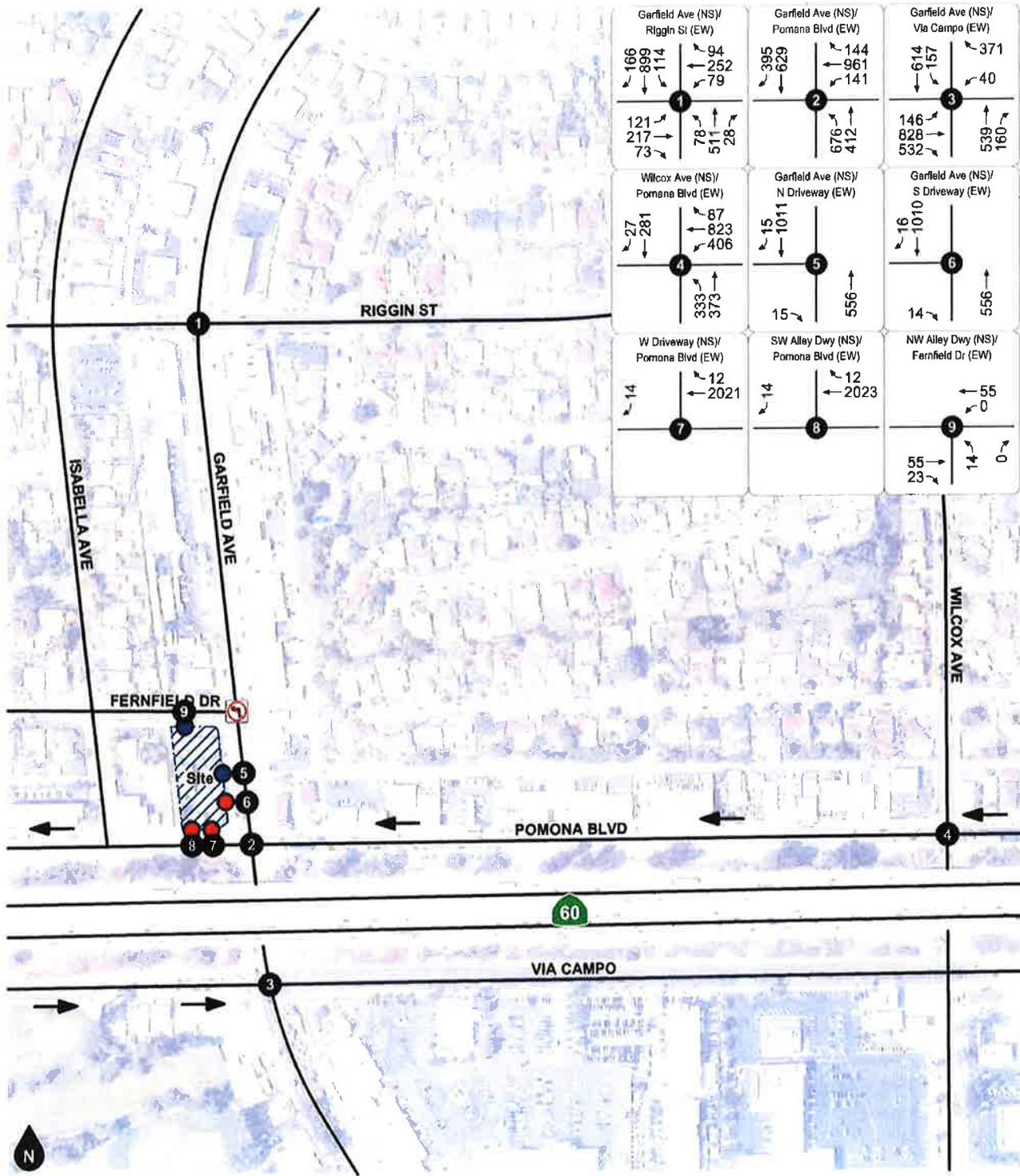


Figure 11
Existing AM Peak Hour Intersection Turning Movement Volumes

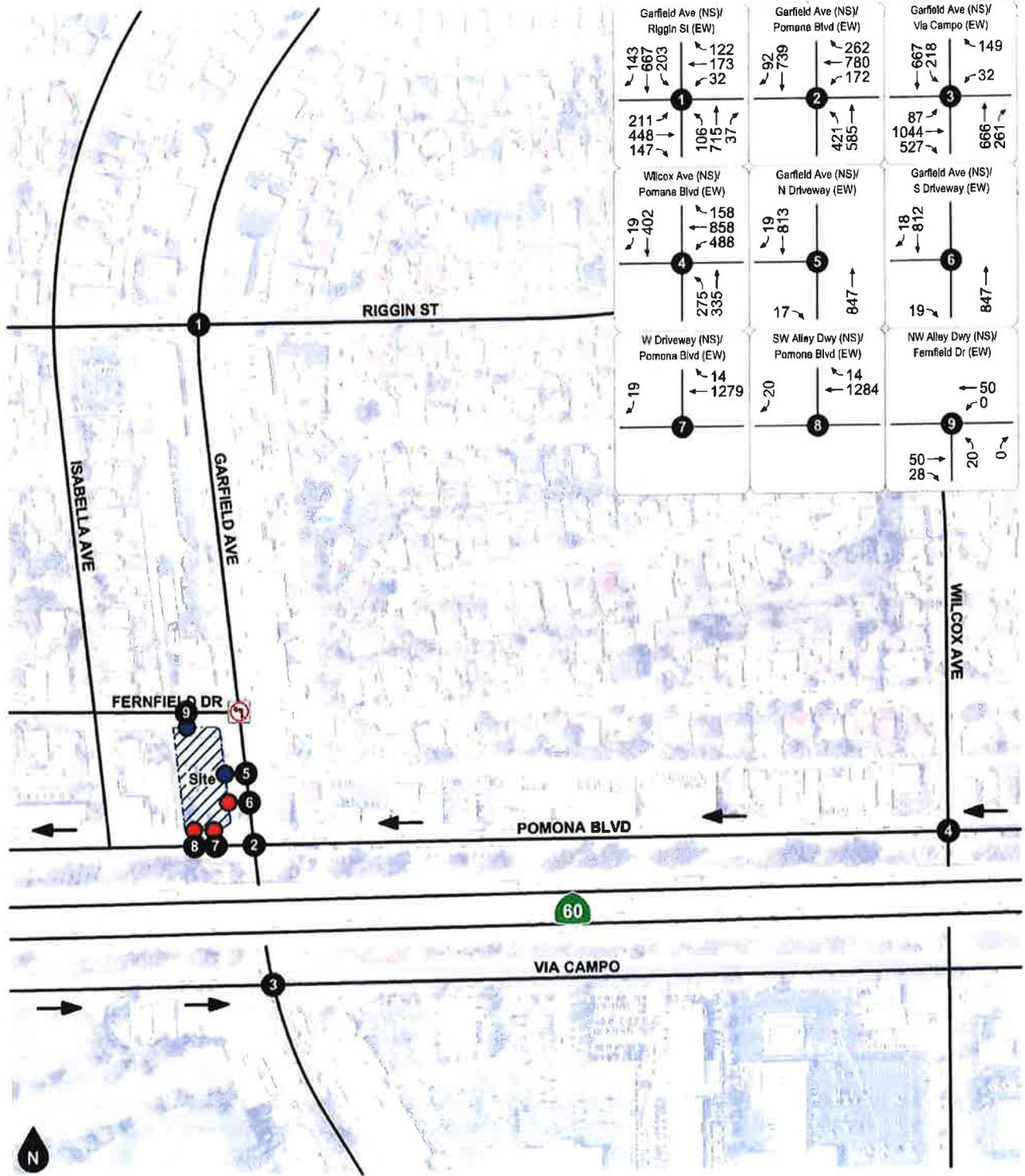


Figure 12
Existing PM Peak Hour Intersection Turning Movement Volumes

4. PROJECT TRIP FORECASTS

This section describes how project trip generation, trip distribution, and trip assignment forecasts were developed. The forecast project volumes are illustrated on figures contained in this section.

TRIP GENERATION

Table 2 shows the project trip generation based upon trip generation rates obtained from the Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, 2017, and the trip generation for the drive-thru coffee-shop are based on counts for local facilities with similar square footage and previous land use credit (see Appendix E).

Trip generation rates were determined for daily trips, AM peak hour inbound and outbound trips, and PM peak hour inbound and outbound trips for the proposed land use. In accordance with the Institute of Transportation Engineers recommendations, the number of trips forecast to be generated by the proposed use are determined by multiplying the trip generation rates by the land use quantity.

Coffee Shop with Drive-Thru (No interior seating)

Actual trip counts were conducted at two local coffee shop locations which represent the project in size and proximity to a state highway. In accordance with Institute of Transportation Engineers methodology since local values deviate more than 15% from the ITE 938 land use code (which was developed from small 100 square foot coffee kiosks), count data was collected to determine the appropriate trip generation rates for the coffee shop in an urban area for this approximate size. The weighted average trip generation for the AM, PM and daily trip generation per thousand square foot was used to determine from trip counts for this use. Additionally drive-thru window counts were also conducted to determine the percentage of drive-thru trips versus total trips which includes park/walk up window trips. See Appendix E for additional details on the coffee-shop trip generation.

Previous Land Use Credits

A substantial portion of the project-generated retail trips come from the existing gas station which is to be remodeled. This does not add additional trips to the study intersections. The previous land use trip credit accounts for these trips such that they are not double counted in the study intersections from the existing count. These project related trips are applied to the site driveways to conservatively analyze the project driveways.

As shown in Table 2, the existing project site uses to be displaced are estimated to generate a total of approximately 2,320 daily vehicle trips, including 147 trips during the AM peak hour and 188 trips during the PM peak hour. The proposed uses are forecast to generate a total of approximately 3,680 daily vehicle trips, including 301 trips during the AM peak hour and 274 trips during the PM peak hour. Therefore, the proposed project is forecast to result in a net increase of approximately 1,360 daily trips, including 154 trips during the AM peak hour and 86 trips during the PM peak hour.

It should be noted that for commercial land use, a portion of the trips would come from pass-by trips, trips that are currently on the roadway system. In order to analyze a "conservative" scenario in terms of the assignment of project trips, the project trips from the commercial retail portion of the project site have not been reduced.

TRIP DISTRIBUTION & ASSIGNMENT

Figure 13 and Figure 14 show the forecast outbound and inbound directional distribution patterns for the project generated trips, respectively. The project trip distribution patterns were determined in consultation with City staff based on review of existing traffic data, surrounding land uses, and the local and regional roadway facilities in the project vicinity.

Based on the identified project trip generation and distributions, project average daily traffic volumes have been calculated and shown on Figure 15. The project AM and PM peak hour intersection turning movement volumes for project opening year (2021) conditions are depicted on Figure 16 and Figure 17, respectively.

PROJECT DESIGN FEATURES

This analysis assumes all improvements necessary for site access will be constructed in conjunction with the proposed project as Project Design Features.

The proposed project will maintain three existing driveway cuts, and the existing alleyway along the western property line also provides a full access at Fernfield Drive and a right-in/right-out only access at Pomona Boulevard.

Right-in/right-out only access is provided by the Pomona Boulevard driveways because of the one-way traffic flow. Right-in/right-out only access is provided by the south Garfield Avenue driveway because of the raised median in the roadway.

**Table 2
Project Trip Generation**

Trip Generation Rates									
Land Use	Source ³	Units ²	AM Peak Hour			PM Peak Hour			Daily
			% In	% Out	Rate	% In	% Out	Rate	
Single Tenant Office Building	ITE 715	TSF	89%	11%	1.78	15%	85%	1.71	11.25
Convenience Market	ITE 851	TSF	50%	50%	62.54	51%	49%	49.11	762.28
Automobile Care Center ³	ITF 942	BAY	68%	32%	1.52	48%	52%	2.17	17.90
Gasoline/Service Station	ITE 944	VFP	50%	50%	10.28	50%	50%	14.03	172.01
Coffee/Donut Shop with Drive-Thru Only ⁴	Counts	ISF	103.90	97.99	201.89	60.80	59.63	120.43	1835.89

Trips Generated									
Land Use	Quantity	Units ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
<u>Existing Uses To Be Displaced</u>									
Single Tenant Office Building ³	-2,600	TSF	-4	-1	-5	-1	-3	-4	-29
Convenience Market ⁴	-0.250	TSF	-8	-8	-16	-6	-6	-12	-191
Automobile Care Center	-2	BAY	-2	-1	-3	-2	-2	-4	-36
Gasoline/Service Station	-12	VFP	-62	-61	-123	-84	-84	-168	-2,064
Subtotal - Existing Trips Generated			-76	-71	-147	-93	-95	-188	-2,320
<u>Proposed Uses</u>									
Gasoline/Service Station	12	VFP	62	61	123	84	84	168	2,064
Coffee/Donut Shop with Drive-Thru	0.880	TSF	91	87	178	54	52	106	1,616
Subtotal - Gross Trips Generated			153	148	301	138	136	274	3,680
NET PROJECT TRIPS GENERATED			77	77	154	45	41	86	1,360

Notes:

- (1) ITE = Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, 2017; ### = Land Use Code(s)
- (2) TSF = Thousand Square Feet; VFP = Vehicle Fueling Positions
- (3) Automobile care center PM inbound and outbound rates based on ITE942(TSF), and daily rate based on proportion of ITE941(BAY) daily rate in comparison to PM rates
- (4) Counts at local locations with similar square footage, layout and proximity to freeway system were conducted to determine trip generation for this facility type.
- (5) Existing music studio conservatively estimated at single tenant rate



Legend
 10% Percent From Project

Figure 13
Project Trip Distribution - Outbound

2425 & 2439 South Garfield Avenue Project
 Traffic Impact Analysis
 19-0104



Figure 14
Project Trip Distribution - Inbound





Legend
 ●## Vehicles Per Day (1,000's)

Figure 15
Project Average Daily Traffic Volumes

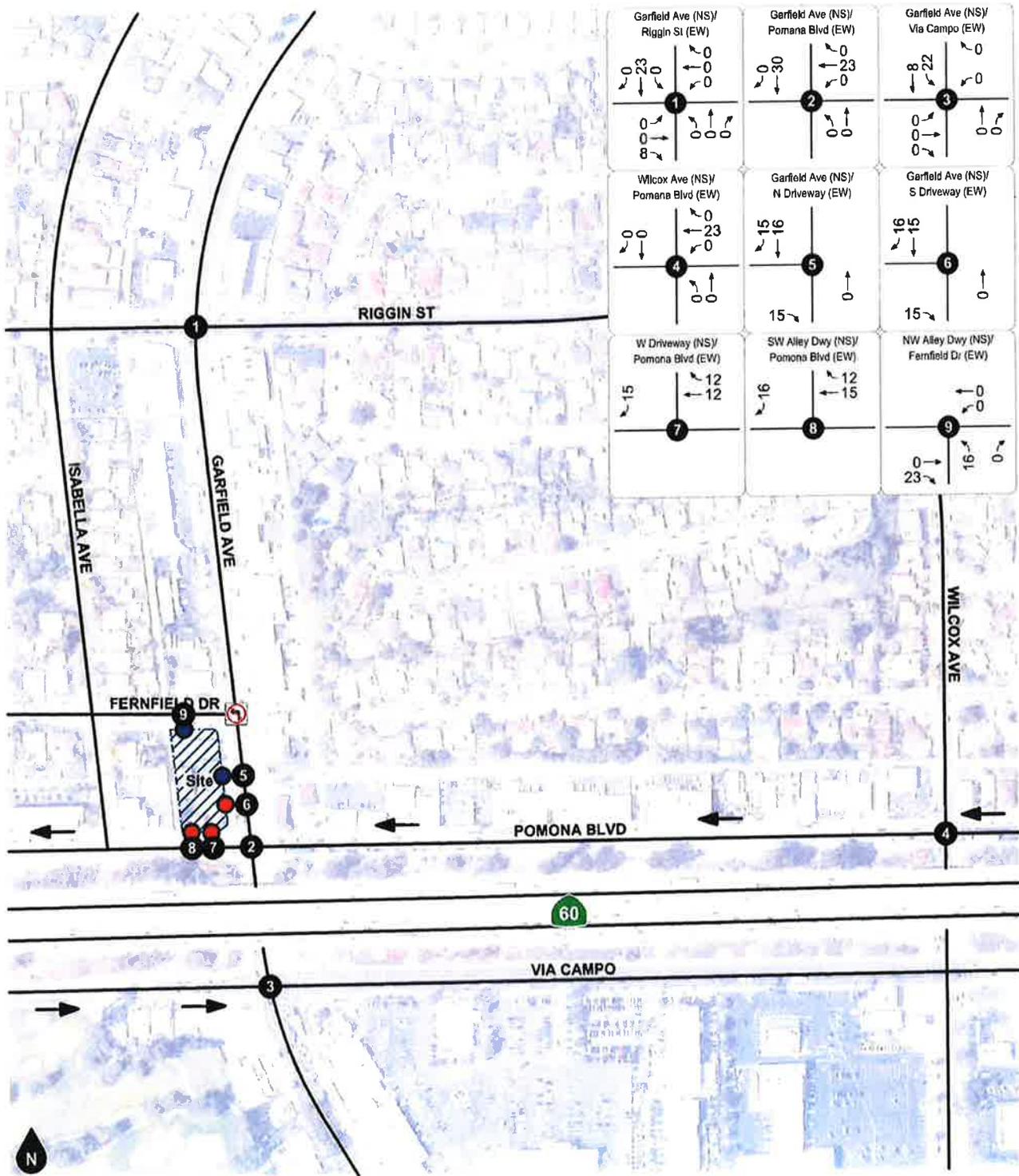


Figure 16
Project AM Peak Hour Intersection Turning Movement Volumes

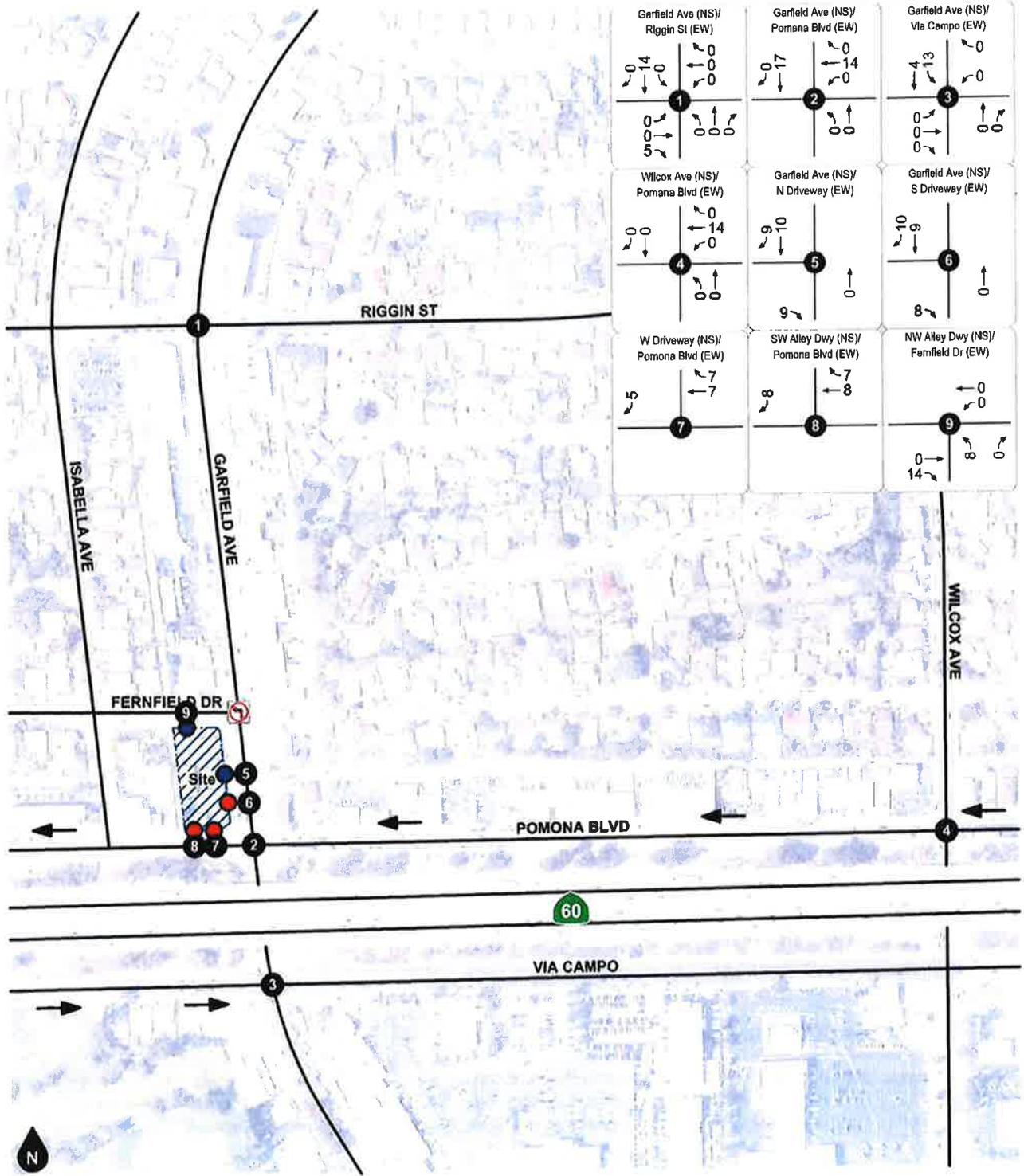


Figure 17
Project PM Peak Hour Intersection Turning Movement Volumes

5. FUTURE VOLUME FORECASTS

This section describes how future volume forecasts for each analysis scenario were developed. Forecast study area volumes are illustrated on figures contained in this section.

METHOD OF PROJECTION

To assess future conditions, existing roadway volumes is combined with project trips, ambient growth, and other development trips. The project completion year for analysis purposes in this report is 2021.

Regional Ambient Growth

To account for ambient growth on roadways, existing traffic volumes were increased by one percent (1%) per year over a two (2) year period based on consultation with City of Monterey Park staff. This is a conservative assumption since the ambient growth was applied to all movements at the study intersections.

Other Developments

A list of pending or approved other development projects was obtained from the Cities of Monterey Park and Montebello. Other developments within a 1.5-mile radius were identified and included in the trip generation summary shown in Table 3. Figure 18 shows the other development location map. The regional ambient growth is assumed to account for any additional trips generated by other developments outside the 1.5-mile radius.

Figure 19 and Figure 20 show the forecast AM and PM peak hour intersection turning movement volumes for trips generated by other developments, respectively.

FUTURE TRAFFIC VOLUMES

Existing Plus Project Forecast

The traffic volumes for existing plus project conditions have been derived by adding the project generated trips to existing traffic volumes. Existing plus project AM and PM peak hour intersection turning movement volumes are shown on Figure 21 and Figure 22, respectively.

Opening Year (2021) Without Project Forecast

To assess Opening Year (2021) Without Project traffic conditions, existing traffic was combined with ambient growth and trips generated by other developments. Opening Year (2021) Without Project AM and PM peak hour intersection turning movement volumes are shown on Figure 23 and Figure 24, respectively.

Opening Year (2021) With Project

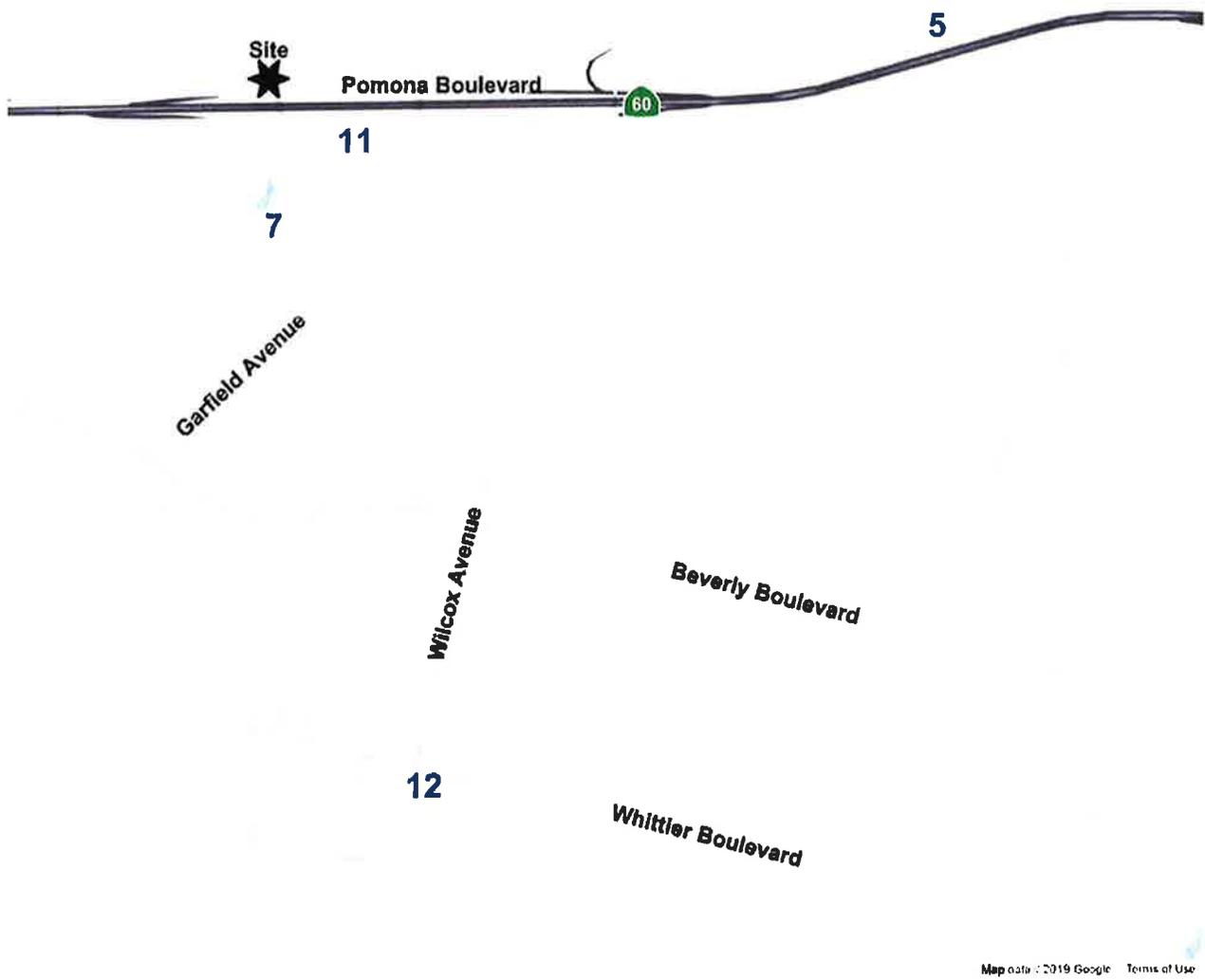
To assess Opening Year (2021) With Project traffic conditions, project generated trips were added to Opening Year (2021) Without Project traffic volumes. Opening Year (2021) With Project AM and PM peak hour intersection turning movement volumes are shown on Figure 25 and Figure 26, respectively.

**Table 3
Cumulative Other Development Trip Generation**

City/ County	ID	Address/Name	Land Use	Source ¹	Quantity	Units ²	AM Peak Hour			PM Peak Hour			Daily
							In	Out	Total	In	Out	Total	
Monterey Park	1	Atlantic Gateway Marriott ³ 633 N Atlantic Boulevard	Hotel	310	288	RM	45	28	73	17	15	32	916
			Retail	820	6 2	TSF							
	2	420 N Atlantic Boulevard NE Atlantic Blvd/Emerson Ave ⁴	Mixed Use: Hotel, Multi-family Residential and Restaurant			TSF	69	70	139	54	39	93	1,569
	3	Double Tree Hotel 770 N Atlantic Boulevard	Motel	320	187	RM	76	55	131	75	67	142	1,090
			High-Turnover Restaurant	934	3	TSF							
	4	Atlantic Garvey Hotel 808 W Garvey Avenue	Apartment	220	98	DU	60	75	135	113	80	193	2,419
Hotel			310	148	RM								
Quality Restaurant Specialty Retail Center			931 826	5 421 6 2	TSF TSF								
5	Monterey Park Towne Centre 100 S Garfield Avenue	Apartment	770	114	DU	58	72	130	171	133	304	3,571	
		Commercial	820	72 92	TSF								
6	Monterey Park Market Place ⁵ 2550 Greenwood Avenue	Retail	820	500 000	TSF	383	301	684	674	680	1,354	19,719	
Montebello	7	Home 2Suite Hillton ⁶ 988 N Via San Clemente	Hotel	310	203	RM	69	45	114	60	54	114	1,660
	8	Ford of Montebello Expansion 2747 Via Campo	Automobile Sales (New)	840	91 750	TSF	125	47	172	89	134	223	2,554
	9	Housing on Whittier Blvd 2195 W Whittier Blvd	Multi-family Residential	220	64	DU	7	22	29	23	13	36	468
	10	City Ventures Project 815 W Olympic Blvd	Multi-family Residential	220	35	DU	4	12	16	12	8	20	256
	11	KU Mixed Use Project 510 W Whittier Blvd	Hotel	310	130	RM	36	25	61	40	38	78	1,087
			Multi-family Residential	220	45	DU	5	16	21	16	9	25	329
			Retail	841	4 250	TSF	14	15	29	5	6	11	188
			Quality Restaurant	931	4 250	TSF	2	?	4	21	22	32	382
	12	Best Western Inn 524 Washington Blvd	Hotel	310	52	RM	14	10	24	16	15	31	435
	13	5EC Telegraph & Slauson Ave 8000 Slauson Ave	Fast Food / Drive-thru Window		6 000	TSF	123	118	241	102	94	196	2,826
Gas Station / Convenience Market				12	FP	76	74	150	86	82	168	2,464	
14	River Gate Townhomes 140 W Whittier Blvd	Multi-family Residential	220	80	DU	8	29	37	28	17	45	586	
15	Montebello Hills Residential ⁷ Montebello Blvd / Paramount Blvd	Single Family Detached Residential	210	433	DU	80	240	320	270	159	429	4,088	
		Multi-family Residential	220	767	DU	81	272	353	271	159	430	5,614	
		Park	411	5 5	AC	0	0	0	0	1	1	4	
TOTAL							1,335	1,528	2,863	2,143	1,814	3,957	52,245

Notes:

- (1) Source: Institute of Transportation Engineers, Trip Generation Manual, 10th Edition, 2017; ### = Land Use Code, unless otherwise noted
- (2) DU = Dwelling Units, TSF = Thousand Square Feet; RM = Hotel Rooms, AC = Acres
- (3) Source: Traffic Impact Study for Proposed Atlantic Gateway Project, KOA Corporation, March 3, 2014
- (4) Source: 420 North Atlantic Boulevard Mixed-Use Project Traffic Impact Analysis (Revised), Kunzman Associates, Inc., February 10, 2017
- (5) Source: Traffic Impact Analysis Monterey Park Market Place, Arch Bearh Consulting, March 11, 2011
- (6) Source: Montebello Hillton Home2Suites Project Traffic Impact Analysis Report, Crown City Engineers, Inc., February 15, 2016
- (7) Source: Montebello Hills Residential Project Traffic Impact Analysis Report, KOA Corporation, March 20, 2009



Map data © 2019 Google Terms of Use

- 5** Monterey Park Market Place
- 7** Home suite Hilton
- 11** KU Mixed Use Project
- 12** Best Western Inn



Figure 18
Other Development Location Map

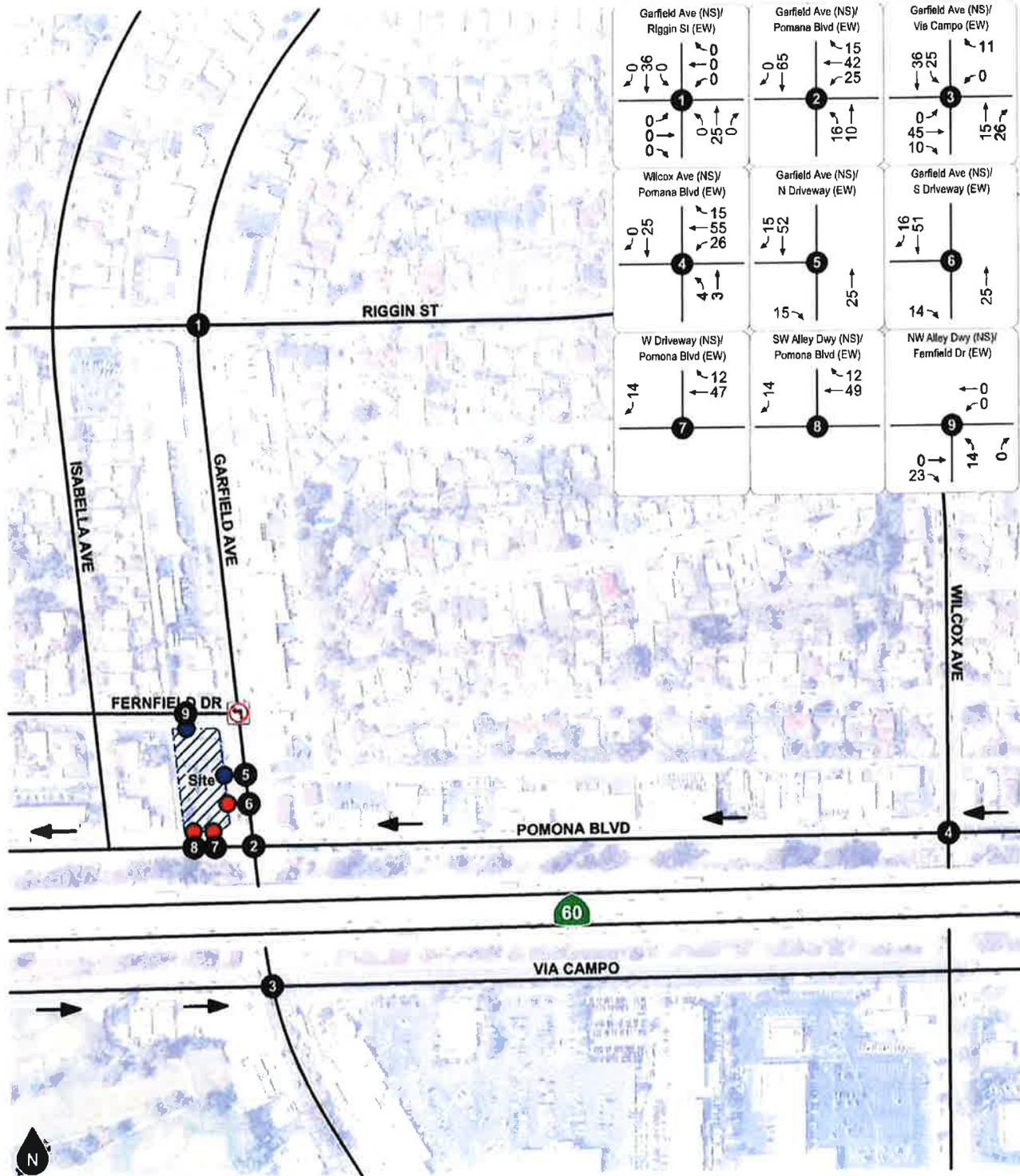


Figure 19
Other Development
AM Peak Hour Intersection Turning Movement Volumes

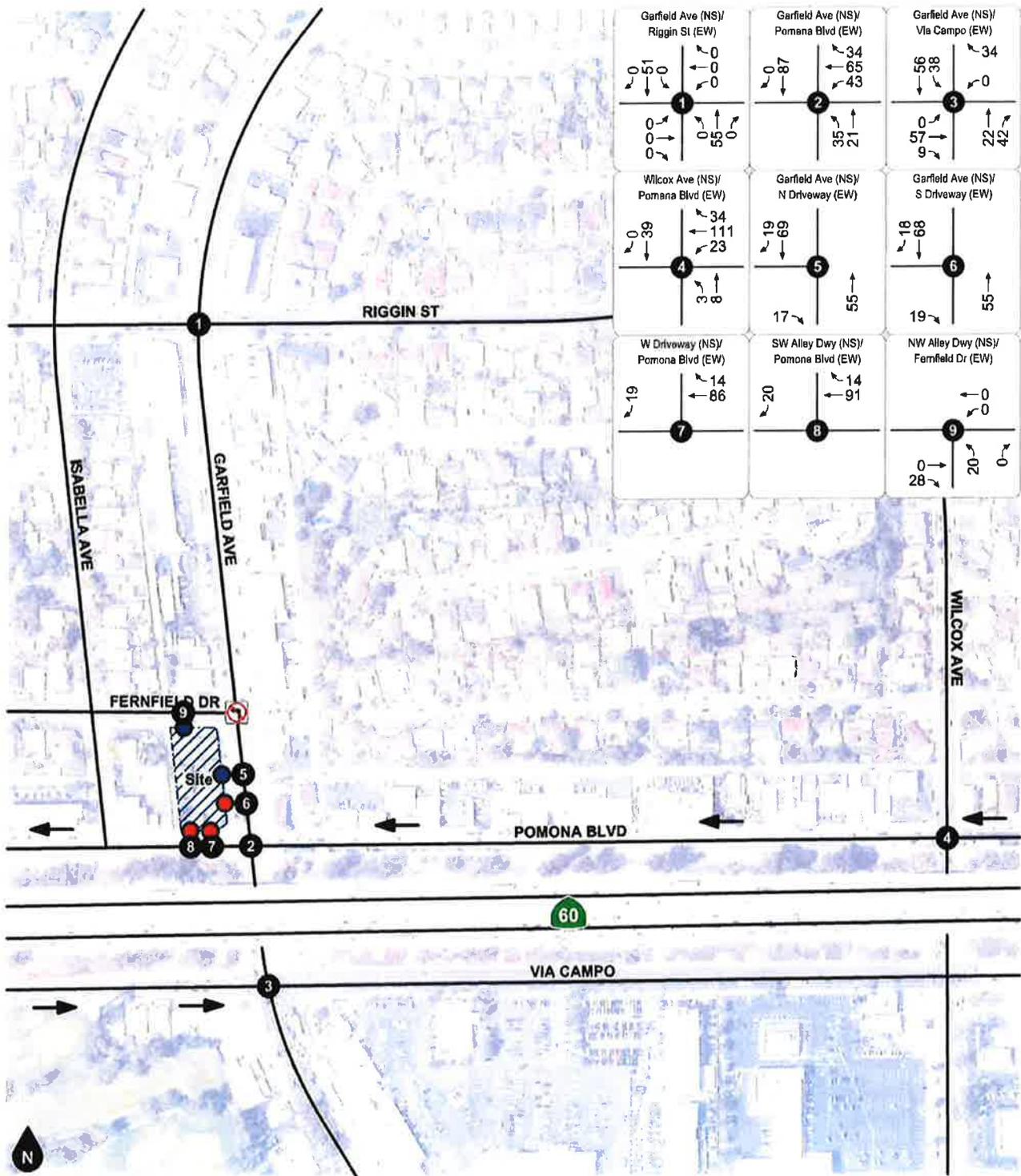


Figure 20
Other Development
PM Peak Hour Intersection Turning Movement Volumes

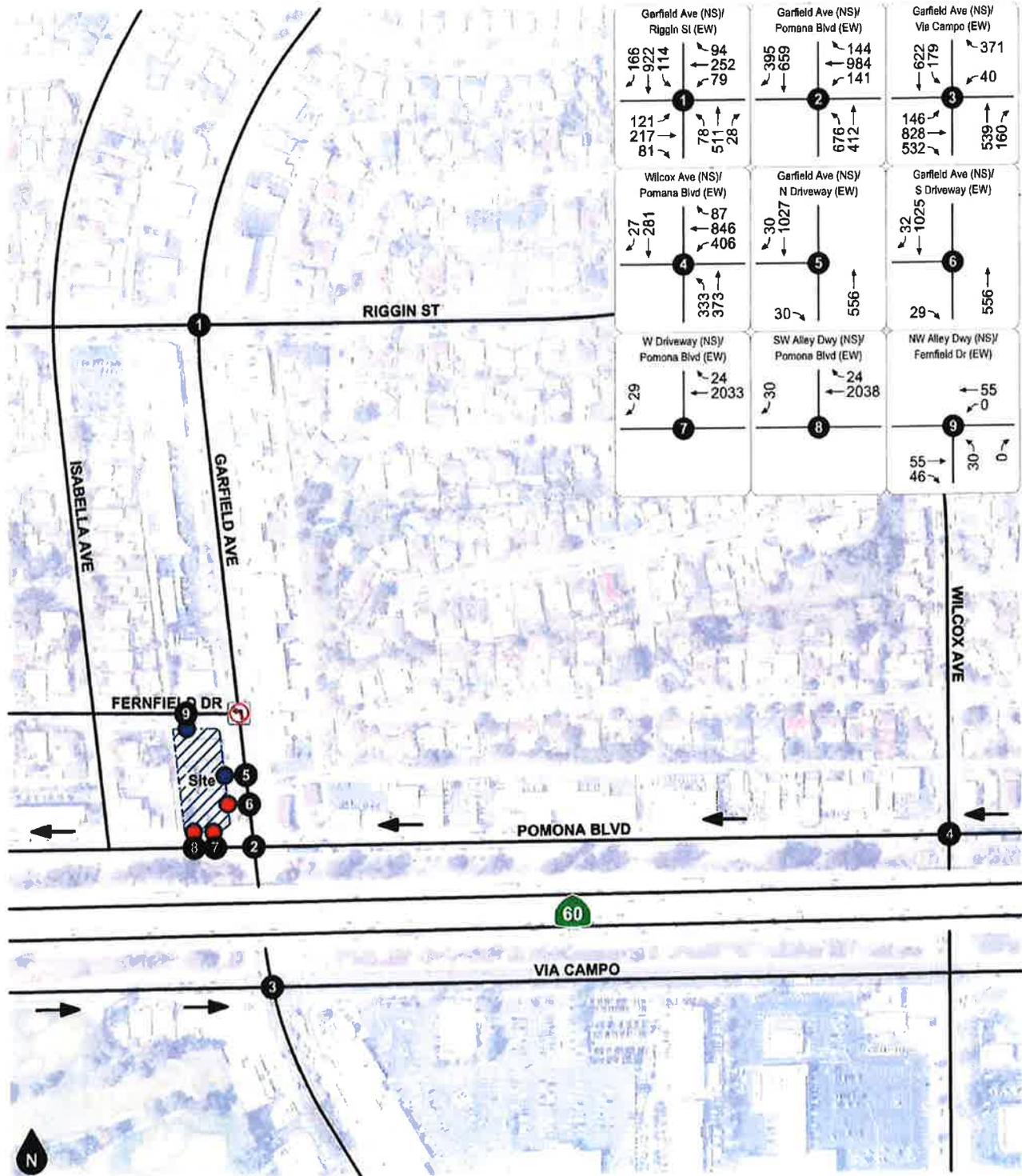


Figure 21
Existing Plus Project
AM Peak Hour Intersection Turning Movement Volumes

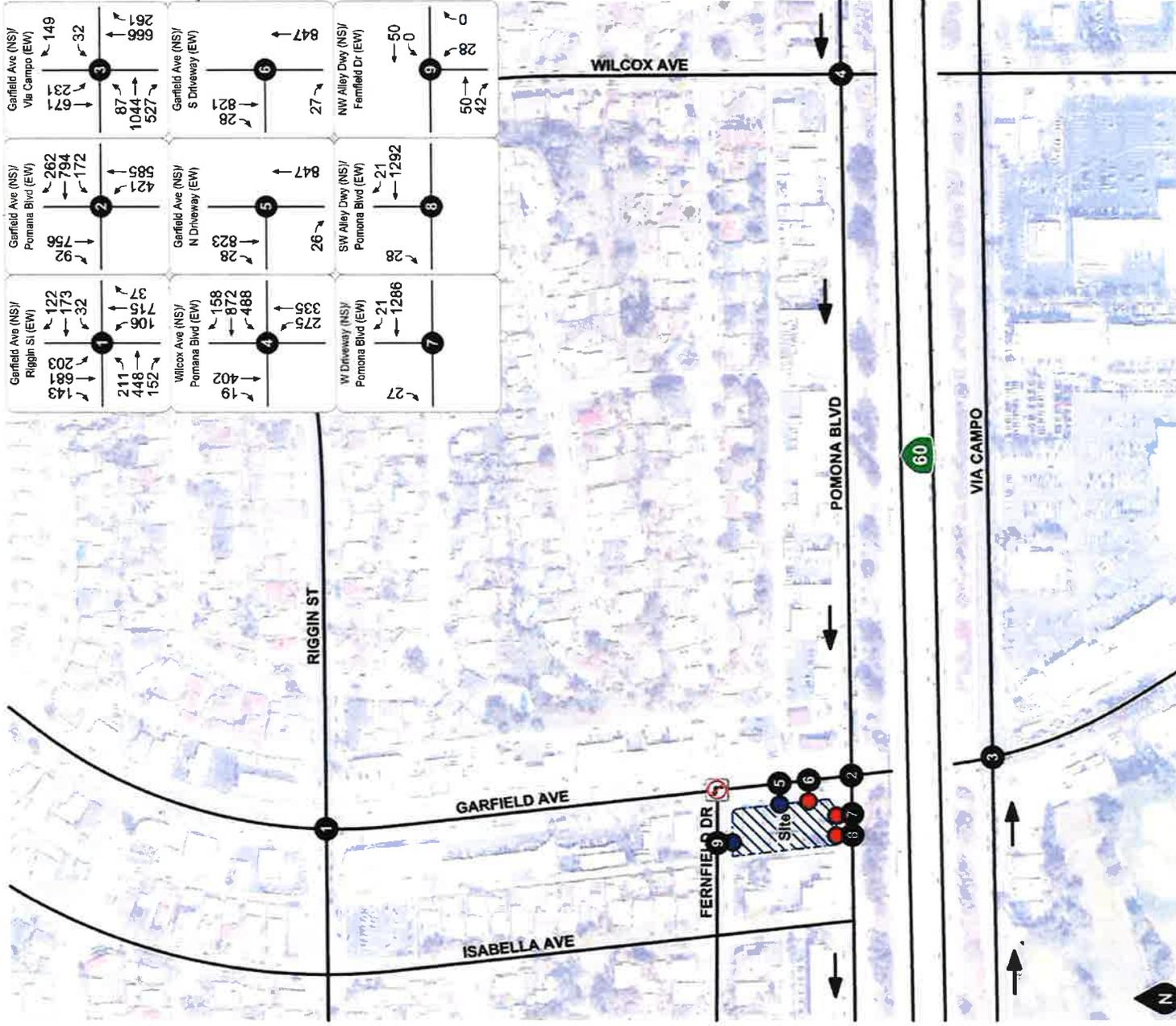


Figure 22
Existing Plus Project
PM Peak Hour Intersection Turning Movement Volumes

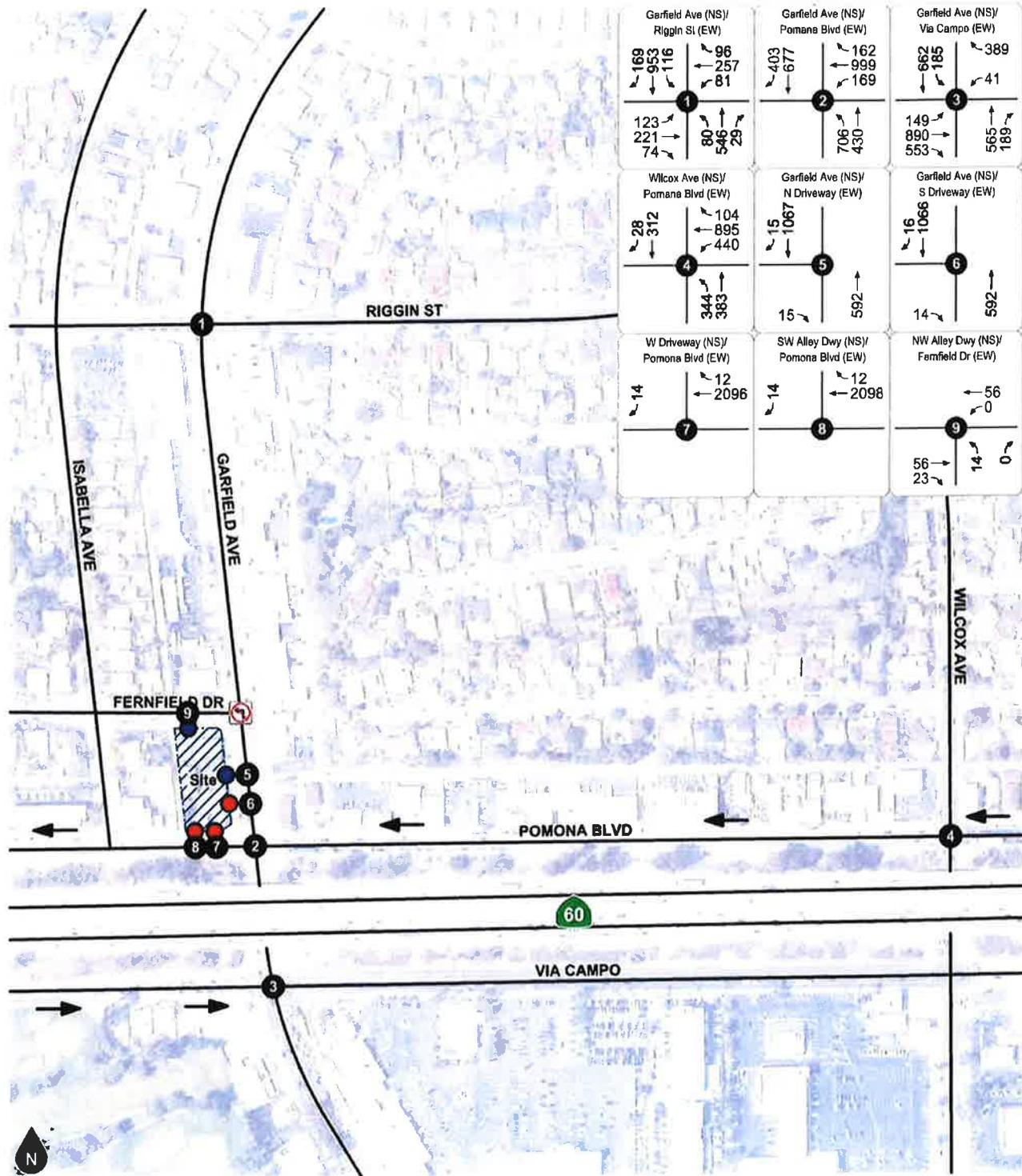


Figure 23
Opening Year (2021) Without Project
AM Peak Hour Intersection Turning Movement Volumes

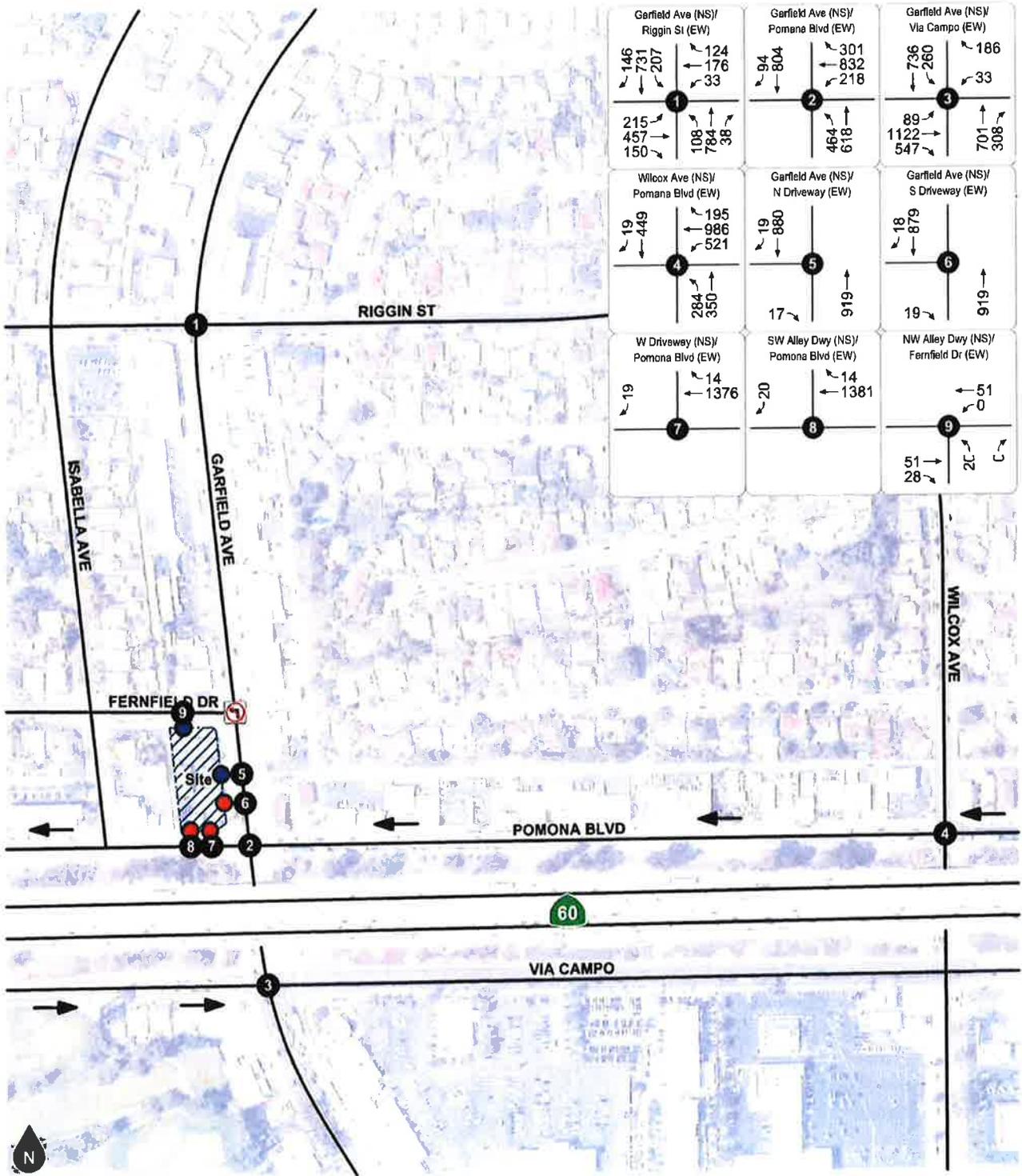


Figure 24
Opening Year (2021) Without Project
PM Peak Hour Intersection Turning Movement Volumes

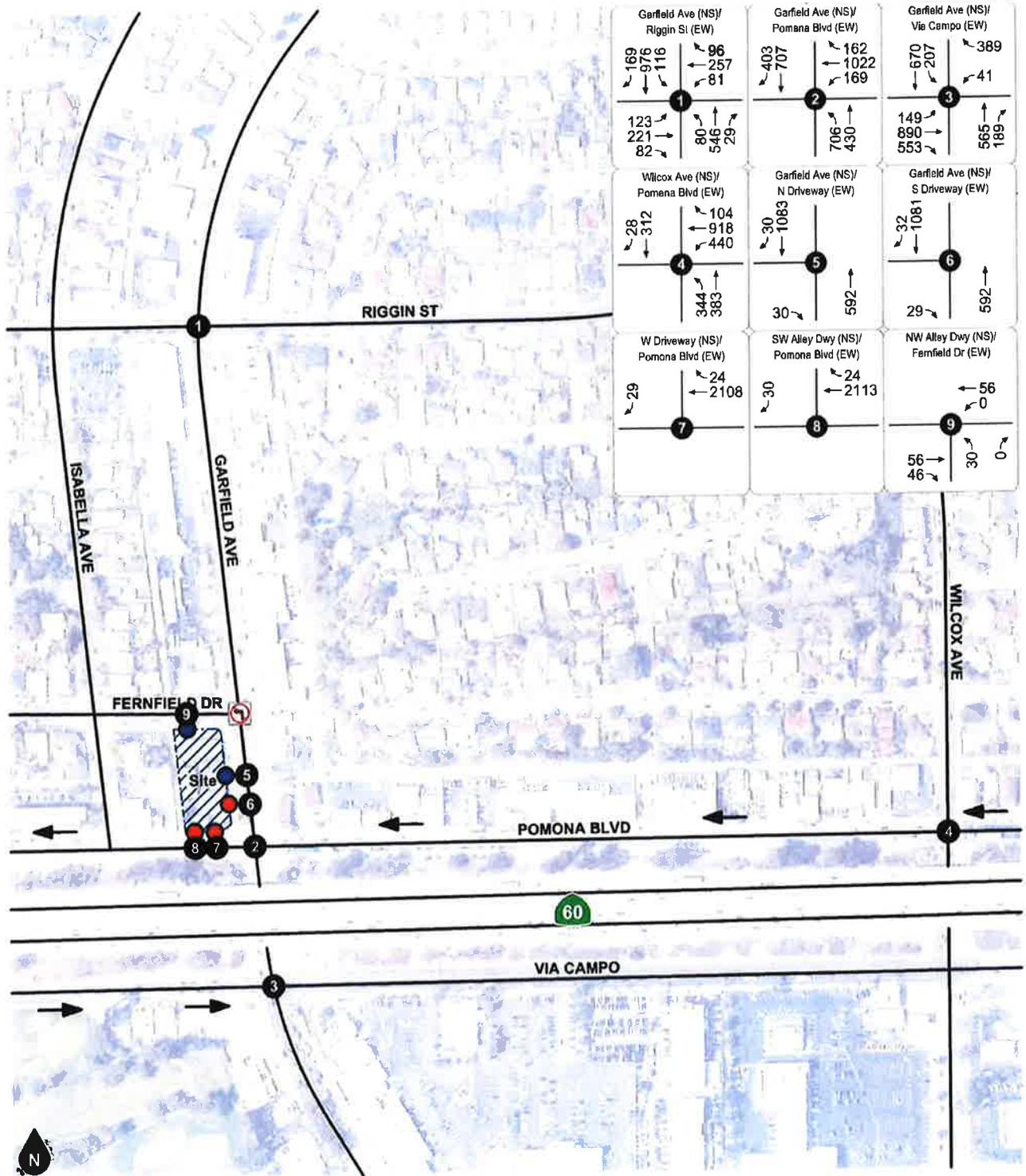


Figure 25
Opening Year (2021) With Project
AM Peak Hour Intersection Turning Movement Volumes

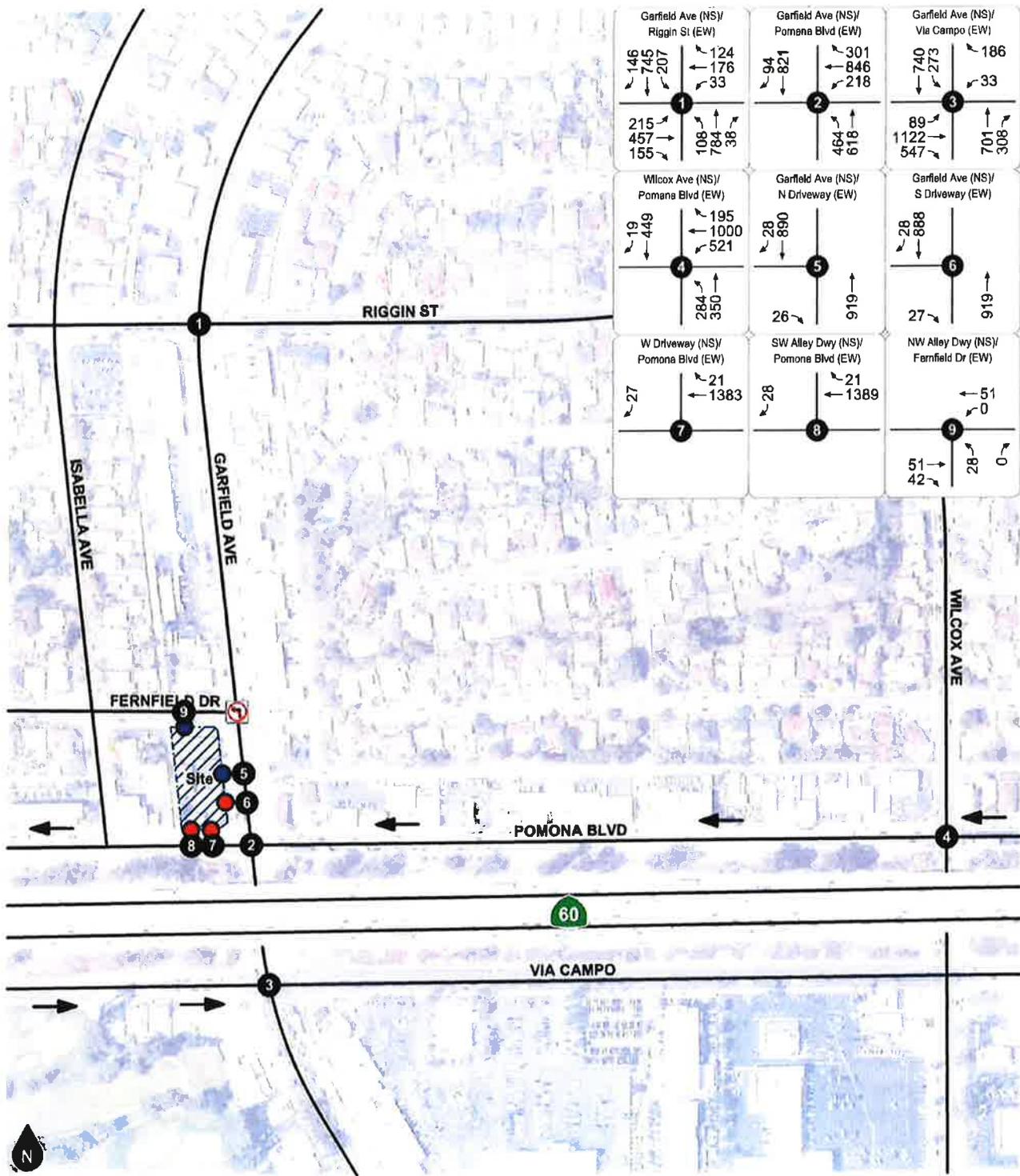


Figure 26
Opening Year (2021) With Project
PM Peak Hour Intersection Turning Movement Volumes

6. FUTURE OPERATIONAL ANALYSIS

Detailed intersection Level of Service calculation worksheets for each of the following analysis scenarios are provided in Appendix D.

EXISTING PLUS PROJECT

Intersection Levels of Service

The intersection Levels of Service for Existing Plus Project conditions, without and with mitigation, are shown in Table 4. As shown in Table 4, the study intersections are projected to operate within acceptable Levels of Service (D or better) during the peak hours for Existing Plus Project conditions, with the exception of the following study driveways that are forecast to continue to operate at Levels of Service F:

- Project West Driveway at Pomona Boulevard - #7 (AM peak hour)
- SW Alley Driveway at Pomona Boulevard - #8 (AM peak hour)

Traffic Signal Warrant Analysis

The potential need for installation of a traffic signal at unsignalized study intersections was evaluated based on the California Manual on Uniform Traffic Control Devices ("California MUTCD", November 2014), Section 4C-101, peak hour volume warrant (Warrant 3). The unsignalized study intersections are not forecast to satisfy the California MUTCD peak hour volume warrant (Warrant 3). Traffic signal warrant worksheets are provided in Appendix F.

Significant Impact Evaluation

Table 5 evaluates the project impact at the study intersections for Existing Plus Project conditions. As shown in Table 5, the proposed project is forecast to not result in a significant traffic impact at the study intersections for Existing Plus Project conditions without mitigation based on the established thresholds of significance.

While the unsignalized project driveways on Pomona Boulevard are forecast continue to operate at Level of Service F, the driveways are forecast to not warrant a traffic signal, and therefore the project addition is considered not significant.

OPENING YEAR (2021) WITHOUT PROJECT

Intersection Levels of Service

The intersection Levels of Service for Opening Year (2021) Without Project conditions are shown in Table 6. As shown in Table 6, the study intersections are projected to operate within acceptable Levels of Service (D or better) during the peak hours for Opening Year (2021) Without Project conditions, with the exception of the following study driveways that are forecast to continue to operate at Levels of Service F:

- Project West Driveway at Pomona Boulevard - #7 (AM peak hour)
- SW Alley Driveway at Pomona Boulevard - #8 (AM peak hour)

OPENING YEAR (2021) WITH PROJECT

Intersection Levels of Service

The intersection Levels of Service for Opening Year (2021) With Project conditions are shown in Table 6. As shown in Table 6, the study intersections are projected to operate within acceptable Levels of Service (D or better) during the peak hours for Opening Year (2021) With Project conditions, with the exception of the following study driveways that are forecast to continue to operate at Levels of Service F:

- Project West Driveway at Pomona Boulevard - #7 (AM peak hour)
- SW Alley Driveway at Pomona Boulevard - #8 (AM peak hour)

Traffic Signal Warrant Analysis

The potential need for installation of a traffic signal at unsignalized study intersections was evaluated based on the California Manual on Uniform Traffic Control Devices ("California MUTCD", November 2014), Section 4C-101, peak hour volume warrant (Warrant 3). The unsignalized study intersections are not forecast to satisfy the California MUTCD peak hour volume warrant (Warrant 3). Traffic signal warrant worksheets are provided in Appendix F.

Significant Impact Evaluation

Table 7 evaluates the project impact at the study intersections for Opening Year (2021) With Project conditions. As shown in Table 7, the proposed project is forecast to not result in a significant traffic impacts at the study intersections for Opening Year (2021) With Project traffic conditions without mitigation based on the established thresholds of significance.

While the unsignalized project driveways on Pomona Boulevard are forecast continue to operate at Level of Service F, the driveways are forecast to not warrant a traffic signal, and therefore the project addition is considered not significant.

**Table 4
Existing Plus Project Intersection Levels of Service**

ID	Study Intersection	Traffic Control ¹	Existing				Existing Plus Project			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
			V/C or [Delay] ²	LOS ³	V/C or [Delay]	LOS	V/C or [Delay]	LOS	V/C or [Delay]	LOS
1.	Garfield Ave at Riggins St	TS	0.623	B	0.714	C	0.629	B	0.714	C
2.	Garfield Ave at Pomana Blvd	TS	0.752	C	0.694	B	0.757	C	0.702	C
3.	Garfield Ave at Via Campo	TS	0.830	D	0.777	C	0.832	D	0.779	C
4.	Wilcox Ave at Pomana Blvd	TS	0.551	A	0.601	B	0.556	A	0.604	B
5.	Garfield Ave at Project North Dwy	CSS	[12.3]	B	[11.3]	B	[12.7]	B	[11.5]	B
6.	Garfield Ave at Project South Dwy	CSS	[12.3]	B	[11.3]	B	[12.7]	B	[11.5]	B
7.	Project West Dwy at Pomana Blvd	CSS	[66.4]	F	[24.8]	C	[88.0]	F	[26.0]	D
8.	SW Alley Dwy at Pomana Blvd	CSS	[66.6]	F	[25.0]	C	[90.5]	F	[26.3]	D
9.	NW Alley Dwy at Fernfield Dr	CSS	[9.2]	A	[9.2]	A	[9.3]	A	[9.3]	A

Notes:

- (1) TS = Traffic Signal; CSS = Cross Street Stop; AWS = All Way Stop
- (2) Intersection Capacity Utilization (ICU) LOS shown in volume per capacity (V/C) for the signalized intersection. Delay is shown in [seconds] per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst individual lane (or movements sharing a lane)
- (3) LOS – Level of Service

**Table 5
Significant Impact Evaluation - Existing Plus Project**

ID	Study Intersection	Existing				Existing Plus Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		Change ³	Significant Impact? ⁴	Change	Significant Impact? ⁴
		V/C or [Delay] ¹	LOS ²	V/C or [Delay]	LOS	V/C or [Delay]	LOS	V/C or [Delay]	LOS				
1	Garfield Ave at Riggins St	0.623	B	0.714	C	0.629	B	0.714	C	+0.006	NO	-	NO
2	Garfield Ave at Pomana Blvd	0.752	C	0.694	B	0.757	C	0.702	C	+0.005	NO	+0.008	NO
3	Garfield Ave at Via Campo	0.830	D	0.777	C	0.832	D	0.779	C	+0.002	NO	+0.002	NO
4	Wilcox Ave at Pomana Blvd	0.551	A	0.601	B	0.556	A	0.604	B	+0.005	NO	+0.003	NO
5	Garfield Ave at Project North Dwy	[12.3]	B	[11.3]	B	[12.7]	B	[11.5]	B	-	NO	-	NO
6	Garfield Ave at Project South Dwy	[12.3]	B	[11.3]	B	[12.7]	B	[11.5]	B	-	NO	-	NO
7	Project West Dwy at Pomana Blvd	[66.4]	F	[24.8]	C	[88.0]	F	[26.0]	D	CTSW	NO	-	NO
8	SW Alley Dwy at Pomana Blvd	[66.6]	F	[25.0]	C	[90.5]	F	[26.3]	D	CTSW	NO	-	NO
9	NW Alley Dwy at Fernfield Dr	[9.2]	A	[9.2]	A	[9.3]	A	[9.3]	A	-	NO	-	NO

Notes:

- (1) Intersection Capacity Utilization (ICU) LOS shown in volume per capacity (V/C) for the signalized intersection. Delay is shown in [seconds] per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst individual lane (or movements sharing a lane)
- (2) LOS = Level of Service
- (3) CTSW = Cross-street Traffic Signal Warrant is reviewed for unsignalized intersections with level of service E or F
- (4) Signalized intersections are reviewed for change of volume to capacity ratio, and unsignalized intersections are reviewed for traffic signal warrant for intersections with levels of service F

Table 6
Opening Year (2021) Intersection Levels of Service

ID	Study Intersection	Traffic Control ¹	Without Project				With Project			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
			V/C or [Delay] ²	LOS ³						
1	Garfield Ave at Riggins St	TS	0.644	B	0.743	C	0.651	B	0.743	C
2	Garfield Ave at Pomana Blvd	TS	0.779	C	0.746	C	0.783	C	0.754	C
3	Garfield Ave at Via Campo	TS	0.858	D	0.846	D	0.859	D	0.847	D
4	Wilcox Ave at Pomana Blvd	TS	0.587	A	0.655	B	0.592	A	0.658	B
5	Garfield Ave at Project North Dwy	CSS	[12.6]	B	[11.7]	B	[13.1]	B	[11.9]	B
6	Garfield Ave at Project South Dwy	CSS	[12.6]	B	[11.7]	B	[13.1]	B	[11.9]	B
7	Project West Dwy at Pomana Blvd	CSS	[74.9]	F	[27.9]	D	[102.7]	F	[29.5]	D
8	SW Alley Dwy at Pomana Blvd	CSS	[75.2]	F	[28.2]	D	[106.0]	F	[29.9]	D
9	NW Alley Dwy at Fernfield Dr	CSS	[9.2]	A	[9.2]	A	[9.3]	A	[9.3]	A

Notes:

- (1) TS = Traffic Signal; CSS = Cross Street Stop; AWS = All Way Stop
- (2) Intersection Capacity Utilization (ICU) LOS shown in volume per capacity (V/C) for the signalized intersection. Delay is shown in [seconds] per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst individual lane (or movements sharing a lane)
- (3) LOS = Level of Service

**Table 7
Significant Impact Evaluation - Opening Year (2021)**

ID	Study Intersection	Opening Year (2021) Without Project				Opening Year (2021) With Project				AM Peak Hour		PM Peak Hour	
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		Change ³	Significant Impact? ⁴	Change	Significant Impact? ⁴
		V/C or [Delay] ¹	LOS ²	V/C or [Delay]	LOS	V/C or [Delay]	LOS	V/C or [Delay]	LOS				
1	Garfield Ave at Riggins St	0.644	B	0.743	C	0.651	B	0.743	C	+0.007	NO	-	NO
2	Garfield Ave at Pomana Blvd	0.779	C	0.746	C	0.783	C	0.751	C	+0.004	NO	-0.008	NO
3	Garfield Ave at Via Campo	0.858	D	0.846	D	0.859	D	0.847	D	+0.001	NO	+0.001	NO
4	Wilcox Ave at Pomana Blvd	0.587	A	0.655	B	0.592	A	0.658	B	+0.005	NO	+0.003	NO
5	Garfield Ave at Project North Dwy	[12.6]	B	[11.7]	B	[13.1]	B	[11.9]	B	-	NO	-	NO
6	Garfield Ave at Project South Dwy	[12.6]	B	[11.7]	B	[13.1]	B	[11.9]	B	-	NO	-	NO
7	Project West Dwy at Pomana Blvd	[74.9]	F	[27.9]	D	[102.7]	F	[29.5]	D	CTSW	NO	-	NO
8	SW Alley Dwy at Pomana Blvd	[75.2]	F	[28.2]	D	[106.0]	F	[29.9]	D	CTSW	NO	-	NO
9	NW Alley Dwy at Fernfield Dr	[9.2]	A	[9.2]	A	[9.3]	A	[9.3]	A	-	NO	-	NO

Notes:

- (1) Intersection Capacity Utilization (ICU) LOS shown in volume per capacity (V/C) for the signalized intersection. Delay is shown in [seconds] per vehicle. For intersections with traffic signal or all way stop control, overall average intersection delay and LOS are shown. For intersections with cross street stop control, LOS is based on average delay of the worst individual lane (or movements sharing a lane)
- (2) LOS = Level of Service
- (3) CTSW = Cross-street Traffic Signal Warrant is reviewed for unsignalized intersections with level of service E or F
- (4) Signalized intersections are reviewed for change of volume to capacity ratio, and unsignalized intersections are reviewed for traffic signal warrant for intersections with levels of service F

7. OTHER TRAFFIC CONSIDERATIONS

Additional traffic concerns which may affect the operational characteristics of the study roadway facilities or which may require mitigation are discussed below.

SITE ACCESS QUEUEING

Table 8 summarizes the results of a queue analysis for left turn, right turn, or shared through/turn lanes at project driveways based on the forecast 95th-percentile queue lengths¹ shown in the delay calculation worksheets (see Appendix D). Additionally, the recommended storage length is provided for turn lanes that are forecast to exceed the existing storage.

Based on the queueing analysis, adequate storage length is forecast to be provided for the right-only turn lanes and the shared-turn lanes at the project driveways.

DRIVE-THRU QUEUEING ANALYSIS

The key to the successful operation of a drive-thru service is providing the appropriate vehicle stacking length. Vehicle stacking provides a dedicated place to wait for service without blocking traffic in the commercial drive aisle or overflowing into public right-of-way.

The following calculations are based upon the Institute of Transportation Engineers, [Transportation and Land Development](#), 1988. The theory of queuing concerns the use of mathematical algorithms to describe the processes that result in the formation of queues, so that a detailed analysis of the effects of queues can be undertaken. A queue is formed when arrivals wait at a service area, speaker or drive-thru window.

The length of necessary stacking space is a function of the number of inbound vehicles, the number of service areas at a site, the number of service lanes per access, the utilization factor of the service lane, the service rate capacity of the site, and the confidence interval used for the analysis. The utilization factor is calculated by dividing peak hour trip volumes by the control point processing rate. The peak hour trip volumes of a drive-thru is determined by the trip generation rate for the drive-thru facilities. The trip generation for the coffee shop with drive-thru were also obtained from trip counts, and the drive-thru peak hour trips were determined based on the percentage of drive-thru trips to the total trips generated by the coffee shop.

The vehicle stacking area is measured from the service point (drive-thru window). The following assumptions were made in determining data input for the queuing analysis:

- AM and PM inbound trips were used for the calculations.
- The entry for coffee shop includes one lane.
- The analysis is based on an 95% confidence interval (i.e., 95% of the time, the queue will be equal to or less than the calculated maximum vehicle queue).
- The processing rate at the control point for coffee shop drive-thru window is assumed to be 80² vehicles per hour.

¹ For a more conservative analysis, the forecast 95th-percentile queue lengths shown in the delay calculation worksheets have been rounded up to nearest 5-foot increment.

² Source: Processing rate based on information and data supplied by franchise representative.

- The inbound trips were used to generate the queue length for the coffee shop land use are based on the AM and PM drive-thru window percentages.

The forecast queue of vehicles is increased by one vehicle to account for the service position vehicle and multiplied by standard vehicle length to determine the total required storage capacity. The amount of storage space needed at the drive-thru queue locations is summarized in Table 9. The queue analysis worksheet is in Appendix G.

The queue length has been calculated based on the trip generation/distribution for coffee shop square footage with the percent of inbound drive-thru vehicles allocated at the service point. These queue lengths assume the presence of one lane as shown on the plans. The available queue space shown on the proposed plan for the entry is approximately 205 feet. The vehicle stacking area is measured from the service point (drive-thru window) to the beginning of the drive-thru queue on-site. The calculated storage length for the coffee shop location is during the AM peak hour 11 vehicles (225 feet) and during the PM peak hour is 3 vehicles (65 feet).

The entry location does not meet the minimum requirements for service point (gate) stacking during the AM peak hour by one (1) car length. Ideally, the queue length should be expanded to include two more car lengths. However, since this is a high intensity use for the AM peak hour, an alternative solution would be to place pavement arrows in the parking lot which would indicate the direction of the queue for the AM peak hour which is anticipated to have demand higher than the rest of the day.

DRIVE-THRU QUEUEING CONTINGENCY PLAN

While every effort is made to provide the most accurate queueing calculations possible, there is the potential for the development to be more popular than initially anticipated. Vehicle stacking provides a dedicated place to wait for service without blocking traffic in the commercial drive aisle or overflowing into public right-of-way.

The location of the beginning of the queue lane for the coffee shop is 62 feet from the closest driveway. Because of their placement in the commercial center away from the access driveways, the likelihood of the drive-thru queues spilling out on to the City street is highly unlikely.

The combined proposed storage length (205 feet) and the distance to the nearest closest driveway (62 feet) can accommodate approximately 11 vehicles during the peak hour on-site and not potentially block access to the adjacent gas station.

The coffee shop's AM peak hour demand is slightly higher than the available queueing space. There is space within the location's parking lot to hold the occasional queue overflow. A drive-thru contingency plan consisting of drive-thru signing, pavement markings and/or traffic cones used to direct traffic in the desired direction during high peak usage should be established by the coffee shop establishment.

CONSTRUCTION TRAFFIC VOLUMES

Compared to the project trip generation, construction traffic for the proposed project is expected to generate significantly less trips. The traffic impacts of construction activity will be minor and temporary. To further lessen the impact of construction trips, the project will be required to comply with all standard conditions pertaining to construction including work hours, traffic control plan, haul route, access, oversized-vehicle transportation permit, site security, noise, vehicle emissions and dust control. All construction related trips should be restricted to off-peak hours, whenever possible.

A construction work site traffic control plan shall be submitted to the City for review and approval prior to the start of any construction work. The plans shall show the location of any roadway, sidewalk, bike route,

bus stop or driveway closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. Temporary traffic controls used around the construction area should adhere to the standards set forth in the California Manual of Uniform Traffic Control Devices (2014) and construction activities should adhere to applicable local ordinances.

Site development would require the use of haul trucks during site clearing and excavation and the use of a variety of other construction vehicles throughout the construction work at the site. Transportation of heavy construction equipment and or materials, which requires the use of oversized vehicles, will require the appropriate transportation permit.

**Table 8
Project Driveway Queueing Analysis**

ID	Intersection	Approach	Lane	Storage Length (Feet) ¹	Peak Hour 95th-Percentile Queue Length (Feet) ²				Adequate Storage Provided	
					Existing Plus Project		Opening Year (2021) With Project		Existing	Year 2021
					AM	PM	AM	PM		
5	Garfield Ave at Project North Dwy	Southbound	Thru-Right	85	<5	<5	<5	<5	YES	YES
		Eastbound	Right	24	10	5	10	5	YES	YES
6	Garfield Ave at Project South Dwy	Southbound	Thru-Right	42	<5	<5	+5	+5	YES	YES
		Eastbound	Right	24	5	5	10	5	YES	YES
7	Project West Dwy at Pomana Blvd	Southbound	Right	55	45	15	50	15	YES	YES
		Westbound	Thru-Right	24	<5	<5	+5	<5	YES	YES
8	SW Alley Dwy at Pomana Blvd	Southbound	Right	55	45	30	50	35	YES	YES
		Westbound	Thru-Right	42	<5	<5	<5	+5	YES	YES
9	NW Alley Dwy at Fernfield Dr	Northbound	Left-Right	15	5	5	5	5	YES	YES
		Eastbound	Thru-Right	114	<5	+5	<5	<5	YES	YES

Notes:

- (1) Distance to the adjacent driveway (existing or proposed future development)
- (2) Queueing length rounded up to the nearest 5 feet

**Table 9
Gate Stacking/Drive-thru- Queue Requirements**

Peak Hour	Peak Hour			Service Rate Capacity Per Hour Per Lane	Utilization Factor ¹	Minimum Calculated Queue Length in Feet	Distance to nearest Site Driveway in Feet	Queue Length on Proposed Plan ²
	Inbound Trips	Drive-Thru Percentage	Drive-Thru Trips					
<u>Coffee-Shop Drive-Thru</u>								
AM Peak Hour	77	81%	62	80	0.78	225	60	205
PM Peak Hour	45	70%	32	80	0.40	65	60	205

Notes:

- (1) Source: Institute of Transportation Engineers, Transportation and Land Development, 1988 Applications of Queuing Analysis, page 231.
- (2) The physical drive-thru queue length is estimated to be short by one car length during the morning peak hour. The beginning of the queue is located a sufficient distance from the project driveways to provide on-site storage for this additional vehicle.

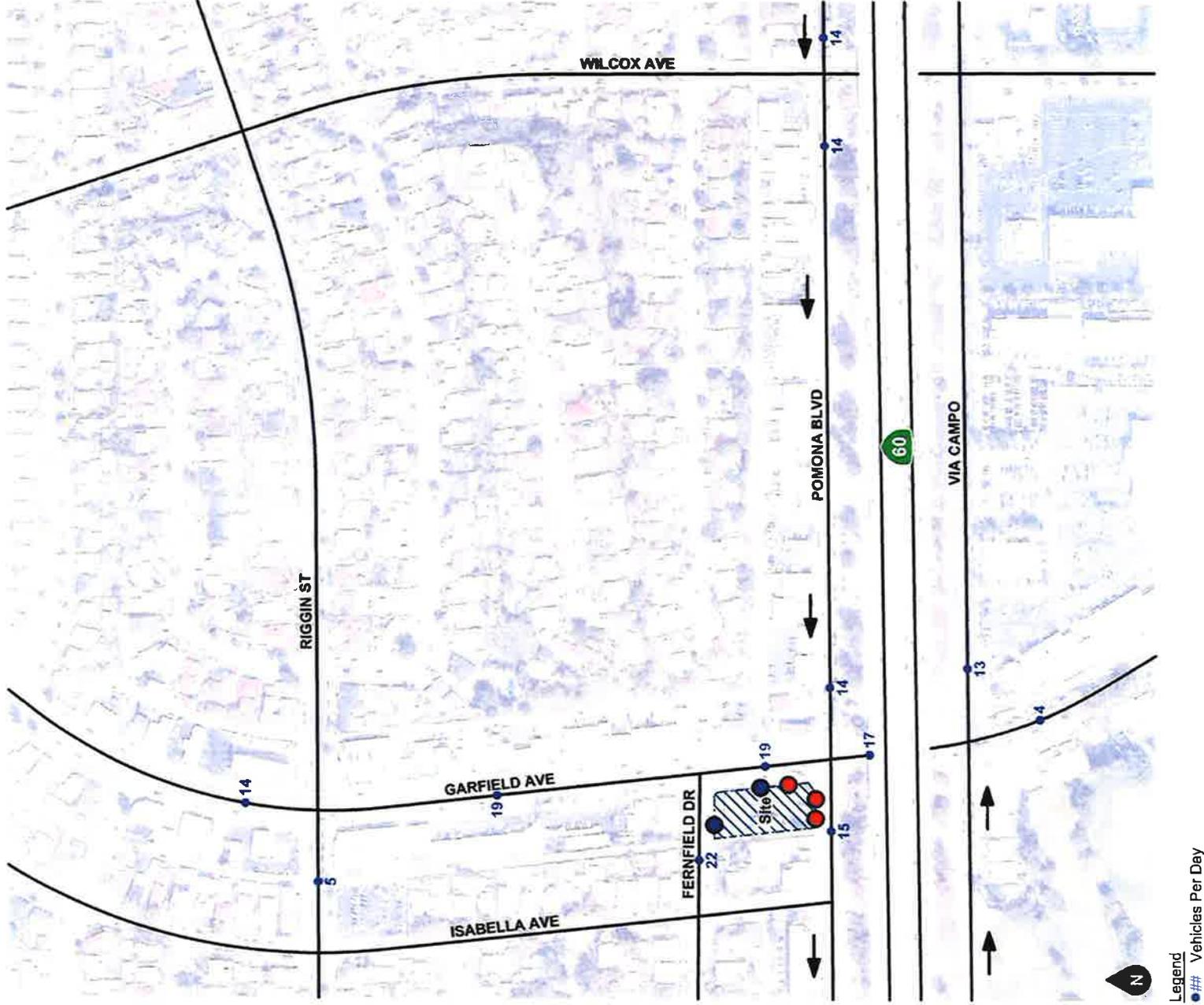


Figure 27
Project Trip Contribution

2425 & 2439 South Garfield Avenue Project
 Traffic Impact Analysis
 19-0104



8. CONCLUSIONS

The recommendations in this section address on-site improvements, off-site improvements and the phasing of all necessary study area transportation improvements. The improvements were determined through the operations analysis of section 6 and other traffic considerations of section 7. Table 5 and Table 7 summarizes the operational analysis for analysis scenarios.

PROJECT DESIGN FEATURES

This analysis assumes the following improvements will be constructed by the project to provide project site access:

The proposed project will maintain three existing driveway cuts, and the existing alleyway along the western property line also provides a full access at Fernfield Drive and a right-in/right-out only access at Pomona Boulevard.

Right-in/right-out only access is provided by the Pomona Boulevard driveways because of the one-way traffic flow. Right-in/right-out only access is provided by the south Garfield Avenue driveway because of the raised median in the roadway.

MITIGATION MEASURES

Direct Impacts

The proposed project is forecast to result in no significant traffic impacts at the study intersections for Existing Plus Project and Opening Year (2021) conditions; therefore, no mitigation is required for direct project impacts.

Cumulative Impacts

As mitigation for potential cumulative impacts, the proposed project shall contribute towards the City's Development Impact Fee program was adopted in Year 2016 (Ord. 2134 § 2, 2016). The Development Impact Fee provides a funding mechanism for arterial streets, traffic signals, interchange improvements as well as emergency services. The purpose of such fees is to **minimize, to the greatest extent practicable, the impact that new development has on the city's public services and public facilities.** Toward that end, the city intends that applicants for such development projects pay their **fair share of the costs of providing such public services and public facilities.** Unless otherwise approved by the City, all development projects are required to pay the Development Impact Fee as a condition of development.

GENERAL RECOMMENDATIONS

Site-specific circulation and access recommendations are depicted on Figure 28.

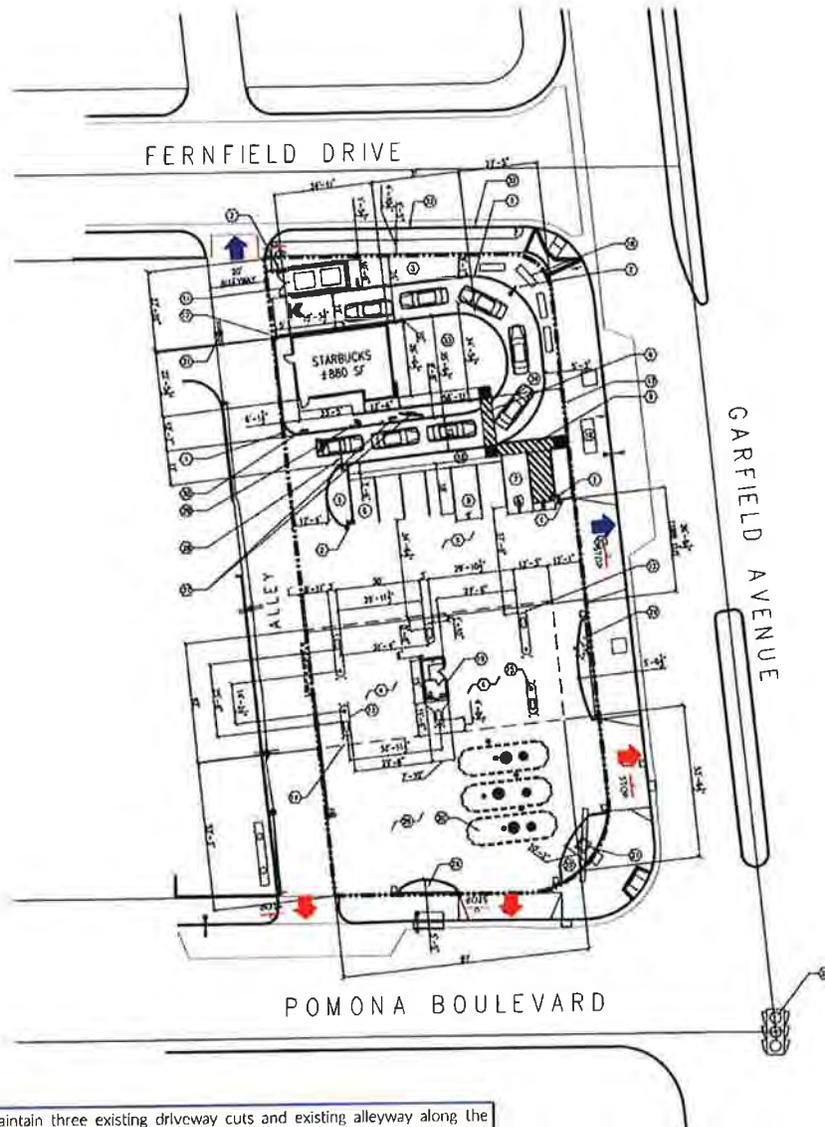
The proposed project will maintain three existing driveway cuts and the existing alleyway along the western property line. No off-site roadway improvements and minimal site-adjacent improvements or repair is anticipated.

On-site and site-adjacent improvements including project driveways, roadway design, traffic signing and striping, and traffic control improvements relating to the proposed project should be constructed in accordance with applicable engineering standards and to the satisfaction of the City of Monterey Park Public Works Department.

Sight distance at project access points should comply with applicable City of Monterey Park/California Department of Transportation sight distance standards. The final grading, landscaping, and street improvement plans should demonstrate that sight distance standards are met.

Off-street parking should be provided to meet City of Monterey Park Municipal Code requirements.

As is the case for any roadway design, the City of Monterey Park should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.



The proposed project will maintain three existing driveway cuts and existing alleyway along the western property line. No off-site roadway improvements and minimal site-adjacent improvements or repair is anticipated.

On-site and site-adjacent improvements including project driveways, roadway design, traffic signing and striping, and traffic control improvements relating to the proposed project should be constructed in accordance with applicable engineering standards and to the satisfaction of the City of Monterey Park Public Works Department.

Sight distance at project access points should comply with applicable City of Monterey Park/California Department of Transportation sight distance standards. The final grading, landscaping, and street improvement plans should demonstrate that sight distance standards are met.

Off-street parking should be provided to meet City of Monterey Park Municipal Code requirements.

As is the case for any roadway design, the City of Monterey Park should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.

Legend

-  Stop Sign
-  Full Access Driveway
-  Right Turns In/Out Only Access Driveway



Figure 28
Circulation Recommendations

APPENDICES

Appendix A Glossary

Appendix B Scoping Agreement

Appendix C Intersection Turning Movement Count Worksheets

Appendix D Intersection Level of Service Worksheets

Appendix E Trip Generation Count Worksheets

Appendix F Traffic Signal Warrant Worksheets

Appendix G Drive-Thru Queueing Analysis Worksheets

APPENDIX A
GLOSSARY

GLOSSARY OF TERMS

ACRONYMS

AC	Acres
ADT	Average Daily Traffic
Caltrans	California Department of Transportation
DU	Dwelling Unit
ICU	Intersection Capacity Utilization
LOS	Level of Service
TSF	Thousand Square Feet
V/C	Volume/Capacity
VMT	Vehicle Miles Traveled

TERMS

AVERAGE DAILY TRAFFIC: The average 24-hour volume for a stated period divided by the number of days in that period. For example, Annual Average Daily Traffic is the total volume during a year divided by 365 days.

BANDWIDTH: The number of seconds of green time available for through traffic in a signal progression.

BOTTLENECK: A point of constriction along a roadway that limits the amount of traffic that can proceed downstream from its location.

CAPACITY: The maximum number of vehicles that can be reasonably expected to pass over a given section of a lane or a roadway in a given time period.

CHANNELIZATION: The separation or regulation of conflicting traffic movements into definite paths of travel by the use of pavement markings, raised islands, or other suitable means to facilitate the safe and orderly movements of both vehicles and pedestrians.

CLEARANCE INTERVAL: Nearly same as yellow time. If there is an all red interval after the end of a yellow, then that is also added into the clearance interval.

CONTROL DELAY: The component of delay, typically expressed in seconds per vehicle, resulting from the type of traffic control at an intersection. Control delay is measured by comparison with the uncontrolled condition; it includes delay incurred by slowing down, stopping/waiting, and speeding up.

CORDON: An imaginary line around an area across which vehicles, persons, or other items are counted (in and out).

CORNER SIGHT DISTANCE: The minimum sight distance required by the driver of a vehicle to cross or enter the lanes of the major roadway without requiring approaching traffic travelling at a given speed to radically alter their speed or trajectory. Corner sight distance is measured from the driver's eye at 42 inches above the pavement to an object height of 36 inches above the pavement in the center of the nearest approach lane.

CYCLE LENGTH: The time period in seconds required for a traffic signal to complete one full cycle of indications.

CUL-DE-SAC: A local street open at one end only and with special provisions for turning around.

DAILY CAPACITY: A theoretical value representing the daily traffic volume that will typically result in a peak hour volume equal to the capacity of the roadway.

DELAY: The time consumed while traffic is impeded in its movement by some element over which it has no control, usually expressed in seconds per vehicle.

DEMAND RESPONSIVE SIGNAL: Same as traffic-actuated signal.

DENSITY: The number of vehicles occupying in a unit length of the through traffic lanes of a roadway at any given instant. Usually expressed in vehicles per mile.

DETECTOR: A device that responds to a physical stimulus and transmits a resulting impulse to the signal controller.

DESIGN SPEED: A speed selected for purposes of design. Features of a highway, such as curvature, superelevation, and sight distance (upon which the safe operation of vehicles is dependent) are correlated to design speed.

DIRECTIONAL SPLIT: The percent of traffic in the peak direction at any point in time.

DIVERSION: The rerouting of peak hour traffic to avoid congestion.

FORCED FLOW: Opposite of free flow.

FREE FLOW: Volumes are well below capacity. Vehicles can maneuver freely and travel is unimpeded by other traffic.

GAP: Time or distance between successive vehicles in a traffic stream, rear bumper to front bumper.

HEADWAY: Time or distance spacing between successive vehicles in a traffic stream, front bumper to front bumper.

INTERCONNECTED SIGNAL SYSTEM: A number of intersections that are connected to achieve signal progression.

LEVEL OF SERVICE: A qualitative measure of a number of factors, which include speed and travel time, traffic interruptions, freedom to maneuver, safety, driving comfort and convenience, and operating costs.

LOOP DETECTOR: A vehicle detector consisting of a loop of wire embedded in the roadway, energized by alternating current and producing an output circuit closure when passed over by a vehicle.

MINIMUM ACCEPTABLE GAP: Smallest time headway between successive vehicles in a traffic stream into which another vehicle is willing and able to cross or merge.

MULTI-MODAL: More than one mode; such as automobile, bus transit, rail rapid transit, and bicycle transportation modes.

OFFSET: The time interval in seconds between the beginning of green at one intersection and the beginning of green at an adjacent intersection.

PLATOON: A closely grouped component of traffic that is composed of several vehicles moving, or standing ready to move, with clear spaces ahead and behind.

PASSENGER CAR EQUIVALENT (PCE): A metric used to assess the impact of larger vehicles, such as trucks, recreational vehicles, and buses, by converting the traffic volume of larger vehicles to an equivalent number of passenger cars.

PEAK HOUR: The 60 consecutive minutes with the highest number of vehicles.

PRETIMED SIGNAL: A type of traffic signal that directs traffic to stop and go on a predetermined time schedule without regard to traffic conditions. Also, fixed time signal.

PROGRESSION: A term used to describe the progressive movement of traffic through several signalized intersections.

QUEUE: The number of vehicles waiting at a service area such as a traffic signal, stop sign, or access gate.

QUEUE LENGTH: The length of vehicle queue, typically expressed in feet, waiting at a service area such as a traffic signal, stop sign, or access gate.

SCREEN-LINE: An imaginary line or physical feature across which all trips are counted, normally to verify the validity of mathematical traffic models.

SHARED/RECIPROCAL PARKING AGREEMENT: A written binding document executed between property owners to provide a designated number of off-street parking stalls within a designated area to be available for specified businesses or land uses.

SIGHT DISTANCE: The continuous length of roadway visible to a driver or roadway user.

SIGNAL CYCLE: The time period in seconds required for one complete sequence of signal indications.

SIGNAL PHASE: The part of the signal cycle allocated to one or more traffic movements.

STACKING DISTANCE: The length of area available behind a service area, such as a traffic signal or gate, for vehicle queueing to occur.

STARTING DELAY: The delay experienced in initiating the movement of queued traffic from a stop to an average running speed through an intersection.

STOPPING SIGHT DISTANCE: The minimum distance required by the driver of a vehicle on the major roadway travelling at a given speed to bring the vehicle to a stop after an object on the road becomes visible. Stopping sight distance is measured from the driver's eye at 42 inches above the pavement to an object height of 6 inches above the pavement.

TRAFFIC-ACTUATED SIGNAL: A type of traffic signal that directs traffic to stop and go in accordance with the demands of traffic, as registered by the actuation of detectors.

TRIP: The movement of a person or vehicle from one location (origin) to another (destination). For example, from home to store to home is two trips, not one.

TRIP-END: One end of a trip at either the origin or destination (i.e., each trip has two trip-ends). A trip-end occurs when a person, object, or message is transferred to or from a vehicle.

TRIP GENERATION RATE: The quantity of trips produced and/or attracted by a specific land use stated in terms of units such as per dwelling, per acre, and per 1,000 square feet of floor space.

TRUCK: A vehicle having dual tires on one or more axles, or having more than two axles.

TURNING RADIUS: The circular arc formed by the smallest turning path radius of the front outside tire of a vehicle, such as that performed by a U-turn maneuver. This is based on the length and width of the wheel base as well as the steering mechanism of the vehicle.

UNBALANCED FLOW: Heavier traffic flow in one direction than the other. On a daily basis, most facilities have balanced flow. During the peak hours, flow is seldom balanced in an urban area.

VEHICLE MILES OF TRAVEL: A measure of the amount of usage of a section of highway, obtained by multiplying the average daily traffic by length of facility in miles.

APPENDIX B
SCOPING AGREEMENT

Perrie Ilercil

From: Lopez, Frank <FLopez@MontereyPark.ca.gov>
Sent: Monday, June 24, 2019 5:42 PM
To: Perrie Ilercil
Subject: RE: 2425 & 2439 South Garfield Avenue Project Traffic Scope Memo of Understanding.

Hi Perrie,

Your scoping agreement doesn't state it, but I want to make sure a queuing analysis is included, which I believe was in my first comments. Otherwise, we find the scope agreeable.

Best,

Frank A. Lopez, P.E. | Assistant City Engineer | P [626.307.1330](tel:626.307.1330)
Public Works Dept/Engineering Division | **City of Monterey Park**

From: Perrie Ilercil [mailto:perrie@ganddini.com]
Sent: Monday, June 24, 2019 12:26 PM
To: Lopez, Frank
Subject: RE: 2425 & 2439 South Garfield Avenue Project Traffic Scope Memo of Understanding.
Importance: High

Hi Frank,
I have gotten the Starbucks Thursday counts at the Glendora and the Bellflower locations we discussed previously.

See the attached revised Scoping agreement with the weighted average trip generation for these local drive-thru facilities with similar square footage and proximity to freeway systems.

The counts for the total trips as well as counts for the drive-thru were conducted to determine trip generation and drive-thru percentage for drive-thru queuing analysis.

Please review and return the scoping agreement. I need to get this report done by the end of the week.

Thank you for your time and attention to this project.

Sincerely,

Perrie Ilercil, PE (AZ)
Senior Engineer



GANDDINI GROUP, INC.
550 Parkcenter Drive, Suite 202
Santa Ana, CA 92705
c. 949 257-3126
e: perrie@ganddini.com

From: Lopez, Frank <FLopez@MontereyPark.ca.gov>
Sent: Wednesday, May 01, 2019 3:39 PM



MEMORANDUM OF UNDERSTANDING

TO: Frank A. Lopez, PE, Assistant City Engineer | CITY OF MONTEREY PARK

FROM: Perrie Ilercil, PE (AZ) | GANDDINI GROUP, INC.

DATE: June 24, 2019

SUBJECT: 2425 & 2439 South Garfield Avenue Project Traffic Study Assumptions
19-0104

INTRODUCTION

The purpose of this scoping document is to outline the proposed traffic analysis parameters and assumptions for the 2425 & 2439 South Garfield Avenue Project for review/concurrence by City of Monterey Park staff.

PROJECT DESCRIPTION

Figure 1 shows the project location map. The project site is located west of Garfield Avenue between Fernfield Drive and Pomona Boulevard in the City of Monterey Park. The project site is located within the City of Monterey South Garfield Village Specific Plan which is planned for neighborhood shopping and commercial land uses. The project site is currently developed with a 2,600 square foot music studio and a gasoline service station with 12 vehicle fueling positions and 2,300 square foot building with 250 square feet of convenience market and two (2) automobile care service bays.

The site plan is illustrated on Figure 2. The proposed project consists of redeveloping the project site to consist of a gasoline service station with twelve (12) vehicle fueling positions and an 880 square foot coffee shop with drive through window (no interior seating). Existing project site driveways are proposed to be maintained. The project site currently provides one full access driveway and one right-in/right-out only driveway at Garfield Avenue and one right-in/right-out only driveway at Pomona Boulevard. The existing alleyway along the western property line also provides full access for the project site at Fernfield Drive and right-in/right-out only access at Pomona Boulevard.

PROJECT TRIP GENERATION & DISTRIBUTION

Table 1 shows the project trip generation based upon rates obtained from the Institute of Transportation Engineers (ITE), Trip Generation Manual, 10th Edition, 2017, and the weighted trip generation for the drive-thru coffee-shop are from counts for local facilities with similar square footage.

As shown in Table 1, the existing project site uses to be displaced are estimated to generate a total of approximately 2,320 daily vehicle trips, including 147 trips during the AM peak hour and 188 trips during the PM peak hour. The proposed uses are forecast to generate a total of approximately 3,824 daily vehicle trips, including 420 trips during the AM peak hour and 241 trips during the PM peak hour. Therefore, the proposed project is forecast to result in a net increase of approximately 1,360 daily trips, including 154 trips during the AM peak hour and 86 trips during the PM peak hour.

Figures 3 and 4 illustrate the forecast directional distribution patterns of project-generated trips.

STUDY AREA

As specified in the City of Monterey Park application review letter, the study area shall consist of the following study intersections within the Cities of Monterey Park and Montebello:

Study Intersections	Jurisdiction
1. Garfield Avenue (NS) at Riggin Street (EW)	Monterey Park
2. Garfield Avenue (NS) at Pomona Boulevard (EW)	Monterey Park/Montebello
3. Garfield Avenue (NS) at Via Campo (EW)	Montebello
4. Wilcox Avenue (NS) at Pomona Boulevard (EW)	Monterey Park/Montebello

TRAFFIC COUNTS

New intersection turning movement counts will be collected at the study intersections during the morning peak period (7:00 AM – 9:00 AM) and evening peak period (4:00 PM – 6:00 PM) on a typical weekday (Tuesday, Wednesday, or Thursday) while local schools are in session.

INTERSECTION ANALYSIS METHODOLOGY

The study intersections shall be analyzed using the Intersection Capacity Utilization (ICU) methodology in accordance with the parameters established by the City of Monterey Park [Traffic Impact Study Guidelines](#) (February 2006). The capacity of individual lane types to be used in the ICU calculations are as shown below:

- Left Turn Lanes 1600 vehicles per hour
- Through Lanes 1700 vehicles per hour
- Right Turn Lanes 1700 vehicles per hour
- Shared Lanes 1600 vehicles per hour

A yellow clearance/lost time 0.100 shall be applied. Intersection analysis shall be performed using the Vistro software (Version 6.00-00).

PERFORMANCE STANDARDS

The cities of Monterey Park and Montebello have not established a minimum acceptable Level of Service for peak hour intersection operations.

THRESHOLDS OF SIGNIFICANCE

City of Monterey Park

The City of Monterey Park has established the following thresholds of significance to determine whether the addition of project-generated trips results in a significant impact, and thus requires mitigation:

<u>Existing ICU</u>	<u>Project-Related Increase in ICU</u>
0.00 – 0.69	0.06
0.70 – 0.79	0.04
0.80 – 0.89	0.02
0.90+	0.01



City of Montebello

The City of Montebello utilizes the following thresholds of significance established by the County of Los Angeles (*Traffic Impact Analysis Report Guidelines*, Los Angeles County Department of Public Works, January 1997) to determine whether the addition of project-generated trips results in a significant impact, and thus requires mitigation:

<u>Level of Service</u>	<u>Pre-Project V/C</u>	<u>Project-Related V/C Increase</u>
C	0.71 - 0.80	0.04
D	0.81 - 0.90	0.02
E/F	0.91 or more	0.01

ANALYSIS SCENARIOS

The traffic study shall evaluate the following analysis scenarios for typical weekday AM and PM peak hour conditions:

- Existing
- Existing Plus Project
- Opening Year (2021) Without Project
- Opening Year (2021) With Project

OPENING YEAR (2021) FORECASTING METHODOLOGY

Regional Ambient Growth

To account for ambient growth, existing roadway volumes shall be increased by a growth rate of one percent (1%) per year over a two-year period for Opening Year (2021) conditions.

Other Development

In addition, a list of pending and approved other development projects shall be requested from the cities of Monterey Park and Montebello. Trip forecasts for other development projects within the project study area shall be calculated based on the Institute of Transportation Engineers (ITE), Trip Generation Manual, 10th Edition, 2017 and will be assigned to the study intersections as appropriate.

CONCLUSION

We appreciate the opportunity to provide this memorandum of understanding for your review. Should you have any questions or comments regarding the proposed scope, please contact me.

Sincerely,

Perrie Ilercil,
Senior Engineer
c. 949 257-3126

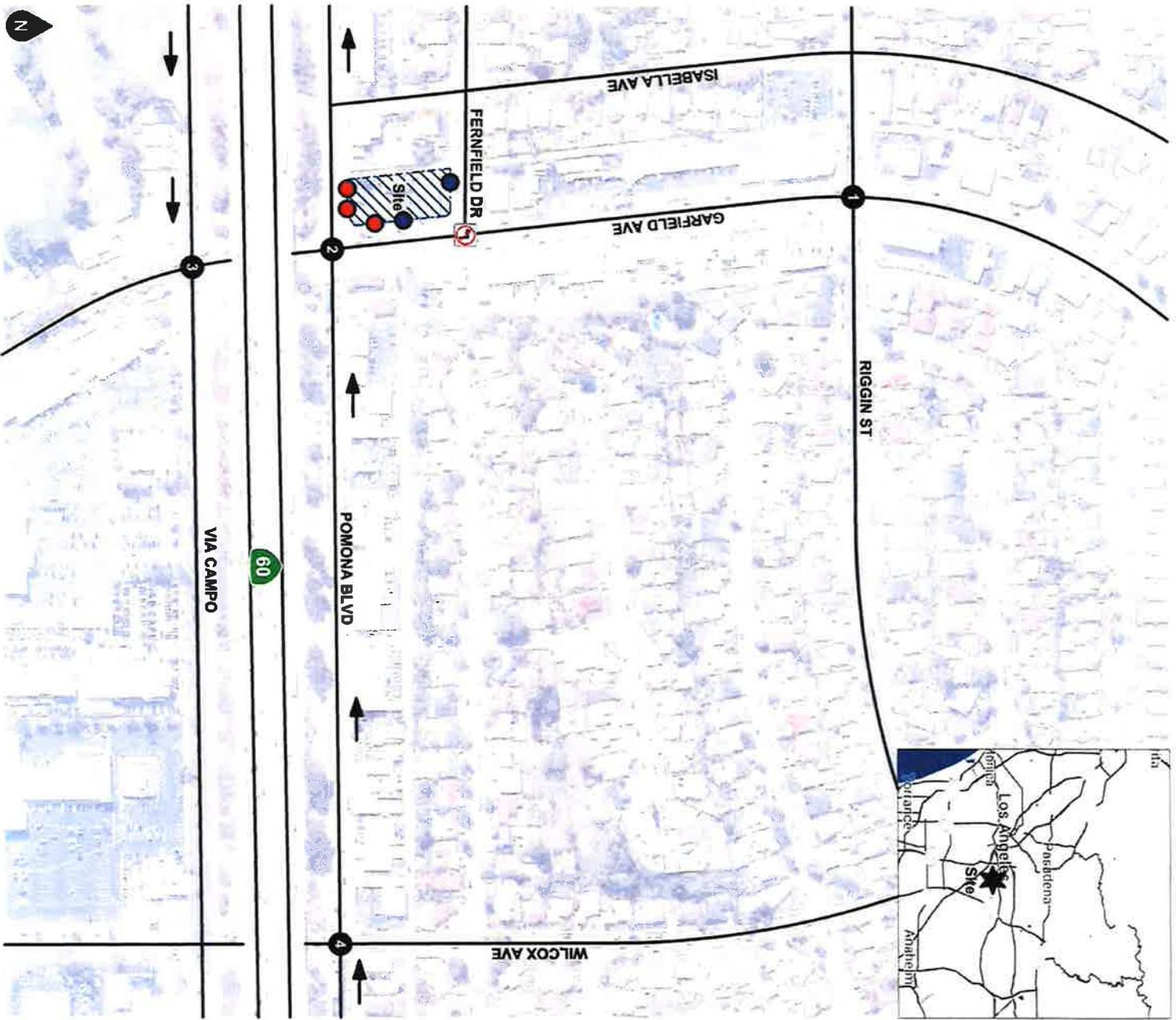
**Table 1
Project Trip Generation**

Trip Generation Rates									
Land Use	Source ¹	Units ²	AM Peak Hour			PM Peak Hour			Daily
			% In	% Out	Rate	% In	% Out	Rate	
Single Tenant Office Building	ITE 715	TSF	89%	11%	1.78	15%	85%	1.71	11.25
Convenience Market	ITE 851	TSF	50%	50%	62.54	51%	49%	49.11	762.28
Automobile Care Center ³	ITE 942	BAY	68%	32%	1.52	48%	52%	2.17	17.90
Gasoline/Service Station	ITE 941	VFP	50%	50%	10.28	50%	50%	14.03	172.01
Coffee/Donut Shop with Drive-Thru Only ⁴	Counts	TSF	103.90	97.99	201.89	60.80	59.63	120.43	1835.89

Trips Generated									
Land Use	Quantity	Units ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Existing Uses To Be Displaced									
Single Tenant Office Building ⁵	-2,600	TSF	-4	-1	-5	-1	-3	-4	-29
Convenience Market ⁶	-0.250	TSF	-8	-8	-16	-6	-6	-12	-191
Automobile Care Center	-2	BAY	-2	-1	-3	-2	-2	-4	-36
Gasoline/Service Station	-12	VFP	-62	-61	-123	-84	-84	-168	-2,064
Subtotal - Existing Trips Generated			-76	-71	-147	-93	-95	-188	-2,320
Proposed Uses									
Gasoline/Service Station	12	VFP	62	61	123	84	84	168	2,064
Coffee/Donut Shop with Drive-Thru	0.880	TSF	91	87	178	54	52	106	1,616
Subtotal - Gross Trips Generated			153	148	301	138	136	274	3,680
NET PROJECT TRIPS GENERATED			77	77	154	45	41	86	1,360

Notes:

- (1) ITE = Institute of Transportation Engineers, [Trip Generation Manual](#), 10th Edition, 2017; ### = Land Use Code(s).
- (2) TSF = Thousand Square Feet; VFP = Vehicle Fueling Positions
- (3) Automobile care center PM inbound and outbound rates based on ITE942(TSF), and daily rate based on proportion of ITE941(BAY) daily rate in comparison to PM rates
- (4) Counts at local locations with similar square footage, layout and proximity to freeway system were conducted to determine trip generation for this facility type
- (5) Existing music studio conservatively estimated at single tenant rate
- (6) Existing food mart conservatively estimated at convenience market rate



- Legend**
- # Study Intersection
 - Existing Right Turn In - Out Driveway
 - Existing Full Access Driveway
 - One-Way
 - No Northbound or Eastbound Left Turn

Figure 1
Project Location Map



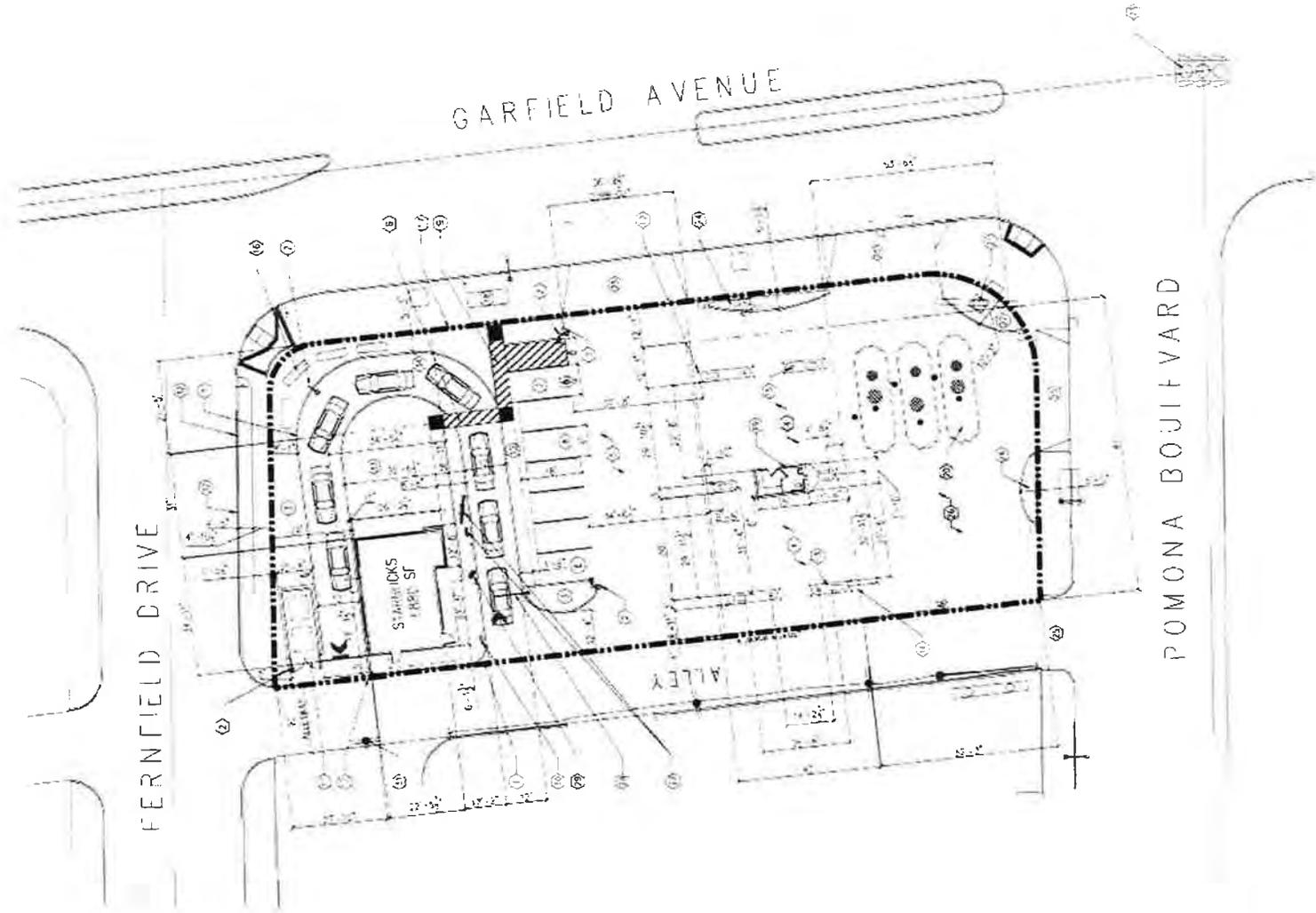


Figure 2
Site Plan

2425 & 2439 South Garfield Avenue Project
Traffic Impact Analysis
19-0104

Apx - 14



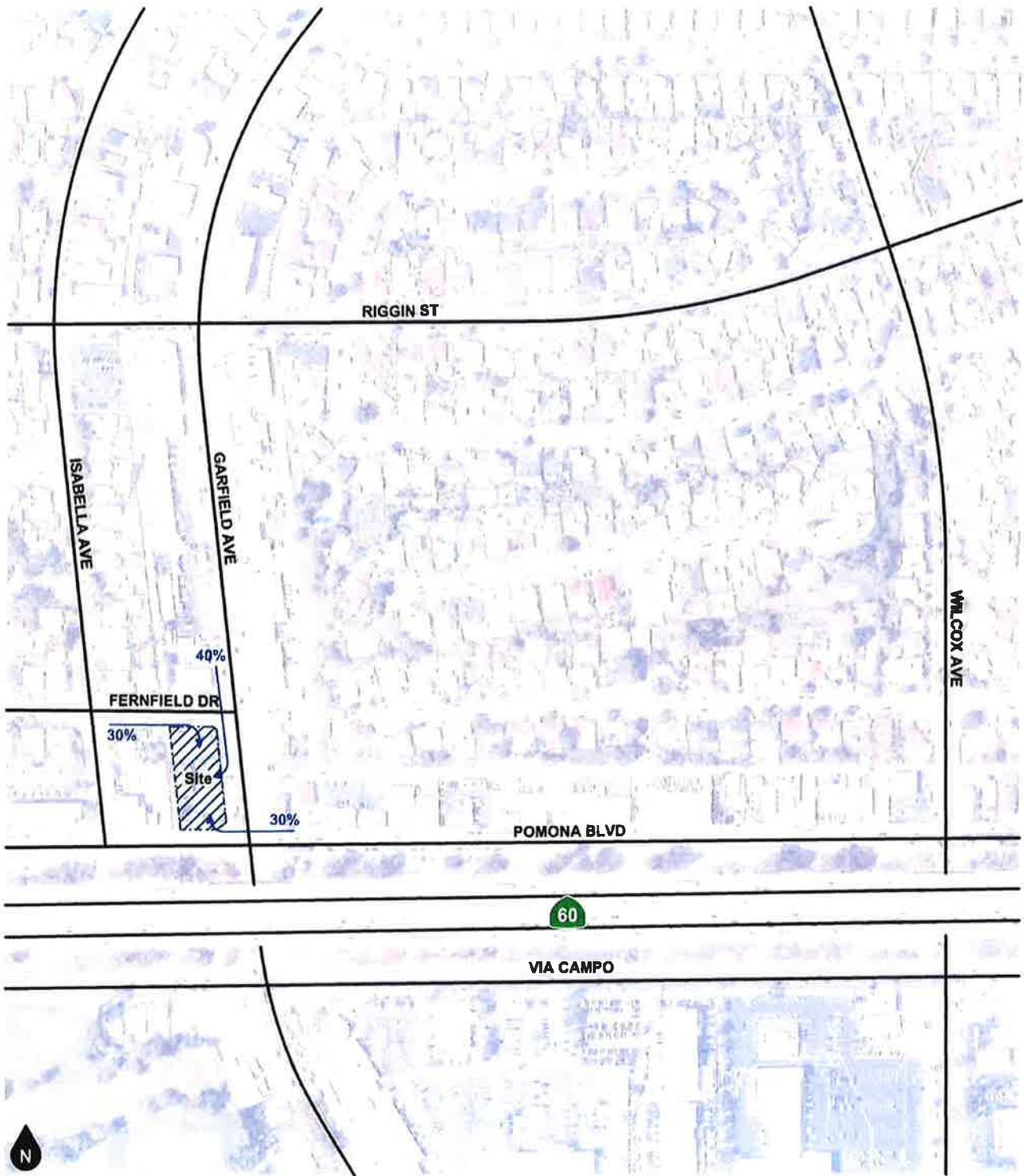


Figure 4
Project Trip Distribution - Inbound

Legend
 ← 10% Percent To Project

2425 & 2439 South Garfield Avenue Project
 Traffic Impact Analysis
 19-0104



Figure 3
Project Trip Distribution - Outbound

2425 & 2439 South Garfield Avenue Project
 Traffic Impact Analysis
 19-0104

Apdx - 16

**Trip Generation for Coffee Shop with Drive-Thru Window
(No interior seating)**

Coffee Drive-Thru Information ¹		TRIP GENERATION (TSF)								Daily
		AM			DTW % ²	PM			DTW %	
Location	SF	IN	OUT	Total		IN	OUT	Total		DTW %
Glendora, CA 91740	890	89.89	79.77	169.66	90%	61.80	65.17	126.97	65%	1647.19
Bellflower, CA 90706	804	119.40	118.16	237.56	72%	59.70	53.48	113.18	75%	2044.78
Weighted Average		103.90	97.99	201.89	81%	60.80	59.63	120.43	70%	1835.89

Notes:

(1) Counts conducted at locations with drive-thru window and walk-up window with no interior seating

(2) Separate counts conducted for total trips as well as drive-thru only trips to determine drive-thru window percentages

Starbucks
 17254 Lakewood Blvd
 Bellflower, CA 90706

6/6/2019	DRIVE-THRU
Time	
12:00 AM	0
12:15 AM	0
12:30 AM	0
12:45 AM	0
1:00 AM	0
1:15 AM	0
1:30 AM	0
1:45 AM	0
2:00 AM	0
2:15 AM	0
2:30 AM	0
2:45 AM	0
3:00 AM	0
3:15 AM	0
3:30 AM	0
3:45 AM	0
4:00 AM	0
4:15 AM	0
4:30 AM	12
4:45 AM	2
5:00 AM	8
5:15 AM	6
5:30 AM	10
5:45 AM	10
6:00 AM	13
6:15 AM	13
6:30 AM	11
6:45 AM	16
7:00 AM	13
7:15 AM	20
7:30 AM	17
7:45 AM	17
8:00 AM	15
8:15 AM	16
8:30 AM	14
8:45 AM	14
9:00 AM	15
9:15 AM	13
9:30 AM	11
9:45 AM	12
10:00 AM	12
10:15 AM	12
10:30 AM	7
10:45 AM	12
11:00 AM	12
11:15 AM	8
11:30 AM	11
11:45 AM	11
12:00 PM	10
12:15 PM	10
12:30 PM	5
12:45 PM	7
1:00 PM	8
1:15 PM	8

Lakewood & Driveway		Artesia & Driveway		IN BOUND	OUT BOUND	TOTAL	HOURLY COUNT			15MIN PLAK HOUR				
IN	OUT	IN	OUT				IN	OUT	Total	IN	OUT	Total		
0	0	0	0	0	0	0	0	0	0					
0	0	0	0	0	0	0	0	0						
0	0	0	0	0	0	0	0	0						
0	0	0	0	0	0	0	0	0						
0	0	0	1	0	1	1	1	3	1	2	3			
0	0	0	0	0	0	0	0	0						
1	0	0	1	1	1	2	2							
0	0	0	0	0	0	0	0							
0	0	0	0	0	0	0	0		1	0	1			
0	0	0	0	0	0	0	0							
0	0	1	0	1	0	1	1							
0	0	0	0	0	0	0	0		0	1	1			
0	0	0	1	0	1	1	1							
0	0	0	0	0	0	0	0							
0	0	0	0	0	0	0	0							
0	0	0	0	0	0	0	0		15	16	31			
0	0	0	0	0	0	0	0							
1	9	12	1	13	10	23	23							
0	4	2	2	2	6	8	8							
1	3	10	1	11	4	15	15	45	41	86				
4	14	4	1	8	15	23	23							
4	10	10	0	14	10	24	24							
2	11	10	1	12	12	24	24							
4	18	15	2	19	20	39	39	74	71	145				
3	18	12	1	15	19	34	34							
2	16	17	3	19	19	38	38							
6	12	15	1	21	13	34	34							
5	21	18	5	23	26	49	49	94	97	191	94	97	191	
8	21	18	3	26	24	50	50				96	95	191	
6	22	17	4	23	26	49	49				87	91	178	
2	14	20	7	22	21	43	43				82	82	164	
5	24	20	0	25	24	49	49	81	82	163	81	82	163	
2	17	15	3	17	20	37	37				74	75	149	
5	16	13	1	18	17	35	35				77	75	152	
5	17	16	4	21	21	42	42				72	72	144	
7	13	11	4	18	17	35	35	69	66	135				
5	16	15	4	20	20	40	40							
1	13	12	1	13	14	27	27							
3	11	15	4	18	15	33	33							
5	12	10	2	15	14	29	29	50	51	101				
2	11	12	1	14	12	26	26							
3	11	5	4	8	15	23	23							
4	8	9	2	13	10	23	23							
3	13	11	2	14	15	29	29	52	52	104				
3	12	7	0	10	12	22	22							
3	10	9	1	12	11	23	23							
4	10	12	4	16	14	30	30							
1	8	12	1	13	9	22	22	40	44	84				
3	12	9	2	12	14	26	26							
3	8	4	3	7	11	18	18							
4	7	4	3	8	10	18	18							
2	6	5	0	7	6	13	13	39	35	74				
1	7	9	1	10	8	18	18							

3:00 PM	11	1	0	6	7	1	1	8	8	16	38	30	68			
3:15 PM	8	3	1	4	7	2	0	9	8	17						
3:30 PM	4	0	0	6	5	0	0	6	5	11						
3:45 PM	12	2	1	12	8	1	0	15	9	24						
4:00 PM	12	3	4	12	13	1	0	16	17	33	55	58	113	55	58	113
4:15 PM	6	2	4	7	10	0	1	9	15	24				53	47	100
4:30 PM	13	6	1	13	14	3	0	22	15	37				55	50	105
4:45 PM	5	3	2	3	9	2	0	6	11	19				41	42	83
5:00 PM	10	1	1	13	5	0	0	14	6	20	38	38	76	38	38	76
5:15 PM	10	3	0	8	17	0	1	11	18	29				32	39	71
5:30 PM	8	0	4	6	3	2	0	8	7	15				29	28	57
5:45 PM	5	1	0	4	7	0	0	5	7	12				26	29	55
6:00 PM	7	0	2	7	5	1	0	8	7	15	24	28	52			
6:15 PM	8	2	1	6	5	0	1	8	7	15						
6:30 PM	6	1	1	4	7	0	0	5	8	13						
6:45 PM	4	1	0	2	6	0	0	3	6	9						
7:00 PM	4	0	1	4	3	0	0	4	4	8	26	25	51			
7:15 PM	10	1	0	10	7	0	0	11	7	18						
7:30 PM	6	1	1	3	8	0	0	4	9	13						
7:45 PM	2	1	0	6	5	0	0	7	5	12						
8:00 PM	7	1	2	7	4	0	0	8	6	14	25	26	51			
8:15 PM	6	0	2	3	5	1	0	4	7	11						
8:30 PM	6	0	0	5	6	1	0	6	6	12						
8:45 PM	4	1	0	6	7	0	0	7	7	14						
9:00 PM	4	0	0	1	3	0	0	1	3	4	7	14	21			
9:15 PM	3	1	0	2	4	0	0	3	4	7						
9:30 PM	4	0	2	2	3	1	1	3	6	9						
9:45 PM	1	0	0	0	1	0	0	0	1	1						
10:00 PM	0	0	0	0	0	0	0	0	0	0	2	2	4			
10:15 PM	0	0	0	0	0	0	0	0	0	0						
10:30 PM	1	0	1	2	1	0	0	2	2	4						
10:45 PM	0	0	0	0	0	0	0	0	0	0						
11:00 PM	0	0	0	1	0	0	0	1	0	1	1	0	1			
11:15 PM	0	0	0	0	0	0	0	0	0	0						
11:30 PM	0	0	0	0	0	0	0	0	0	0						
11:45 PM	0	0	0	0	0	0	0	0	0	0						
TOTAL	667	87	73	609	647	38	12	734	732	1466	731	732	1466			

Prepared by AimTD LLC
 714 253 7888

COUNTS															
AM						PM						Daily			
AM	IN	OUT	Total	DTW	DTW %	PM	IN	OUT	Total	DTW	DTW %	Total	DTW	DTW %	
7:15	80	71	151	72	90%	16:00	55	58	113	36	65%	1466	667	91%	
	53%	47%					49%	51%							

TRIP GENERATION (TGF)															
Location	SF	AM			PM			Daily							
		IN	OUT	Total	IN	OUT	Total								
Glendora	890	89	89	79	77	169	66	61	80	65	17	126	97	1647	19
		IN	OUT	DTW %	IN	OUT	DTW %	IN	OUT	DTW %	DTW %				

APPENDIX C
INTERSECTION TURNING MOVEMENT COUNT WORKSHEETS

INTERSECTION TURNING MOVEMENT COUNTS

PREPARED BY: AimTD LLC. tel: 714 253 7888 cs@aimtd.com

DATE:
Thu, May 9, 19

LOCATION:
NORTH & SOUTH:
EAST & WEST:

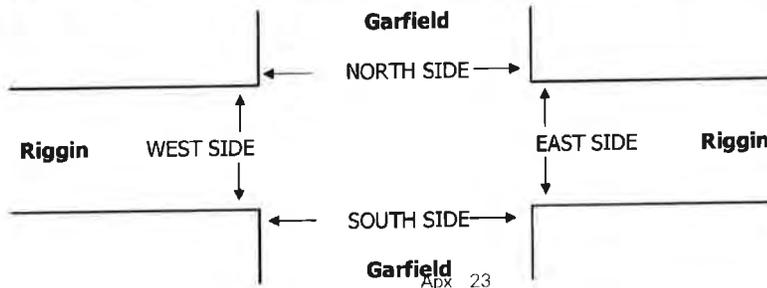
Monterey Park
Garfield
Riggin

PROJECT #: SC2196
LOCATION #: 1
CONTROL: SIGNAL

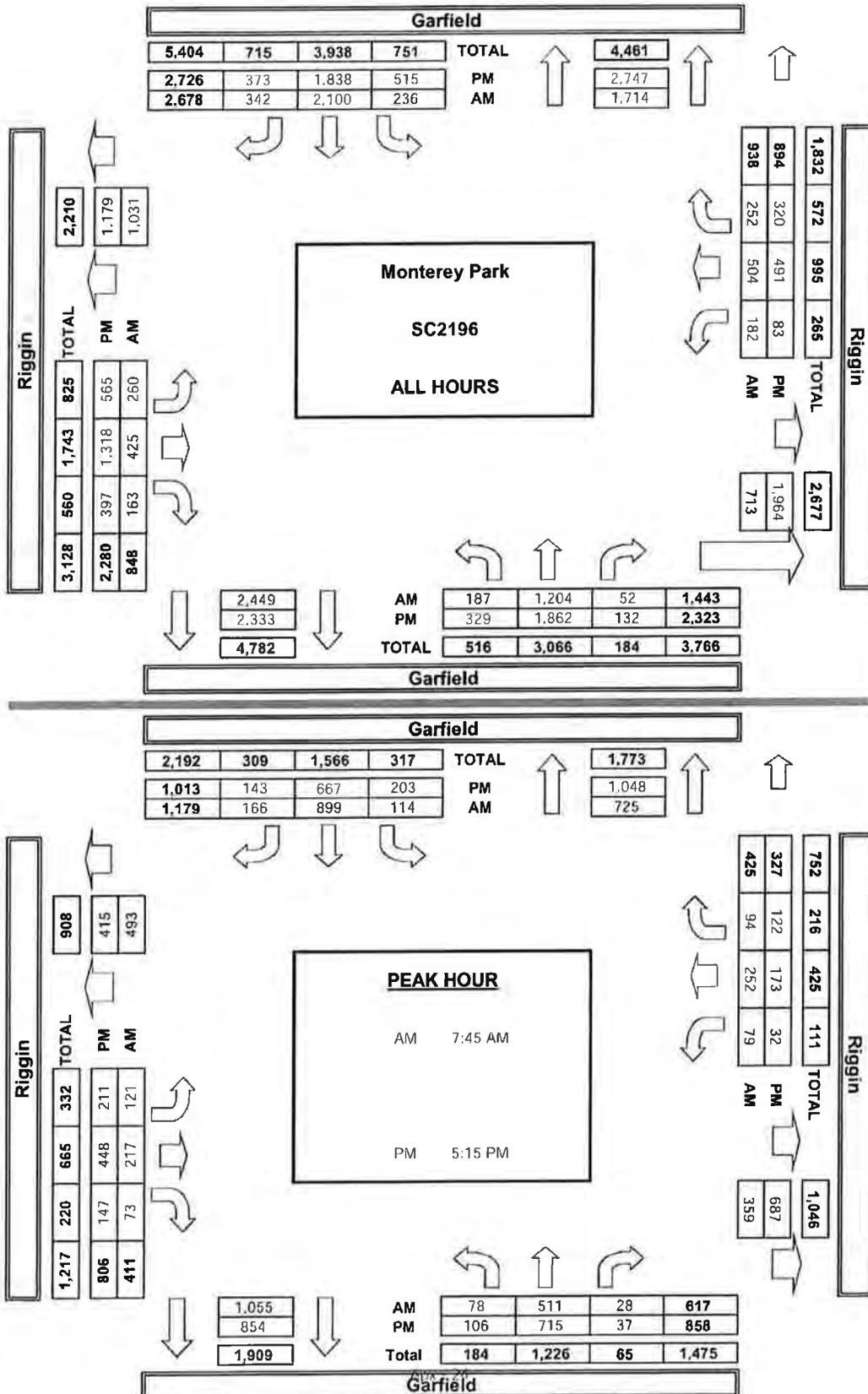
NOTES:

	▲ N		
	◀ W	S	E ▶
		▼	

	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND			TOTAL		
	Garfield			Garfield			Riggin			Riggin					
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR			
LANES:	1	2	0	1	2	0	1	1	0	1	1	0			
AM	6:00 AM	4	41	2	7	87	9	5	11	7	9	6	5	193	
	6:15 AM	10	75	2	5	86	8	10	9	5	12	5	10	237	
	6:30 AM	7	84	3	14	135	10	15	12	8	7	19	15	329	
	6:45 AM	14	74	1	13	125	16	19	14	3	14	40	16	349	
	7:00 AM	17	95	3	12	156	26	15	24	9	8	24	18	407	
	7:15 AM	18	103	2	22	208	37	22	43	12	20	54	34	575	
	7:30 AM	13	117	3	34	215	26	27	61	21	22	61	37	637	
	7:45 AM	15	129	5	26	225	32	29	54	11	16	89	24	655	
	8:00 AM	18	121	9	30	248	40	27	64	21	16	51	28	673	
	8:15 AM	25	132	6	26	217	38	33	45	18	24	52	15	631	
	8:30 AM	20	129	8	32	209	56	32	54	23	23	60	27	673	
	8:45 AM	26	104	8	15	189	44	26	34	25	11	43	23	548	
	VOLUMES	187	1,204	52	236	2,100	342	260	425	163	182	504	252	5,907	
	APPROACH %	13%	83%	4%	9%	78%	13%	31%	50%	19%	19%	54%	27%		
	APP/DEPART	1,443	/	1,714	2,678	/	2,449	848	/	713	938	/	1,031	0	
	BEGIN PEAK HR	7:45 AM													
	VOLUMES	78	511	28	114	899	166	121	217	73	79	252	94	2,632	
	APPROACH %	13%	83%	5%	10%	76%	14%	29%	53%	18%	19%	59%	22%		
	PEAK HR FACTOR	0.946			0.927			0.917			0.824			0.978	
	APP/DEPART	617	/	725	1,179	/	1,055	411	/	359	425	/	493	0	
PM	4:00 PM	26	123	10	45	133	26	31	107	22	4	35	22	584	
	4:15 PM	31	118	6	39	177	23	33	113	32	9	39	22	642	
	4:30 PM	36	128	17	49	158	27	43	109	38	7	46	20	678	
	4:45 PM	28	137	13	40	151	20	54	109	33	5	44	22	656	
	5:00 PM	29	144	10	36	151	32	43	115	28	8	46	37	679	
	5:15 PM	22	167	6	41	173	35	63	120	25	8	42	43	745	
	5:30 PM	29	180	13	54	180	31	42	119	37	8	46	32	771	
	5:45 PM	28	170	8	64	150	39	58	110	45	5	49	26	752	
	6:00 PM	27	198	10	44	164	38	48	99	40	11	36	21	736	
	6:15 PM	19	174	12	33	133	44	32	110	31	4	49	35	676	
	6:30 PM	30	173	13	30	140	39	54	108	26	8	28	18	667	
	6:45 PM	24	150	14	40	128	19	64	99	40	6	31	22	637	
	VOLUMES	329	1,862	132	515	1,838	373	565	1,318	397	83	491	320	8,223	
	APPROACH %	14%	80%	6%	19%	67%	14%	25%	58%	17%	9%	55%	36%		
	APP/DEPART	2,323	/	2,747	2,726	/	2,333	2,280	/	1,964	894	/	1,179	0	
	BEGIN PEAK HR	5:15 PM													
	VOLUMES	106	715	37	203	667	143	211	448	147	32	173	122	3,004	
	APPROACH %	12%	83%	4%	20%	66%	14%	26%	56%	18%	10%	53%	37%		
	PEAK HR FACTOR	0.913			0.956			0.946			0.879			0.974	
	APP/DEPART	858	/	1,048	1,013	/	854	806	/	687	327	/	415	0	



AimTD LLC
TURNING MOVEMENT COUNTS

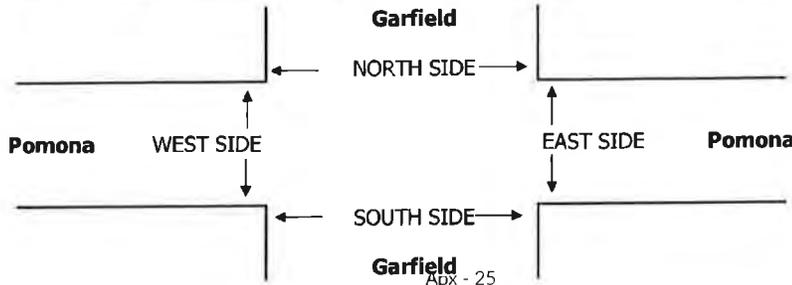


INTERSECTION TURNING MOVEMENT COUNTS

PREPARED BY: AimTD LLC. tel: 714 253 7888 cs@aimtd.com

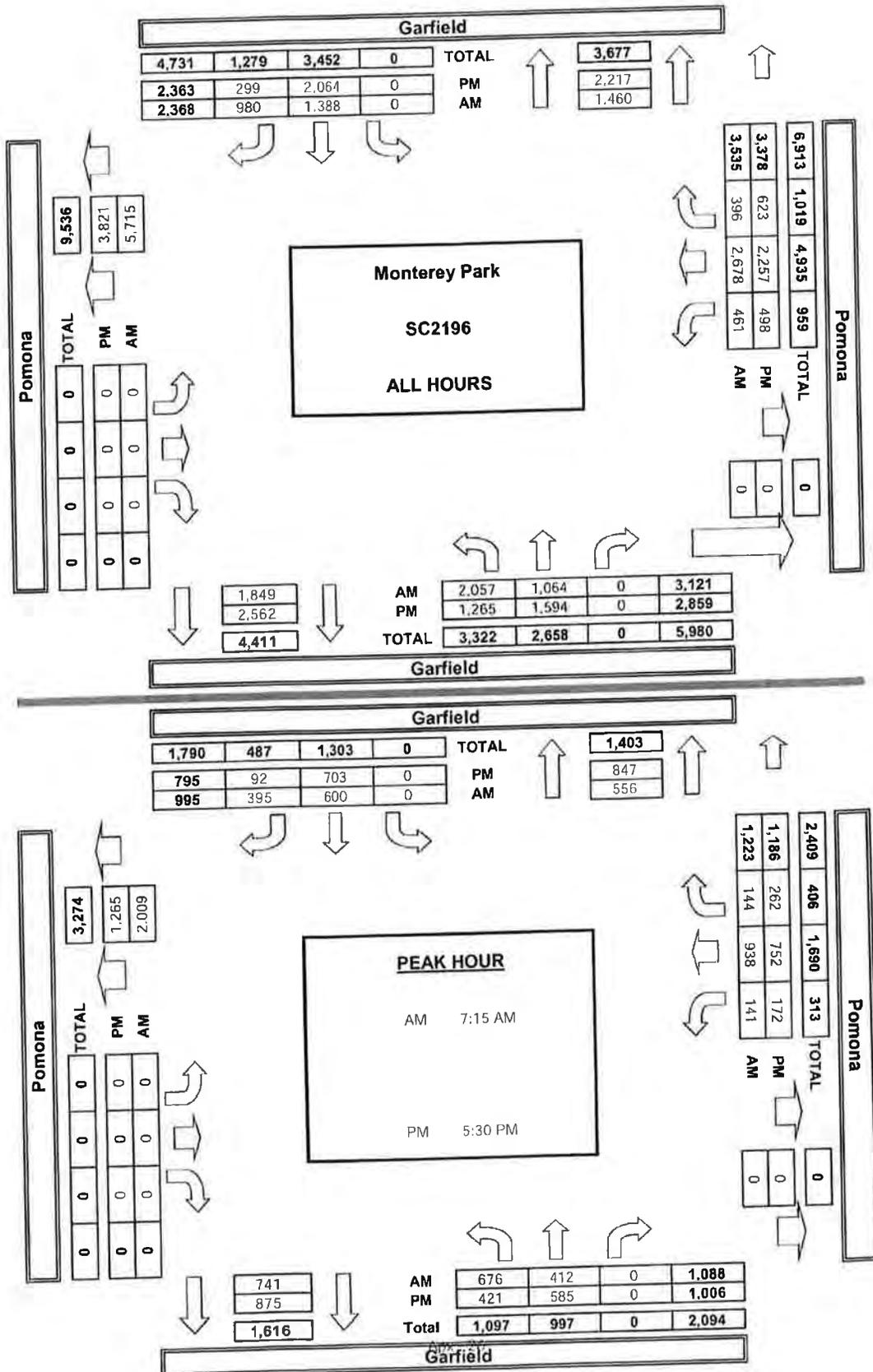
DATE: Thu, May 9, 19	LOCATION: NORTH & SOUTH: EAST & WEST:	Monterey Park Garfield Pomona	PROJECT #: LOCATION #: CONTROL:	SC2196 2 SIGNAL
NOTES: SB AM queue				

	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND			TOTAL
	Garfield			Garfield			Pomona			Pomona			
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	
LANES:	1.5	1.5	X	X	2	1	X	X	X	0	3	1	
6:00 AM	180	37	0	0	34	60	0	0	0	41	198	16	566
6:15 AM	203	64	0	0	42	62	0	0	0	34	200	16	621
6:30 AM	215	87	0	0	68	82	0	0	0	31	229	23	735
6:45 AM	194	58	0	0	66	71	0	0	0	62	249	26	726
7:00 AM	202	85	0	0	93	85	0	0	0	48	237	32	782
7:15 AM	190	87	0	0	123	106	0	0	0	40	286	34	866
7:30 AM	161	98	0	0	163	104	0	0	0	31	217	41	815
7:45 AM	161	103	0	0	152	96	0	0	0	36	248	38	834
8:00 AM	164	124	0	0	162	89	0	0	0	34	187	31	791
8:15 AM	127	118	0	0	167	83	0	0	0	26	231	41	793
8:30 AM	145	114	0	0	159	70	0	0	0	34	194	50	766
8:45 AM	115	89	0	0	159	72	0	0	0	44	202	48	729
VOLUMES	2,057	1,064	0	0	1,388	980	0	0	0	461	2,678	396	9,024
APPROACH %	66%	34%	0%	0%	59%	41%	0%	0%	0%	13%	76%	11%	
APP/DEPART	3,121	/	1,460	2,368	/	1,849	0	/	0	3,535	/	5,715	0
BEGIN PEAK HR	7:15 AM												
VOLUMES	676	412	0	0	600	395	0	0	0	141	938	144	3,306
APPROACH %	62%	38%	0%	0%	60%	40%	0%	0%	0%	12%	77%	12%	
PEAK HR FACTOR	0.944			0.932			0.000			0.849			0.954
APP/DEPART	1,088	/	556	995	/	741	0	/	0	1,223	/	2,009	0
4:00 PM	105	107	0	0	172	28	0	0	0	54	182	32	680
4:15 PM	108	110	0	0	183	35	0	0	0	36	185	51	708
4:30 PM	131	136	0	0	173	16	0	0	0	41	168	39	704
4:45 PM	94	111	0	0	198	20	0	0	0	28	213	49	713
5:00 PM	102	125	0	0	156	23	0	0	0	46	220	41	713
5:15 PM	99	128	0	0	180	22	0	0	0	31	200	58	718
5:30 PM	108	159	0	0	159	32	0	0	0	48	191	60	757
5:45 PM	94	138	0	0	198	27	0	0	0	37	186	65	745
6:00 PM	126	155	0	0	162	11	0	0	0	47	175	68	744
6:15 PM	93	133	0	0	184	22	0	0	0	40	200	69	741
6:30 PM	106	150	0	0	150	28	0	0	0	45	171	52	702
6:45 PM	99	142	0	0	149	35	0	0	0	45	166	39	675
VOLUMES	1,265	1,594	0	0	2,064	299	0	0	0	498	2,257	623	8,600
APPROACH %	44%	56%	0%	0%	87%	13%	0%	0%	0%	15%	67%	18%	
APP/DEPART	2,859	/	2,217	2,363	/	2,562	0	/	0	3,378	/	3,821	0
BEGIN PEAK HR	5:30 PM												
VOLUMES	421	585	0	0	703	92	0	0	0	172	752	262	2,987
APPROACH %	42%	58%	0%	0%	88%	12%	0%	0%	0%	15%	63%	22%	
PEAK HR FACTOR	0.895			0.883			0.000			0.960			0.986
APP/DEPART	1,006	/	847	795	/	875	0	/	0	1,186	/	1,265	0



ApX - 25

AimTD LLC
TURNING MOVEMENT COUNTS



INTERSECTION TURNING MOVEMENT COUNTS

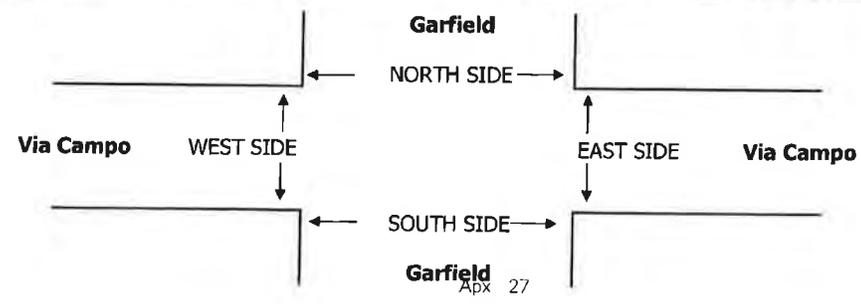
PREPARED BY: AimTD LLC. tel: 714 253 7888 cs@aimtd.com

DATE: Thu, May 9, 19	LOCATION: NORTH & SOUTH: EAST & WEST:	Monterey Park Garfield Via Campo	PROJECT #: SC2196 LOCATION #: 3 CONTROL: SIGNAL
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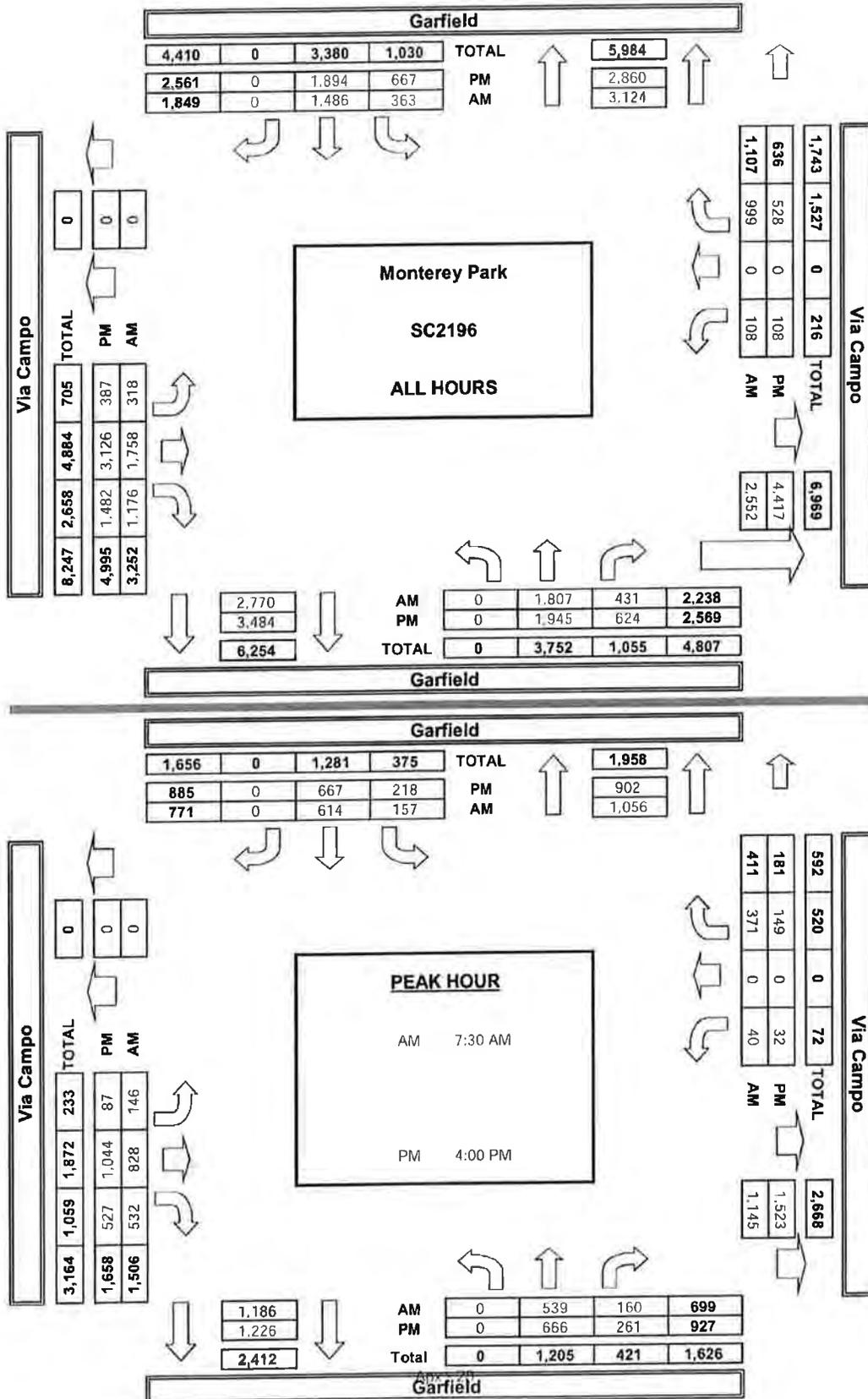
NOTES: AM/PM NB queue	
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LANES:	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND			TOTAL
	Garfield			Garfield			Via Campo			Via Campo			
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	

AM	6:00 AM	0	144	25	7	68	0	8	65	58	3	0	68	446
	6:15 AM	0	169	36	16	60	0	16	80	61	5	0	82	525
	6:30 AM	0	192	26	17	82	0	21	85	73	3	0	89	588
	6:45 AM	0	144	25	13	115	0	10	138	88	11	0	98	642
	7:00 AM	0	175	29	23	118	0	19	111	77	17	0	93	662
	7:15 AM	0	152	40	32	131	0	29	141	105	6	0	96	732
	7:30 AM	0	122	33	48	146	0	33	252	148	10	0	104	896
	7:45 AM	0	118	37	34	154	0	42	233	147	15	0	104	884
	8:00 AM	0	190	49	52	144	0	32	169	128	6	0	66	836
	8:15 AM	0	109	41	23	170	0	39	174	109	9	0	97	771
	8:30 AM	0	175	40	47	146	0	30	151	78	9	0	54	730
	8:45 AM	0	117	50	51	152	0	39	159	104	14	0	48	734
	VOLUMES	0	1,807	431	363	1,486	0	318	1,758	1,176	108	0	999	8,446
	APPROACH %	0%	81%	19%	20%	80%	0%	10%	54%	36%	10%	0%	90%	
	APP/DEPART	2,238	/	3,124	1,849	/	2,770	3,252	/	2,552	1,107	/	0	0
	BEGIN PEAK HR	7:30 AM												
	VOLUMES	0	539	160	157	614	0	146	828	532	40	0	371	3,387
	APPROACH %	0%	77%	23%	20%	80%	0%	10%	55%	35%	10%	0%	90%	
	PEAK HR FACTOR	0.731			0.983									
	APP/DEPART	699	/	1,056	771	/	1,186	1,506	/	1,145	411	/	0	0
PM	4:00 PM	0	155	73	50	176	0	20	240	110	8	0	37	869
	4:15 PM	0	149	77	53	166	0	26	272	150	11	0	43	947
	4:30 PM	0	210	59	62	152	0	24	250	126	8	0	33	924
	4:45 PM	0	152	52	53	173	0	17	282	141	5	0	36	911
	5:00 PM	0	162	49	51	151	0	16	243	108	6	0	49	835
	5:15 PM	0	154	39	42	169	0	17	282	130	9	0	57	899
	5:30 PM	0	178	38	61	146	0	34	252	117	13	0	55	894
	5:45 PM	0	139	49	63	172	0	51	252	108	12	0	42	888
	6:00 PM	0	175	42	59	150	0	61	229	129	9	0	45	899
	6:15 PM	0	140	44	69	155	0	40	277	132	12	0	46	915
	6:30 PM	0	186	62	51	143	0	31	258	104	7	0	39	881
	6:45 PM	0	145	40	53	141	0	50	289	127	8	0	46	899
	VOLUMES	0	1,945	624	667	1,894	0	387	3,126	1,482	108	0	528	10,761
	APPROACH %	0%	76%	24%	26%	74%	0%	8%	63%	30%	17%	0%	83%	
	APP/DEPART	2,569	/	2,860	2,561	/	3,484	4,995	/	4,417	636	/	0	0
	BEGIN PEAK HR	4:00 PM												
	VOLUMES	0	666	261	218	667	0	87	1,044	527	32	0	149	3,651
	APPROACH %	0%	72%	28%	25%	75%	0%	5%	63%	32%	18%	0%	82%	
	PEAK HR FACTOR	0.862			0.979									
	APP/DEPART	927	/	902	885	/	1,226	1,658	/	1,523	181	/	0	0



AimTD LLC
TURNING MOVEMENT COUNTS

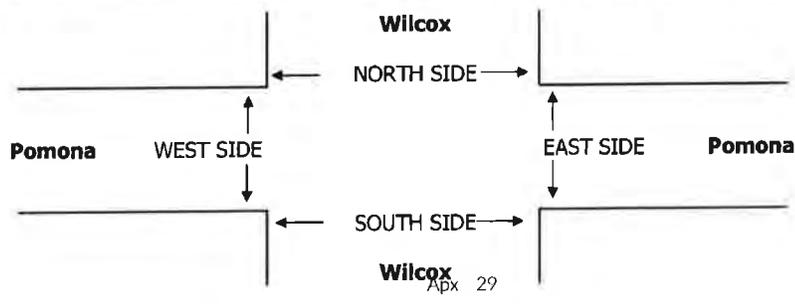


INTERSECTION TURNING MOVEMENT COUNTS

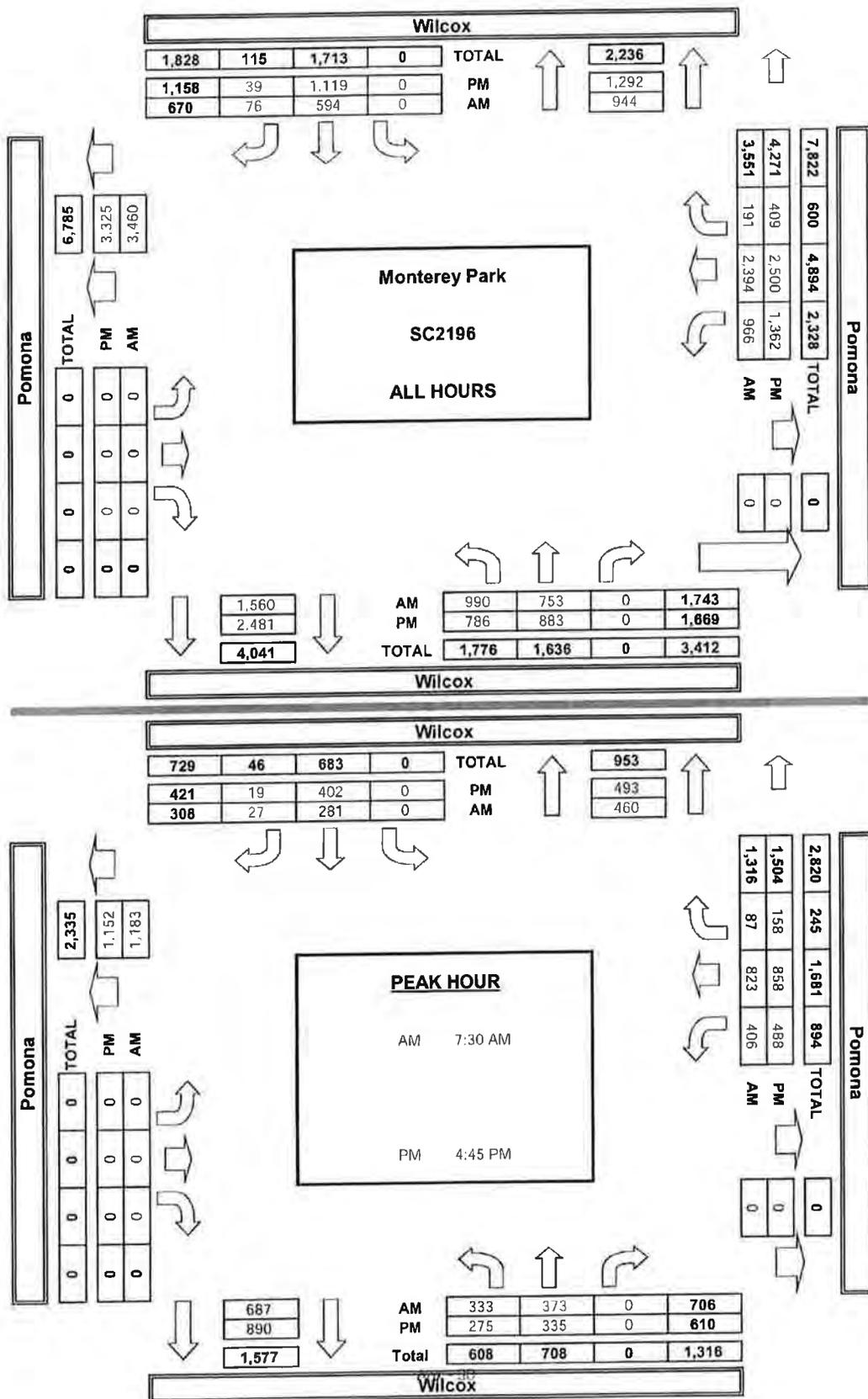
PREPARED BY: AimTD LLC. tel: 714 253 7888 cs@aimtd.com

DATE: Thu, May 9, 19	LOCATION: NORTH & SOUTH: EAST & WEST:	Monterey Park Wilcox Pomona	PROJECT #: LOCATION #: CONTROL:	SC2196 4 SIGNAL
NOTES: SB PM queue				

	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND			TOTAL
	Wilcox			Wilcox			Pomona			Pomona			
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	
LANES:	2	2	X	X	2	0	X	X	X	1	1	1	
6:00 AM	58	11	0	0	17	11	0	0	0	40	162	5	304
6:15 AM	100	26	0	0	15	3	0	0	0	29	158	8	339
6:30 AM	88	36	0	0	25	7	0	0	0	56	218	6	436
6:45 AM	92	53	0	0	26	2	0	0	0	66	206	12	457
7:00 AM	89	46	0	0	27	5	0	0	0	63	239	12	481
7:15 AM	81	76	0	0	68	7	0	0	0	80	198	20	530
7:30 AM	106	95	0	0	70	5	0	0	0	90	215	15	596
7:45 AM	75	81	0	0	60	3	0	0	0	115	226	26	586
8:00 AM	74	105	0	0	84	7	0	0	0	103	185	24	582
8:15 AM	78	92	0	0	67	12	0	0	0	98	197	22	566
8:30 AM	75	82	0	0	80	7	0	0	0	114	211	23	592
8:45 AM	74	50	0	0	55	7	0	0	0	112	179	18	495
VOLUMES	990	753	0	0	594	76	0	0	0	966	2,394	191	5,964
APPROACH %	57%	43%	0%	0%	89%	11%	0%	0%	0%	27%	67%	5%	
APP/DEPART	1,743	/	944	670	/	1,560	0	/	0	3,551	/	3,460	0
BEGIN PEAK HR	7:30 AM												
VOLUMES	333	373	0	0	281	27	0	0	0	406	823	87	2,330
APPROACH %	47%	53%	0%	0%	91%	9%	0%	0%	0%	31%	63%	7%	
PEAK HR FACTOR	0.878			0.846			0.000			0.896			0.977
APP/DEPART	706	/	460	308	/	687	0	/	0	1,316	/	1,183	0
4:00 PM	46	72	0	0	82	2	0	0	0	118	235	24	579
4:15 PM	65	68	0	0	99	6	0	0	0	117	205	28	588
4:30 PM	68	68	0	0	111	2	0	0	0	101	218	27	595
4:45 PM	63	97	0	0	99	6	0	0	0	125	203	34	627
5:00 PM	69	56	0	0	118	2	0	0	0	116	226	43	630
5:15 PM	72	83	0	0	87	4	0	0	0	128	217	38	629
5:30 PM	71	99	0	0	98	7	0	0	0	119	212	43	649
5:45 PM	57	66	0	0	82	2	0	0	0	127	209	39	582
6:00 PM	76	77	0	0	90	3	0	0	0	116	220	23	605
6:15 PM	71	79	0	0	85	1	0	0	0	131	221	39	627
6:30 PM	65	61	0	0	80	1	0	0	0	91	196	32	526
6:45 PM	63	57	0	0	88	3	0	0	0	73	138	39	461
VOLUMES	786	883	0	0	1,119	39	0	0	0	1,362	2,500	409	7,098
APPROACH %	47%	53%	0%	0%	97%	3%	0%	0%	0%	32%	59%	10%	
APP/DEPART	1,669	/	1,292	1,158	/	2,481	0	/	0	4,271	/	3,325	0
BEGIN PEAK HR	4:45 PM												
VOLUMES	275	335	0	0	402	19	0	0	0	488	858	158	2,535
APPROACH %	45%	55%	0%	0%	95%	5%	0%	0%	0%	32%	57%	11%	
PEAK HR FACTOR	0.897			0.877			0.000			0.977			0.977
APP/DEPART	610	/	493	421	/	890	0	/	0	1,504	/	1,152	0



AimTD LLC
TURNING MOVEMENT COUNTS



APPENDIX D
INTERSECTION LEVEL OF SERVICE WORKSHEETS

EXISTING

2425 and 2439 S Garfield Ave

Vistro File: G:\...IAM.vistro
Report File: G:\...AME.pdf

Scenario 1 Existing
6/26/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Riggins St (EW)	Signalized	ICU 1	SB Thru	0.623	-	B
2	Garfield Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	SB Right	0.752	-	C
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Right	0.830	-	D
4	Wilcox Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	WB Thru	0.551	-	A
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.030	12.3	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.028	12.3	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.194	66.4	F
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.194	66.6	F
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.016	9.2	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggln St (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.623

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration	↵↵			↵↵↵			↵↵			↵↵		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	78	511	28	114	899	166	121	217	73	79	252	94
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	78	511	28	114	899	166	121	217	73	79	252	94
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	18	128	7	27	225	42	28	54	18	19	63	24
Total Analysis Volume [veh/h]	73	511	26	107	899	166	114	217	73	74	252	94
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.04	0.16	0.16	0.06	0.26	0.10	0.07	0.13	0.04	0.04	0.15	0.06
Intersection LOS	B											
Intersection V/C	0.623											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.752

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration	← ↑			↑ ←						↑ ←		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	676	412			600	395				141	938	144
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.00	1.00			1.00	1.00				1.00	1.00	1.00
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	0	0			0	0				0	0	0
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			29	0				0	23	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	676	412			629	395				141	961	144
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	159	103			157	99				33	240	36
Total Analysis Volume [veh/h]	635	412			629	395				133	961	144
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.19	0.21			0.19	0.23				0.08	0.21	0.08
Intersection LOS	C											
Intersection V/C	0.752											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type:
Analysis Method:
Analysis Period:

Signalized
ICU 1
15 minutes

Delay (sec / veh):
Level Of Service:
Volume to Capacity (v/c):

-
D
0.830

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00					12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	539	160	157	614			146	828	532	40		371
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000			1.0000	1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00			2.00	2.00	2.00	2.00		2.00
Growth Rate	1.00	1.00	1.00	1.00			1.00	1.00	1.00	1.00		1.00
In-Process Volume [veh/h]	0	0	0	0			0	0	0	0		0
Site-Generated Trips [veh/h]	0	0	0	0			0	0	0	0		0
Diverted Trips [veh/h]	0	0	0	0			0	0	0	0		0
Pass-by Trips [veh/h]	0	0	0	0			0	0	0	0		0
Existing Site Adjustment Volume [veh/h]	0	0	0	0			0	0	0	0		0
Other Volume [veh/h]	0	0	0	0			0	0	0	0		0
Total Hourly Volume [veh/h]	539	160	157	614			146	828	532	40		371
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000			1.0000	1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor	1.0000	1.0000	0.9400	1.0000			0.9400	1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]	135	40	37	154			34	207	133	9		93
Total Analysis Volume [veh/h]	539	160	148	614			137	828	532	38		371
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split	Split	Split	Permiss	Permiss	Overlap	Permiss	Overlap
Signal group	2			6		8	2	7	6
Auxiliary Signal Groups							2,8		6,7
Lead / Lag								Lead	

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.11	0.09	0.09	0.16		0.08	0.24	0.31	0.02		0.13
Intersection LOS	D										
Intersection V/C	0.830										

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.551

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration	T T T			T T						T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	333	373			281	27				406	823	87
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.00	1.00			1.00	1.00				1.00	1.00	1.00
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	0	0			0	0				0	0	0
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			0	0				0	0	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	333	373			281	27				406	823	87
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	0.9400				0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	78	93			70	6				95	206	20
Total Analysis Volume [veh/h]	313	373			281	25				382	823	82
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxiliary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.09	0.11			0.09	0.09				0.22	0.25	0.25
Intersection LOS	A											
Intersection V/C	0.551											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	12.3
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.030

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration			T		T	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	0	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	16	15		15
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		556	1011	15		15
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		139	253	4		4
Total Analysis Volume [veh/h]		556	1011	14		15
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					12.32
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.09
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	2.28
d_A, Approach Delay [s/veh]	0.00		0.00		12.32
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.12		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	12.3
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.028

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration			T		R	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	0	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	15	16		14
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		556	1010	16		14
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		139	253	4		4
Total Analysis Volume [veh/h]		556	1010	15		14
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					12.31
Movement LOS	A	A	A		B
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00		0.09
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00		2.13
d_A, Approach Delay [s/veh]	0.00		0.00		12.31
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.11		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 7: W Driveway (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	66.4
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.194

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↗					
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2009	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.00	1.00	1.00
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		0	0	0
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	12	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		14	2021	12
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		4	505	3
Total Analysis Volume [veh/h]		14	2021	11
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.19			
d_M, Delay for Movement [s/veh]		66.40			
Movement LOS		F		A	A
95th-Percentile Queue Length [veh/ln]		0.66		0.00	0.00
95th-Percentile Queue Length [ft/ln]		16.52		0.00	0.00
d_A, Approach Delay [s/veh]		66.40			0.00
Approach LOS		F			A
d_I, Intersection Delay [s/veh]				0.45	
Intersection LOS				F	

Intersection Level Of Service Report
Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	66.6
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.194

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↗					
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2009	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.00	1.00	1.00
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		0	0	0
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	14	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		14	2023	12
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.8400
Total 15-Minute Volume [veh/h]		4	506	3
Total Analysis Volume [veh/h]		14	2023	11
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.19			
d_M, Delay for Movement [s/veh]		66.61			
Movement LOS		F		A	A
95th-Percentile Queue Length [veh/ln]		0.66		0.00	0.00
95th-Percentile Queue Length [ft/ln]		16.57		0.00	0.00
d_A, Approach Delay [s/veh]		66.61			0.00
Approach LOS		F			A
d_I, Intersection Delay [s/veh]			0.46		
Intersection LOS			F		

Intersection Level Of Service Report

Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.2
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.016

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach						
Lane Configuration	T		T		T	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	55	0	0	55
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	14	0	0	23	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	14	0	55	23	0	55
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	4	0	14	6	0	14
Total Analysis Volume [veh/h]	14	0	55	23	0	55
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.02	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.19	8.68			7.37	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.05	0.05	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	1.22	1.22	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.19		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]	0.87					
Intersection LOS	A					

2425 and 2439 S Garfield Ave

Vistro File: G:\...\PM.vistro
Report File: G:\...\PME.pdf

Scenario 1 Existing
6/26/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Riggins St (EW)	Signalized	ICU 1	EB Thru	0.714	-	C
2	Garfield Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	SB Thru	0.694	-	B
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Right	0.777	-	C
4	Wilcox Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	WB Thru	0.601	-	B
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.029	11.3	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.032	11.3	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.095	24.8	C
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.100	25.0	D
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.023	9.2	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggin St (EW)

Control Type: Signalized
Analysis Method: ICU 1
Analysis Period: 15 minutes
Delay (sec / veh): -
Level Of Service: C
Volume to Capacity (v/c): 0.714

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T T			T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	106	715	37	203	667	143	211	448	147	32	173	122
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	106	715	37	203	667	143	211	448	147	32	173	122
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	25	179	9	48	167	36	50	112	37	8	43	31
Total Analysis Volume [veh/h]	100	715	35	191	667	143	198	448	147	30	173	122
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8				4
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.06	0.22	0.22	0.11	0.20	0.08	0.12	0.26	0.09	0.02	0.10	0.07
Intersection LOS	C											
Intersection V/C	0.714											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomona Blvd (EW)

Control Type: Signalized
Analysis Method: ICU 1
Analysis Period: 15 minutes
Delay (sec / veh): -
Level Of Service: B
Volume to Capacity (v/c): 0.694

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	TTT			TTT						TTT		
Lane Configuration	TTT			TTT						TTT		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	421	585			703	92				172	752	262
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.00	1.00			1.00	1.00				1.00	1.00	1.00
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	0	0			0	0				0	0	0
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			36	0				0	28	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	421	585			739	92				172	780	262
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	99	146			185	23				40	195	66
Total Analysis Volume [veh/h]	386	585			739	92				162	780	262
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.12	0.19			0.22	0.05				0.10	0.18	0.15
Intersection LOS	B											
Intersection V/C	0.694											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.777

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	r			r			r			r		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00		12.00	12.00	12.00	12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound			
Base Volume Input [veh/h]		666	261	218	667		87	1044	527	32		149	
Base Volume Adjustment Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Heavy Vehicles Percentage [%]		2.00	2.00	2.00	2.00		2.00	2.00	2.00	2.00		2.00	
Growth Rate		1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00		1.00	
In-Process Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Site-Generated Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Diverted Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Pass-by Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Existing Site Adjustment Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Other Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Total Hourly Volume [veh/h]		666	261	218	667		87	1044	527	32		149	
Peak Hour Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Other Adjustment Factor		1.0000	1.0000	0.9400	1.0000		0.9400	1.0000	1.0000	0.9400		1.0000	
Total 15-Minute Volume [veh/h]		167	65	51	167		20	261	132	8		37	
Total Analysis Volume [veh/h]		666	261	205	667		82	1044	527	30		149	
Pedestrian Volume [ped/h]		0			0			0			0		
Bicycle Volume [bicycles/h]		0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type		Split	Split	Split	Split		Permiss	Permiss	Overlap	Permiss		Overlap
Signal group		2			6			8	2	7		6
Auxiliary Signal Groups									2,8			6,7
Lead / Lag										Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.13	0.15	0.12	0.20		0.05	0.31	0.31	0.02		0.00
Intersection LOS	C											
Intersection V/C	0.777											

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.601

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	↵↵↵			↵↵						↵↵↵		
Lane Configuration	↵↵↵			↵↵						↵↵↵		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	275	335		402	19					488	858	158
Base Volume Adjustment Factor	1.0000	1.0000		1.0000	1.0000					1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00		2.00	2.00					2.00	2.00	2.00
Growth Rate	1.00	1.00		1.00	1.00					1.00	1.00	1.00
In-Process Volume [veh/h]	0	0		0	0					0	0	0
Site-Generated Trips [veh/h]	0	0		0	0					0	0	0
Diverted Trips [veh/h]	0	0		0	0					0	0	0
Pass-by Trips [veh/h]	0	0		0	0					0	0	0
Existing Site Adjustment Volume [veh/h]	0	0		0	0					0	0	0
Other Volume [veh/h]	0	0		0	0					0	0	0
Total Hourly Volume [veh/h]	275	335		402	19					488	858	158
Peak Hour Factor	1.0000	1.0000		1.0000	1.0000					1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000		1.0000	0.9400					0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	65	84		101	4					115	215	37
Total Analysis Volume [veh/h]	259	335		402	18					458	858	149
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxiliary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.08	0.10			0.12	0.12				0.27	0.29	0.29
Intersection LOS	B											
Intersection V/C	0.601											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.3
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.029

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach			H		└	
Lane Configuration			H		└	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	0	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	18	19		17
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		847	813	19		17
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		212	203	4		4
Total Analysis Volume [veh/h]		847	813	18		17
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					11.33
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.09
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	2.24
d_A, Approach Delay [s/veh]	0.00		0.00		11.33
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.11		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.3
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.032

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration			T		T	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	0	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	17	18		19
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		847	812	18		19
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		212	203	4		5
Total Analysis Volume [veh/h]		847	812	17		19
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					11.34
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.10
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	2.51
d_A, Approach Delay [s/veh]	0.00		0.00		11.34
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.13		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 7: W Driveway (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	24.8
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.095

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↗				↔	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	1265	0
Base Volume Adjustment Factor	1.0000		1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00		2.00	2.00
Growth Rate	1.00		1.00	1.00
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		0	0	0
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		19	14	14
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		19	1279	14
Peak Hour Factor	1.0000		1.0000	1.0000
Other Adjustment Factor	1.0000		1.0000	0.9400
Total 15-Minute Volume [veh/h]		5	320	3
Total Analysis Volume [veh/h]		19	1279	13
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.09			
d_M, Delay for Movement [s/veh]		24.78			
Movement LOS		C		A	A
95th-Percentile Queue Length [veh/ln]		0.31		0.00	0.00
95th-Percentile Queue Length [ft/ln]		7.73		0.00	0.00
d_A, Approach Delay [s/veh]		24.78			0.00
Approach LOS		C			A
d_I, Intersection Delay [s/veh]				0.36	
Intersection LOS				C	

Intersection Level Of Service Report
Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	25.0
Analysis Method:	HCM 6th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.100

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach	Southbound		Eastbound		Westbound	
Lane Configuration	R					
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Southbound		Eastbound		Westbound	
Base Volume Input [veh/h]		0			1265	0
Base Volume Adjustment Factor		1.0000			1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00			2.00	2.00
Growth Rate		1.00			1.00	1.00
In-Process Volume [veh/h]		0			0	0
Site-Generated Trips [veh/h]		0			0	0
Diverted Trips [veh/h]		0			0	0
Pass-by Trips [veh/h]		20			19	14
Existing Site Adjustment Volume [veh/h]		0			0	0
Other Volume [veh/h]		0			0	0
Total Hourly Volume [veh/h]		20			1284	14
Peak Hour Factor		1.0000			1.0000	1.0000
Other Adjustment Factor		1.0000			1.0000	0.9400
Total 15-Minute Volume [veh/h]		5			321	3
Total Analysis Volume [veh/h]		20			1284	13
Pedestrian Volume [ped/h]		0				

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.10			
d_M, Delay for Movement [s/veh]		25.04			
Movement LOS		D		A	A
95th-Percentile Queue Length [veh/ln]		0.33		0.00	0.00
95th-Percentile Queue Length [ft/ln]		8.23		0.00	0.00
d_A, Approach Delay [s/veh]	25.04			0.00	
Approach LOS	D			A	
d_I, Intersection Delay [s/veh]			0.38		
Intersection LOS			D		

Intersection Level Of Service Report
Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.2
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.023

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration	T		T		T	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	50	0	0	50
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	20	0	0	28	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	20	0	50	28	0	50
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	5	0	13	7	0	13
Total Analysis Volume [veh/h]	20	0	50	28	0	50
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.02	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.17	8.89			7.37	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.07	0.07	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	1.74	1.74	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.17		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]			1.24			
Intersection LOS			A			

EXISTING PLUS PROJECT

Arch: 71

2425 and 2439 S Garfield Ave

Vistro File: G:\...AM.vistro
Report File: G:\...AMEp.pdf

Scenario 2 Existing with Project
6/26/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Riggins St (EW)	Signalized	ICU 1	SB Thru	0.629	-	B
2	Garfield Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	SB Right	0.757	-	C
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Right	0.832	-	D
4	Wilcox Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	WB Thru	0.556	-	A
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.061	12.7	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.059	12.7	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.411	88.0	F
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.429	90.5	F
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.035	9.3	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggin St (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.629

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T T			T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	78	511	28	114	899	166	121	217	73	79	252	94
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	23	0	0	0	8	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	78	511	28	114	922	166	121	217	81	79	252	94
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	18	128	7	27	231	42	28	54	20	19	63	24
Total Analysis Volume [veh/h]	73	511	26	107	922	166	114	217	81	74	252	94
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.04	0.16	0.16	0.06	0.27	0.10	0.07	0.13	0.05	0.04	0.15	0.06
Intersection LOS	B											
Intersection V/C	0.629											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.757

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	676	412			600	395				141	938	144
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.00	1.00			1.00	1.00				1.00	1.00	1.00
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	0	0			30	0				0	23	0
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			28	0				0	23	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	676	412			659	395				141	984	144
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	159	103			165	99				33	246	36
Total Analysis Volume [veh/h]	635	412			659	395				133	984	144
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.19	0.21			0.19	0.23				0.08	0.22	0.08
Intersection LOS	C											
Intersection V/C	0.757											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (vc):	0.832

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00		12.00	12.00	12.00	12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound			
Base Volume Input [veh/h]		539	160	157	614		146	828	532	40		371	
Base Volume Adjustment Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Heavy Vehicles Percentage [%]		2.00	2.00	2.00	2.00		2.00	2.00	2.00	2.00		2.00	
Growth Rate		1.00	1.00	1.00	1.00		1.00	1.00	1.00	1.00		1.00	
In-Process Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Site-Generated Trips [veh/h]		0	0	22	8		0	0	0	0		0	
Diverted Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Pass-by Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Existing Site Adjustment Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Other Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Total Hourly Volume [veh/h]		539	160	179	622		146	828	532	40		371	
Peak Hour Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Other Adjustment Factor		1.0000	1.0000	0.9400	1.0000		0.9400	1.0000	1.0000	0.9400		1.0500	
Total 15-Minute Volume [veh/h]		135	40	42	156		34	207	133	9		97	
Total Analysis Volume [veh/h]		539	160	168	622		137	828	532	38		390	
Pedestrian Volume [ped/h]		0			0			0			0		
Bicycle Volume [bicycles/h]		0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split	Split	Split	Permiss	Permiss	Overlap	Permiss	Overlap
Signal group	2			6		8	2	7	6
Auxiliary Signal Groups							2,8		6,7
Lead / Leg								Lead	

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.11	0.09	0.10	0.18	0.08	0.24	0.31	0.02	0.13
Intersection LOS	D								
Intersection V/C	0.832								

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.556

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	333	373			281	27				406	823	87
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.00	1.00			1.00	1.00				1.00	1.00	1.00
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	0	0			0	0				0	23	0
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			0	0				0	0	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	333	373			281	27				406	846	87
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	0.9400				0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	78	93			70	6				95	212	20
Total Analysis Volume [veh/h]	313	373			281	25				382	846	82
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxiliary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.09	0.11			0.09	0.09				0.22	0.26	0.26
Intersection LOS	A											
Intersection V/C	0.556											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	12.7
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.061

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration			↑		└┘	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	16	15		15
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	16	15		15
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		556	1027	30		30
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		139	257	7		8
Total Analysis Volume [veh/h]		556	1027	28		30
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.06
d_M, Delay for Movement [s/veh]					12.74
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.19
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	4.82
d_A, Approach Delay [s/veh]	0.00		0.00		12.74
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.23		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	12.7
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.059

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration			T			
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	15	16		15
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	15	16		14
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		556	1025	32		29
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		139	256	8		7
Total Analysis Volume [veh/h]		556	1025	30		29
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.06
d_M, Delay for Movement [s/veh]					12.72
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.19
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	4.65
d_A, Approach Delay [s/veh]	0.00		0.00		12.72
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.22		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 7: W Driveway (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	88.0
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.411

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↱				↑↑↑↱	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2009	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.00	1.00	1.00
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		15	12	12
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	12	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		29	2033	24
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		7	508	6
Total Analysis Volume [veh/h]		29	2033	23
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.41			
d_M, Delay for Movement [s/veh]		87.98			
Movement LOS		F		A	A
95th-Percentile Queue Length [veh/ln]		1.60		0.00	0.00
95th-Percentile Queue Length [ft/ln]		40.06		0.00	0.00
d_A, Approach Delay [s/veh]		87.98			0.00
Approach LOS		F			A
d_I, Intersection Delay [s/veh]				1.22	
Intersection LOS				F	

Intersection Level Of Service Report
Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	90.5
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.429

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↶				↶	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2009	0
Base Volume Adjustment Factor	1.0000		1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00		2.00	2.00
Growth Rate	1.00		1.00	1.00
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		16	15	12
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	14	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		30	2038	24
Peak Hour Factor	1.0000		1.0000	1.0000
Other Adjustment Factor	1.0000		1.0000	0.9400
Total 15-Minute Volume [veh/h]		8	510	6
Total Analysis Volume [veh/h]		30	2038	23
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.43			
d_M, Delay for Movement [s/veh]		90.52			
Movement LOS		F		A	A
95th-Percentile Queue Length [veh/l/n]		1.68		0.00	0.00
95th-Percentile Queue Length [ft/l/n]		42.09		0.00	0.00
d_A, Approach Delay [s/veh]		90.52			0.00
Approach LOS		F			A
d_I, Intersection Delay [s/veh]				1.30	
Intersection LOS				F	

Intersection Level Of Service Report
Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.3
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.035

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach						
Lane Configuration	T		T		T	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	55	0	0	55
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	16	0	0	23	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	14	0	0	23	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	30	0	55	48	0	55
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	8	0	14	12	0	14
Total Analysis Volume [veh/h]	30	0	55	48	0	55
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.33	8.81			7.41	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.11	0.11	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	2.71	2.71	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.33		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]	1.51					
Intersection LOS	A					

2425 and 2439 S Garfield Ave

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Report File: G:\...\IPMEp.pdf

Scenario 2 Existing with Project
6/26/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Riggan St (EW)	Signalized	ICU 1	EB Thru	0.714	-	C
2	Garfield Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	SB Thru	0.702	-	C
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Right	0.779	-	C
4	Wilcox Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	WB Thru	0.604	-	B
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.045	11.5	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.047	11.5	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.136	26.0	D
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.143	26.3	D
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.032	9.3	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggins St (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.714

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	T			T			T			T		
Lane Configuration	T			T			T			T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	106	715	37	203	687	143	211	448	147	32	173	122
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	14	0	0	0	5	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	106	715	37	203	681	143	211	448	152	32	173	122
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	25	179	9	48	170	36	50	112	38	8	43	31
Total Analysis Volume [veh/h]	100	715	35	191	681	143	198	448	152	30	173	122
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.06	0.22	0.22	0.11	0.20	0.08	0.12	0.26	0.09	0.02	0.10	0.07
Intersection LOS	C											
Intersection V/C	0.714											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.702

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration	TTL			TLR						TTLR		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	421	585			703	92				172	752	262
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.00	1.00			1.00	1.00				1.00	1.00	1.00
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	0	0			17	0				0	14	0
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			36	0				0	28	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	421	585			756	92				172	794	262
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	98	146			189	23				40	199	66
Total Analysis Volume [veh/h]	386	585			756	92				162	794	262
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.12	0.19			0.22	0.05				0.10	0.19	0.15
Intersection LOS	C											
Intersection V/C	0.702											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.779

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00		12.00	12.00	12.00	12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	666	261	218	667			87	1044	527	32		149
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000			1.0000	1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00			2.00	2.00	2.00	2.00		2.00
Growth Rate	1.00	1.00	1.00	1.00			1.00	1.00	1.00	1.00		1.00
In-Process Volume [veh/h]	0	0	0	0			0	0	0	0		0
Site-Generated Trips [veh/h]	0	0	13	4			0	0	0	0		0
Diverted Trips [veh/h]	0	0	0	0			0	0	0	0		0
Pass-by Trips [veh/h]	0	0	0	0			0	0	0	0		0
Existing Site Adjustment Volume [veh/h]	0	0	0	0			0	0	0	0		0
Other Volume [veh/h]	0	0	0	0			0	0	0	0		0
Total Hourly Volume [veh/h]	666	261	231	671			87	1044	527	32		149
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000			1.0000	1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor	1.0000	1.0000	0.9400	1.0000			0.9400	1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]	167	65	54	168			20	261	132	8		37
Total Analysis Volume [veh/h]	666	261	217	671			82	1044	527	30		149
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type		Split	Split	Split	Split		Permiss	Permiss	Overlap	Permiss		Overlap
Signal group		2			6			8	2	7		6
Auxiliary Signal Groups									2,8			6,7
Lead / Lag										Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.13	0.15	0.13	0.20		0.06	0.31	0.31	0.02		0.00
Intersection LOS	C											
Intersection V/C	0.779											

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (vc):	0.604

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	275	335			402	19				488	858	158
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.00	1.00			1.00	1.00				1.00	1.00	1.00
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	0	0			0	0				0	14	0
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			0	0				0	0	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	275	335			402	19				488	872	158
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	0.9400				0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	65	84			101	4				115	218	37
Total Analysis Volume [veh/h]	259	335			402	18				459	872	149
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxiliary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.08	0.10			0.12	0.12				0.27	0.29	0.29
Intersection LOS	B											
Intersection V/C	0.604											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.5
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.045

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration			f		r	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	10	9		9
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	18	19		17
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		847	823	28		26
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		212	206	7		7
Total Analysis Volume [veh/h]		847	823	26		26
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.04
d_M, Delay for Movement [s/veh]					11.52
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.14
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	3.52
d_A, Approach Delay [s/veh]	0.00		0.00		11.52
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.17		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.5
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.047

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration						
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.00	1.00	1.00		1.00
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		0	9	10		8
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	17	18		19
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		847	821	28		27
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		212	205	7		7
Total Analysis Volume [veh/h]		847	821	28		27
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.05
d_M, Delay for Movement [s/veh]					11.52
Movement LOS	A	A	A		B
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00		0.15
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00		3.66
d_A, Approach Delay [s/veh]	0.00		0.00		11.52
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.18		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 7: W Driveway (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	26.0
Analysis Method:	HCM 6th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.136

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↗				↔	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	1265	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.00	1.00	1.00
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		8	7	7
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		19	14	14
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		27	1286	21
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		7	322	5
Total Analysis Volume [veh/h]		27	1286	20
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.14			
d_M, Delay for Movement [s/veh]		26.02			
Movement LOS		D		A	A
95th-Percentile Queue Length [veh/ln]		0.46		0.00	0.00
95th-Percentile Queue Length [ft/ln]		11.59		0.00	0.00
d_A, Approach Delay [s/veh]		26.02			0.00
Approach LOS		D			A
d_I, Intersection Delay [s/veh]				0.53	
Intersection LOS				D	

Intersection Level Of Service Report
Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	26.3
Analysis Method:	HCM 6th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.143

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↱				↕↔	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes In Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	1265	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.00	1.00	1.00
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		8	8	7
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		20	19	14
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		28	1292	21
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		7	323	5
Total Analysis Volume [veh/h]		28	1292	20
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces In Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.14			
d_M, Delay for Movement [s/veh]		28.35			
Movement LOS		D		A	A
95th-Percentile Queue Length [veh/lane]		0.49		0.00	0.00
95th-Percentile Queue Length [ft/lane]		12.18		0.00	0.00
d_A, Approach Delay [s/veh]		28.35			0.00
Approach LOS		D			A
d_I, Intersection Delay [s/veh]				0.55	
Intersection LOS				D	

Intersection Level Of Service Report

Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.3
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.032

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach						
Lane Configuration	←→		↑		←	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	50	0	0	50
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	8	0	0	14	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	20	0	0	28	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	28	0	50	42	0	50
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	7	0	13	11	0	13
Total Analysis Volume [veh/h]	28	0	50	42	0	50
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.25	8.77			7.40	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.10	0.10	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	2.48	2.48	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.25		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]	1.52					
Intersection LOS	A					

OPENING YEAR (2021) WITHOUT PROJECT

2425 and 2439 S Garfield Ave

Vistro File: G:\...IAM.vistro
Report File: G:\...IAMOY.pdf

Scenario 3 Opening Year without Project
6/26/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Rigglin St (EW)	Signalized	ICU 1	SB Thru	0.644	-	B
2	Garfield Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	SB Right	0.779	-	C
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Right	0.858	-	D
4	Wilcox Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	WB Thru	0.587	-	A
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.031	12.6	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.029	12.6	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.215	74.9	F
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.216	75.2	F
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.016	9.2	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggin St (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.644

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration	T T T			T T T			T T T			T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	78	511	28	114	899	166	121	217	73	79	252	94
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	25	0	0	36	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	80	546	29	118	953	169	123	221	74	81	257	96
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	19	137	7	27	238	42	29	55	19	19	64	24
Total Analysis Volume [veh/h]	75	546	27	109	953	169	116	221	74	76	257	96
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.04	0.17	0.17	0.06	0.28	0.10	0.07	0.13	0.04	0.04	0.15	0.06
Intersection LOS	B											
Intersection V/C	0.644											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.779

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration	←↑↑			↑						↑ ↑		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name												
Base Volume Input [veh/h]	676	412			600	395				141	938	144
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.02	1.02			1.02	1.02				1.02	1.02	1.02
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	16	10			36	0				25	19	15
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			29	0				0	23	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	706	430			677	403				169	999	162
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	166	108			169	101				40	250	41
Total Analysis Volume [veh/h]	664	430			677	403				159	999	162
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Leg												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.20	0.21			0.20	0.24				0.08	0.23	0.10
Intersection LOS	C											
Intersection V/C	0.779											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.858

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	↑↑↑			↔↔↔			↔↔↔			↔↔		
Lane Configuration	↑↑↑			↔↔↔			↔↔↔			↔↔		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00		12.00	12.00	12.00	12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	539	160	157	614		146	828	532	40		371	
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00		2.00	2.00	2.00	2.00		2.00	
Growth Rate	1.02	1.02	1.02	1.02		1.02	1.02	1.02	1.02		1.02	
In-Process Volume [veh/h]	0	0	0	0		0	0	0	0		0	
Site-Generated Trips [veh/h]	15	26	25	36		0	45	10	0		11	
Diverted Trips [veh/h]	0	0	0	0		0	0	0	0		0	
Pass-by Trips [veh/h]	0	0	0	0		0	0	0	0		0	
Existing Site Adjustment Volume [veh/h]	0	0	0	0		0	0	0	0		0	
Other Volume [veh/h]	0	0	0	0		0	0	0	0		0	
Total Hourly Volume [veh/h]	585	189	185	662		148	890	553	41		389	
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Other Adjustment Factor	1.0000	1.0000	0.9400	1.0000		0.9400	1.0000	1.0000	0.9400		1.0000	
Total 15-Minute Volume [veh/h]	141	47	43	166		35	223	138	10		97	
Total Analysis Volume [veh/h]	585	189	174	662		140	890	553	39		389	
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type		Split	Split	Split	Split		Permiss	Permiss	Overlap	Permiss		Overlap
Signal group		2			6			6	2	7		6
Auxiliary Signal Groups									2,8			6,7
Lead / Lag										Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.11	0.11	0.10	0.19		0.08	0.26	0.33	0.02		0.13
Intersection LOS	D											
Intersection V/C	0.858											

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type: Signalized Delay (sec / veh):
Analysis Method: ICU 1 Level Of Service: A
Analysis Period: 15 minutes Volume to Capacity (v/c): 0.587

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	333	373			281	27				406	823	87
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.02	1.02			1.02	1.02				1.02	1.02	1.02
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	4	3			25	0				26	55	15
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			0	0				0	0	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	344	383			312	28				440	895	104
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	0.9400				0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	81	96			78	7				103	224	24
Total Analysis Volume [veh/h]	323	383			312	26				414	895	98
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxillary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.10	0.11			0.10	0.10				0.24	0.28	0.28
Intersection LOS	A											
Intersection V/C	0.587											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	12.8
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.031

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration	↑↑		↓↑		↗	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name						
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		25	36	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	16	15		15
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		592	1067	15		15
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		148	267	4		4
Total Analysis Volume [veh/h]		592	1067	14		15
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					12.65
Movement LOS	A	A	A		B
85th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00		0.10
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00		2.39
d_A, Approach Delay [s/veh]	0.00	0.00	0.00		12.65
Approach LOS	A	A	A		B
d_I, Intersection Delay [s/veh]			0.11		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	12.6
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.029

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration			T		R	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		25	36	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	15	16		14
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		592	1086	16		14
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		148	267	4		4
Total Analysis Volume [veh/h]		592	1086	15		14
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					12.63
Movement LOS	A	A	A		B
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00		0.09
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00		2.22
d_A, Approach Delay [s/veh]	0.00		0.00		12.63
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.10		
Intersection LOS			B		

**Intersection Level Of Service Report
Intersection 7: W Driveway (NS) and Pomona Blvd (EW)**

Control Type:	Two-way stop	Delay (sec / veh):	74.9
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.215

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↻					
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2096	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.02	1.02	1.02
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		0	35	0
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	12	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		14	2096	12
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		4	524	3
Total Analysis Volume [veh/h]		14	2096	11
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.22			
d_M, Delay for Movement [s/veh]	74.92			
Movement LOS	F		A	A
95th-Percentile Queue Length [veh/ln]	0.74		0.00	0.00
95th-Percentile Queue Length [ft/ln]	18.44		0.00	0.00
d_A, Approach Delay [s/veh]	74.92		0.00	
Approach LOS	F		A	
d_I, Intersection Delay [s/veh]		0.49		
Intersection LOS		F		

Intersection Level Of Service Report

Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	75.2
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.216

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↗				↗	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2009	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.02	1.02	1.02
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		0	35	0
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	14	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		14	2098	12
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		4	525	3
Total Analysis Volume [veh/h]		14	2098	11
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.22			
d_M, Delay for Movement [s/veh]		75.16			
Movement LOS		F		A	A
95th-Percentile Queue Length [veh/ln]		0.74		0.00	0.00
95th-Percentile Queue Length [ft/ln]		18.49		0.00	0.00
d_A, Approach Delay [s/veh]		75.16			0.00
Approach LOS		F			A
d_I, Intersection Delay [s/veh]				0.50	
Intersection LOS				F	

Intersection Level Of Service Report

Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.2
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.016

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach						
Lane Configuration	T		↑		←	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	55	0	0	55
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	14	0	0	23	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	14	0	56	23	0	56
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	4	0	14	6	0	14
Total Analysis Volume [veh/h]	14	0	56	23	0	56
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.02	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.20	8.68			7.37	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.05	0.05	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	1.22	1.22	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.20		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]	0.86					
Intersection LOS	A					

2425 and 2439 S Garfield Ave

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Report File: G:\...\IPMOY.pdf

Scenario 3 Opening Year without Project
6/26/2019

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Riggins St (EW)	Signalized	ICU 1	EB Thru	0.743	-	C
2	Garfield Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	SB Thru	0.746	-	C
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Thru	0.846	-	D
4	Wilcox Ave (NS) at Pomona Blvd (EW)	Signalized	ICU 1	WB Thru	0.655	-	B
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.031	11.7	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.034	11.7	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.108	27.9	D
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.114	28.2	D
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.023	9.2	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggin St (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.743

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T T			T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	106	715	37	203	667	143	211	448	147	32	173	122
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	55	0	0	51	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	108	784	38	207	731	146	215	457	150	33	176	124
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	25	196	9	49	183	37	51	114	38	8	44	31
Total Analysis Volume [veh/h]	102	784	36	195	731	146	202	457	150	31	176	124
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.06	0.24	0.24	0.11	0.22	0.09	0.12	0.27	0.09	0.02	0.10	0.07
Intersection LOS	C											
Intersection V/C	0.743											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.746

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T						T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	421	585			703	92				172	752	262
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.02	1.02			1.02	1.02				1.02	1.02	1.02
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	35	21			51	0				43	37	34
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			36	0				0	28	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	464	618			804	94				218	832	301
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	109	155			201	24				51	208	75
Total Analysis Volume [veh/h]	436	618			804	94				205	832	301
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.13	0.21			0.24	0.06				0.12	0.20	0.18
Intersection LOS	C											
Intersection V/C	0.746											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type: Signalized Delay (sec / veh): -
Analysis Method: ICU 1 Level Of Service: D
Analysis Period: 15 minutes Volume to Capacity (v/c): 0.846

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00		12.00	12.00	12.00	12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound			
Base Volume Input [veh/h]		668	261	218	667		87	1044	527	32		149	
Base Volume Adjustment Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Heavy Vehicles Percentage [%]		2.00	2.00	2.00	2.00		2.00	2.00	2.00	2.00		2.00	
Growth Rate		1.02	1.02	1.02	1.02		1.02	1.02	1.02	1.02		1.02	
In-Process Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Site-Generated Trips [veh/h]		22	42	38	56		0	57	9	0		34	
Diverted Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Pass-by Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Existing Site Adjustment Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Other Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Total Hourly Volume [veh/h]		701	308	260	736		89	1122	547	33		186	
Peak Hour Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Other Adjustment Factor		1.0000	1.0000	0.9400	1.0000		0.9400	1.0000	1.0000	0.9400		1.0000	
Total 15-Minute Volume [veh/h]		175	77	61	184		21	281	137	8		47	
Total Analysis Volume [veh/h]		701	308	244	736		84	1122	547	31		186	
Pedestrian Volume [ped/h]		0			0			0			0		
Bicycle Volume [bicycles/h]		0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split	Split	Split	Permiss	Permiss	Overlap	Permiss	Overlap
Signal group	2			6		8	2	7	6
Auxiliary Signal Groups							2,8		6,7
Lead / Lag								Lead	

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.14	0.18	0.14	0.22		0.05	0.33	0.32	0.02		0.00
Intersection LOS	D										
Intersection V/C	0.846										

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.655

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T						T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	275	335			402	19				488	858	158
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.02	1.02			1.02	1.02				1.02	1.02	1.02
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	3	8			39	0				23	111	34
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			0	0				0	0	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	284	360			449	19				521	986	195
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	0.9400				0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	67	88			112	4				122	247	46
Total Analysis Volume [veh/h]	287	350			449	18				490	986	183
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxiliary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.08	0.10			0.14	0.14				0.29	0.33	0.33
Intersection LOS	B											
Intersection V/C	0.655											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.7
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.031

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration			T		RT	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		55	51	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	18	19		17
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		919	880	19		17
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		230	220	4		4
Total Analysis Volume [veh/h]		919	880	18		17
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					11.66
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.09
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	2.36
d_A, Approach Delay [s/veh]	0.00		0.00		11.66
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.11		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.7
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.034

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration			T		R	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		55	51	0		0
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	17	18		19
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		919	879	18		19
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		230	220	4		5
Total Analysis Volume [veh/h]		919	879	17		19
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.03
d_M, Delay for Movement [s/veh]					11.68
Movement LOS	A	A	A		B
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00		0.11
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00		2.64
d_A, Approach Delay [s/veh]	0.00		0.00		11.68
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]	0.12				
Intersection LOS	B				

**Intersection Level Of Service Report
Intersection 7: W Driveway (NS) and Pomona Blvd (EW)**

Control Type:	Two-way stop	Delay (sec / veh):	27.9
Analysis Method:	HCM 6th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.108

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↗				↑↑↑	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0		1265 0
Base Volume Adjustment Factor		1.0000		1.0000 1.0000
Heavy Vehicles Percentage [%]		2.00		2.00 2.00
Growth Rate		1.02		1.02 1.02
In-Process Volume [veh/h]		0		0 0
Site-Generated Trips [veh/h]		0		72 0
Diverted Trips [veh/h]		0		0 0
Pass-by Trips [veh/h]		19		14 14
Existing Site Adjustment Volume [veh/h]		0		0 0
Other Volume [veh/h]		0		0 0
Total Hourly Volume [veh/h]		19		1376 14
Peak Hour Factor		1.0000		1.0000 1.0000
Other Adjustment Factor		1.0000		1.0000 0.9400
Total 15-Minute Volume [veh/h]		5		344 3
Total Analysis Volume [veh/h]		19		1376 13
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.11			
d_M, Delay for Movement [s/veh]		27.90			
Movement LOS		D		A	A
95th-Percentile Queue Length [veh/ln]		0.36		0.00	0.00
95th-Percentile Queue Length [ft/ln]		8.91		0.00	0.00
d_A, Approach Delay [s/veh]		27.90			0.00
Approach LOS		D			A
d_I, Intersection Delay [s/veh]				0.38	
Intersection LOS				D	

Intersection Level Of Service Report
Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	28.2
Analysis Method:	HCM 6th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.114

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↱				↵	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0		1265 0
Base Volume Adjustment Factor		1.0000		1.0000 1.0000
Heavy Vehicles Percentage [%]		2.00		2.00 2.00
Growth Rate		1.02		1.02 1.02
In-Process Volume [veh/h]		0		0 0
Site-Generated Trips [veh/h]		0		72 0
Diverted Trips [veh/h]		0		0 0
Pass-by Trips [veh/h]		20		19 14
Existing Site Adjustment Volume [veh/h]		0		0 0
Other Volume [veh/h]		0		0 0
Total Hourly Volume [veh/h]		20		1381 14
Peak Hour Factor		1.0000		1.0000 1.0000
Other Adjustment Factor		1.0000		1.0000 0.9400
Total 15-Minute Volume [veh/h]		5		345 3
Total Analysis Volume [veh/h]		20		1381 13
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.11			
d_M, Delay for Movement [s/veh]		28.22			
Movement LOS		D		A	A
95th-Percentile Queue Length [veh/ln]		0.38		0.00	0.00
95th-Percentile Queue Length [ft/ln]		9.50		0.00	0.00
d_A, Approach Delay [s/veh]		28.22			0.00
Approach LOS		D			A
d_I, Intersection Delay [s/veh]				0.40	
Intersection LOS				D	

Intersection Level Of Service Report
Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.2
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.023

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach						
Lane Configuration	T		T		T	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	50	0	0	50
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	20	0	0	28	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	20	0	51	28	0	51
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	5	0	13	7	0	13
Total Analysis Volume [veh/h]	20	0	51	28	0	51
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.02	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.19	8.70			7.37	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.07	0.07	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	1.74	1.74	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.19		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]	1.22					
Intersection LOS	A					

OPENING YEAR (2021) WITH PROJECT

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Riggin St (EW)	Signalized	ICU 1	SB Thru	0.651	-	B
2	Garfield Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	SB Right	0.783	-	C
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Right	0.859	-	D
4	Wilcox Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	WB Thru	0.592	-	A
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.063	13.1	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.061	13.1	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.457	102.7	F
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.476	106.0	F
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.035	9.3	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggins St (EW)

Control Type: Signalized
Analysis Method: ICU 1
Analysis Period: 15 minutes
Delay (sec / veh): -
Level Of Service: B
Volume to Capacity (v/c): 0.651

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T T T			T T T			T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	78	511	28	114	899	166	121	217	73	79	252	94
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	25	0	0	59	0	0	0	8	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	80	546	28	116	976	169	123	221	82	81	257	96
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	19	137	7	27	244	42	29	55	21	19	64	24
Total Analysis Volume [veh/h]	75	546	27	109	976	169	118	221	82	76	257	96
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.04	0.17	0.17	0.06	0.29	0.10	0.07	0.13	0.05	0.04	0.15	0.06
Intersection LOS	B											
Intersection V/C	0.651											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.783

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration	TTT			TTR						TTT		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	676	412			600	395				141	938	144
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.02	1.02			1.02	1.02				1.02	1.02	1.02
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	16	10			66	0				25	42	15
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			29	0				0	23	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	708	430			707	403				169	1022	162
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	166	108			177	101				40	256	41
Total Analysis Volume [veh/h]	664	430			707	403				159	1022	162
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.20	0.21			0.21	0.24				0.08	0.23	0.10
Intersection LOS	C											
Intersection V/C	0.783											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type: Signalized
Analysis Method: ICU 1
Analysis Period: 15 minutes
Delay (sec / veh): -
Level Of Service: D
Volume to Capacity (v/c): 0.859

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach												
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00		12.00	12.00	12.00	12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound			
Base Volume Input [veh/h]		539	160	157	614		146	828	532	40		371	
Base Volume Adjustment Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Heavy Vehicles Percentage [%]		2.00	2.00	2.00	2.00		2.00	2.00	2.00	2.00		2.00	
Growth Rate		1.02	1.02	1.02	1.02		1.02	1.02	1.02	1.02		1.02	
In-Process Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Site-Generated Trips [veh/h]		15	26	47	44		0	45	10	0		11	
Diverted Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Pass-by Trips [veh/h]		0	0	0	0		0	0	0	0		0	
Existing Site Adjustment Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Other Volume [veh/h]		0	0	0	0		0	0	0	0		0	
Total Hourly Volume [veh/h]		565	189	207	670		149	890	553	41		389	
Peak Hour Factor		1.0000	1.0000	1.0000	1.0000		1.0000	1.0000	1.0000	1.0000		1.0000	
Other Adjustment Factor		1.0000	1.0000	0.9400	1.0000		0.9400	1.0000	1.0000	0.9400		1.0500	
Total 15-Minute Volume [veh/h]		141	47	49	168		35	223	138	10		102	
Total Analysis Volume [veh/h]		565	189	195	670		140	890	553	39		408	
Pedestrian Volume [ped/h]		0			0			0			0		
Bicycle Volume [bicycles/h]		0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type		Split	Split	Split	Split		Permiss	Permiss	Overlap	Permiss		Overlap
Signal group		2			6			8	2	7		6
Auxiliary Signal Groups									2,8			6,7
Lead / Lag										Lead		

Movement, Approach, & Intersection Results

V/C Movement V/C Ratio		0.11	0.11	0.11	0.20		0.08	0.26	0.33	0.02		0.13
Intersection LOS	D											
Intersection V/C	0.859											

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type: Signalized Delay (sec / veh): -
Analysis Method: ICU 1 Level Of Service: A
Analysis Period: 15 minutes Volume to Capacity (v/c): 0.592

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	↵↵↵			↵↵						↵↵↵		
Lane Configuration	↵↵↵			↵↵						↵↵↵		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	333	373		281	27					406	823	87
Base Volume Adjustment Factor	1.0000	1.0000		1.0000	1.0000					1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00		2.00	2.00					2.00	2.00	2.00
Growth Rate	1.02	1.02		1.02	1.02					1.02	1.02	1.02
In-Process Volume [veh/h]	0	0		0	0					0	0	0
Site-Generated Trips [veh/h]	4	3		25	0					26	78	15
Diverted Trips [veh/h]	0	0		0	0					0	0	0
Pass-by Trips [veh/h]	0	0		0	0					0	0	0
Existing Site Adjustment Volume [veh/h]	0	0		0	0					0	0	0
Other Volume [veh/h]	0	0		0	0					0	0	0
Total Hourly Volume [veh/h]	344	383		312	28					440	918	104
Peak Hour Factor	1.0000	1.0000		1.0000	1.0000					1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000		1.0000	0.9400					0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	81	96		78	7					103	230	24
Total Analysis Volume [veh/h]	323	383		312	26					414	918	98
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxiliary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.10	0.11			0.10	0.10				0.24	0.28	0.28
Intersection LOS	A											
Intersection V/C	0.582											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	13.1
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.063

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration			T		└	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		25	52	15		15
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	16	15		15
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		592	1083	30		30
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		148	271	7		8
Total Analysis Volume [veh/h]		592	1083	26		30
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.06
d_M, Delay for Movement [s/veh]					13.09
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.20
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	5.04
d_A, Approach Delay [s/veh]	0.00		0.00		13.09
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.23		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	13.1
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.061

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration			T		R	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		556	995	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		25	51	16		15
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	15	16		14
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		592	1081	32		29
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		148	270	8		7
Total Analysis Volume [veh/h]		592	1081	30		29
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.06
d_M, Delay for Movement [s/veh]					13.07
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.19
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	4.86
d_A, Approach Delay [s/veh]	0.00		0.00		13.07
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.22		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 7: W Driveway (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	102.7
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.457

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↱				↱	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2009	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.02	1.02	1.02
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		15	47	12
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	12	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		29	2108	24
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		7	527	6
Total Analysis Volume [veh/h]		29	2108	23
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.46			
d_M, Delay for Movement [s/veh]		102.72			
Movement LOS		F		A	A
95th-Percentile Queue Length [veh/ln]		1.79		0.00	0.00
95th-Percentile Queue Length [ft/ln]		44.65		0.00	0.00
d_A, Approach Delay [s/veh]		102.72			0.00
Approach LOS		F			A
d_I, Intersection Delay [s/veh]				1.38	
Intersection LOS				F	

Intersection Level Of Service Report
Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	106.0
Analysis Method:	HCM 6th Edition	Level Of Service:	F
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.476

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	R				T T T	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	2009	0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00
Growth Rate		1.02	1.02	1.02
In-Process Volume [veh/h]		0	0	0
Site-Generated Trips [veh/h]		16	50	12
Diverted Trips [veh/h]		0	0	0
Pass-by Trips [veh/h]		14	14	12
Existing Site Adjustment Volume [veh/h]		0	0	0
Other Volume [veh/h]		0	0	0
Total Hourly Volume [veh/h]		30	2113	24
Peak Hour Factor		1.0000	1.0000	1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400
Total 15-Minute Volume [veh/h]		8	528	6
Total Analysis Volume [veh/h]		30	2113	23
Pedestrian Volume [ped/h]		0		

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.48			
d_M, Delay for Movement [s/veh]		106.01			
Movement LOS		F		A	A
95th-Percentile Queue Length [veh/l/n]		1.88		0.00	0.00
95th-Percentile Queue Length [ft/l/n]		46.89		0.00	0.00
d_A, Approach Delay [s/veh]		106.01			0.00
Approach LOS		F			A
d_I, Intersection Delay [s/veh]				1.47	
Intersection LOS				F	

Intersection Level Of Service Report
Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.3
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.035

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach						
Lane Configuration	T		T		T	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	55	0	0	55
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	16	0	0	23	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	14	0	0	23	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	30	0	56	46	0	56
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	8	0	14	12	0	14
Total Analysis Volume [veh/h]	30	0	56	46	0	56
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.34	8.82			7.42	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.11	0.11	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	2.71	2.71	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.34		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]	1.49					
Intersection LOS	A					

Intersection Analysis Summary

ID	Intersection Name	Control Type	Method	Worst Mvmt	V/C	Delay (s/veh)	LOS
1	Garfield Ave (NS) at Riggan St (EW)	Signalized	ICU 1	EB Thru	0.743	-	C
2	Garfield Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	SB Thru	0.754	-	C
3	Garfield Ave (NS) at Via Campo (EW)	Signalized	ICU 1	EB Thru	0.847	-	D
4	Wilcox Ave (NS) at Pomana Blvd (EW)	Signalized	ICU 1	WB Right	0.658	-	B
5	Garfield Ave (NS) and N Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.047	11.9	B
6	Garfield Ave (NS) and S Driveway (EW)	Two-way stop	HCM 6th Edition	EB Right	0.049	11.9	B
7	W Driveway (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.156	29.5	D
8	SW Alley Dwy (NS) and Pomona Blvd (EW)	Two-way stop	HCM 6th Edition	SB Right	0.163	29.9	D
9	NW Alley Dwy (NS) and Fernfield Dr (EW)	Two-way stop	HCM 6th Edition	NB Left	0.032	9.3	A

V/C, Delay, LOS: For two-way stop, these values are taken from the movement with the worst (highest) delay value. For all other control types, they are taken for the whole intersection.

Intersection Level Of Service Report
Intersection 1: Garfield Ave (NS) at Riggln St (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.743

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	↔↔↔			↔↔↔			↔↔			↔↔		
Lane Configuration	↔↔↔			↔↔↔			↔↔			↔↔		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	1		0	1		0	1		0	1		0
Pocket Length [ft]	100.00			175.00			75.00			70.00		
Speed [mph]	35.00			40.00			30.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	106	715	37	203	667	143	211	448	147	32	173	122
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	55	0	0	65	0	0	0	5	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	106	784	38	207	745	146	215	457	155	33	176	124
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000	0.9400	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000	0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	25	196	9	49	186	37	51	114	39	8	44	31
Total Analysis Volume [veh/h]	102	784	36	195	745	146	202	457	155	31	176	124
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Permiss											
Signal group		2			6			8			4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.06	0.24	0.24	0.11	0.22	0.09	0.12	0.27	0.09	0.02	0.10	0.07
Intersection LOS	C											
Intersection V/C	0.743											

Intersection Level Of Service Report
Intersection 2: Garfield Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.754

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	↵↵↵			↵↵↵						↵↵↵		
Lane Configuration	↵↵↵			↵↵↵						↵↵↵		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	1					1				0		1
Pocket Length [ft]	200.00					80.00						100.00
Speed [mph]	35.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	421	585			703	92				172	752	282
Base Volume Adjustment Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00			2.00	2.00				2.00	2.00	2.00
Growth Rate	1.02	1.02			1.02	1.02				1.02	1.02	1.02
In-Process Volume [veh/h]	0	0			0	0				0	0	0
Site-Generated Trips [veh/h]	35	21			68	0				43	51	34
Diverted Trips [veh/h]	0	0			0	0				0	0	0
Pass-by Trips [veh/h]	0	0			36	0				0	28	0
Existing Site Adjustment Volume [veh/h]	0	0			0	0				0	0	0
Other Volume [veh/h]	0	0			0	0				0	0	0
Total Hourly Volume [veh/h]	464	618			821	94				218	846	301
Peak Hour Factor	1.0000	1.0000			1.0000	1.0000				1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000			1.0000	1.0000				0.9400	1.0000	1.0000
Total 15-Minute Volume [veh/h]	109	155			205	24				51	212	75
Total Analysis Volume [veh/h]	436	618			821	94				205	846	301
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Split	Split			Split	Split				Permiss	Permiss	Permiss
Signal group		2			6						4	
Auxiliary Signal Groups												
Lead / Lag												

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.13	0.21			0.24	0.06				0.12	0.21	0.18
Intersection LOS	C											
Intersection V/C	0.754											

Intersection Level Of Service Report
Intersection 3: Garfield Ave (NS) at Via Campo (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.847

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]		12.00	12.00	12.00	12.00		12.00	12.00	12.00	12.00		12.00
No. of Lanes in Pocket			1	1			1		1	0		1
Pocket Length [ft]			125.00	195.00			300.00		300.00			300.00
Speed [mph]	35.00			35.00			40.00			40.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	666	261	218	667			87	1044	527	32		149
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000			1.0000	1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00			2.00	2.00	2.00	2.00		2.00
Growth Rate	1.02	1.02	1.02	1.02			1.02	1.02	1.02	1.02		1.02
In-Process Volume [veh/h]	0	0	0	0			0	0	0	0		0
Site-Generated Trips [veh/h]	22	42	51	60			0	57	9	0		34
Diverted Trips [veh/h]	0	0	0	0			0	0	0	0		0
Pass-by Trips [veh/h]	0	0	0	0			0	0	0	0		0
Existing Site Adjustment Volume [veh/h]	0	0	0	0			0	0	0	0		0
Other Volume [veh/h]	0	0	0	0			0	0	0	0		0
Total Hourly Volume [veh/h]	701	308	273	740			89	1122	547	33		186
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000			1.0000	1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor	1.0000	1.0000	0.9400	1.0000			0.9400	1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]	175	77	64	185			21	281	137	8		47
Total Analysis Volume [veh/h]	701	308	257	740			84	1122	547	31		186
Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type		Split	Split	Split	Split		Permiss	Permiss	Overlap	Permiss		Overlap
Signal group		2			6			8	2	7		6
Auxiliary Signal Groups									2,6			6,7
Lead / Leg										Lead		

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.14	0.18	0.15	0.22		0.05	0.33	0.32	0.02		0.00
Intersection LOS	D											
Intersection V/C	0.847											

Intersection Level Of Service Report
Intersection 4: Wilcox Ave (NS) at Pomana Blvd (EW)

Control Type:	Signalized	Delay (sec / veh):	-
Analysis Method:	ICU 1	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.658

Intersection Setup

Name	Northbound			Southbound			Eastbound			Westbound		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration	T T T			T						T T T		
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00			12.00	12.00				12.00	12.00	12.00
No. of Lanes in Pocket	2					0				0		0
Pocket Length [ft]	200.00											
Speed [mph]	30.00			35.00						40.00		
Grade [%]	0.00			0.00						0.00		
Crosswalk	No			Yes			Yes			Yes		

Volumes

Name	Northbound			Southbound			Eastbound			Westbound		
Base Volume Input [veh/h]	275	335		402	19					488	858	158
Base Volume Adjustment Factor	1.0000	1.0000		1.0000	1.0000					1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00		2.00	2.00					2.00	2.00	2.00
Growth Rate	1.02	1.02		1.02	1.02					1.02	1.02	1.02
In-Process Volume [veh/h]	0	0		0	0					0	0	0
Site-Generated Trips [veh/h]	3	8		39	0					23	125	34
Diverted Trips [veh/h]	0	0		0	0					0	0	0
Pass-by Trips [veh/h]	0	0		0	0					0	0	0
Existing Site Adjustment Volume [veh/h]	0	0		0	0					0	0	0
Other Volume [veh/h]	0	0		0	0					0	0	0
Total Hourly Volume [veh/h]	284	350		449	19					521	1000	195
Peak Hour Factor	1.0000	1.0000		1.0000	1.0000					1.0000	1.0000	1.0000
Other Adjustment Factor	0.9400	1.0000		1.0000	0.9400					0.9400	1.0000	0.9400
Total 15-Minute Volume [veh/h]	67	88		112	4					122	250	46
Total Analysis Volume [veh/h]	267	350		449	18					490	1000	183
Pedestrian Volume [ped/h]				0			0			0		
Bicycle Volume [bicycles/h]	0			0						0		

Intersection Settings

Cycle Length [s]	100
Lost time [s]	10.00

Phasing & Timing

Control Type	Protecte	Permiss			Permiss	Permiss				Permiss	Permiss	Permiss
Signal group	5	2			6						4	
Auxiliary Signal Groups												
Lead / Lag	Lead											

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.08	0.10			0.14	0.14				0.29	0.33	0.33
Intersection LOS	B											
Intersection V/C	0.658											

Intersection Level Of Service Report
Intersection 5: Garfield Ave (NS) and N Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.9
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.047

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration			T		T	
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		55	61	9		9
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	18	19		17
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		919	890	28		26
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		230	223	7		7
Total Analysis Volume [veh/h]		919	890	26		26
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces In Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.05
d_M, Delay for Movement [s/veh]					11.87
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.15
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	3.71
d_A, Approach Delay [s/veh]	0.00		0.00		11.87
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.17		
Intersection LOS			B		

Intersection Level Of Service Report
Intersection 6: Garfield Ave (NS) and S Driveway (EW)

Control Type:	Two-way stop	Delay (sec / veh):	11.9
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.049

Intersection Setup

Name	Northbound		Southbound		Eastbound	
Approach						
Lane Configuration						
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]		12.00	12.00	12.00		12.00
No. of Lanes in Pocket		0	0	0		0
Pocket Length [ft]						
Speed [mph]	30.00		30.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Northbound		Southbound		Eastbound	
Base Volume Input [veh/h]		847	795	0		0
Base Volume Adjustment Factor		1.0000	1.0000	1.0000		1.0000
Heavy Vehicles Percentage [%]		2.00	2.00	2.00		2.00
Growth Rate		1.02	1.02	1.02		1.02
In-Process Volume [veh/h]		0	0	0		0
Site-Generated Trips [veh/h]		55	60	10		8
Diverted Trips [veh/h]		0	0	0		0
Pass-by Trips [veh/h]		0	17	18		19
Existing Site Adjustment Volume [veh/h]		0	0	0		0
Other Volume [veh/h]		0	0	0		0
Total Hourly Volume [veh/h]		919	888	28		27
Peak Hour Factor		1.0000	1.0000	1.0000		1.0000
Other Adjustment Factor		1.0000	1.0000	0.9400		1.0000
Total 15-Minute Volume [veh/h]		230	222	7		7
Total Analysis Volume [veh/h]		919	888	28		27
Pedestrian Volume [ped/h]						0

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio					0.05
d_M, Delay for Movement [s/veh]					11.87
Movement LOS		A	A	A	B
95th-Percentile Queue Length [veh/ln]		0.00	0.00	0.00	0.15
95th-Percentile Queue Length [ft/ln]		0.00	0.00	0.00	3.86
d_A, Approach Delay [s/veh]	0.00		0.00		11.87
Approach LOS	A		A		B
d_I, Intersection Delay [s/veh]			0.17		
Intersection LOS			B		

Intersection Level Of Service Report

Intersection 7: W Driveway (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	29.5
Analysis Method:	HCM 6th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.156

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↱				↑↑↑	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name				
Base Volume Input [veh/h]		0	1265	0
Base Volume Adjustment Factor	1.0000		1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00		2.00	2.00
Growth Rate	1.02		1.02	1.02
In-Process Volume [veh/h]	0		0	0
Site-Generated Trips [veh/h]	8		79	7
Diverted Trips [veh/h]	0		0	0
Pass-by Trips [veh/h]	19		14	14
Existing Site Adjustment Volume [veh/h]	0		0	0
Other Volume [veh/h]	0		0	0
Total Hourly Volume [veh/h]	27		1383	21
Peak Hour Factor	1.0000		1.0000	1.0000
Other Adjustment Factor	1.0000		1.0000	0.9400
Total 15-Minute Volume [veh/h]	7		346	5
Total Analysis Volume [veh/h]	27		1383	20
Pedestrian Volume [ped/h]	0			

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces In Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.16			
d_M, Delay for Movement [s/veh]		29.52			
Movement LOS		D		A	A
95th-Percentile Queue Length [veh/ln]		0.54		0.00	0.00
95th-Percentile Queue Length [ft/ln]		13.42		0.00	0.00
d_A, Approach Delay [s/veh]		29.52			0.00
Approach LOS		D			A
d_I, Intersection Delay [s/veh]				0.56	
Intersection LOS				D	

Intersection Level Of Service Report
Intersection 8: SW Alley Dwy (NS) and Pomona Blvd (EW)

Control Type:	Two-way stop	Delay (sec / veh):	29.9
Analysis Method:	HCM 6th Edition	Level Of Service:	D
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.163

Intersection Setup

Name	Southbound		Eastbound		Westbound	
Approach						
Lane Configuration	↱				↵	
Turning Movement	Left	Right	Left	Thru	Thru	Right
Lane Width [ft]		12.00			12.00	12.00
No. of Lanes in Pocket		0			0	0
Pocket Length [ft]						
Speed [mph]	25.00				40.00	
Grade [%]	0.00				0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Southbound		Eastbound		Westbound	
Base Volume Input [veh/h]		0			1265	0
Base Volume Adjustment Factor		1.0000			1.0000	1.0000
Heavy Vehicles Percentage [%]		2.00			2.00	2.00
Growth Rate		1.02			1.02	1.02
In-Process Volume [veh/h]		0			0	0
Site-Generated Trips [veh/h]		8			80	7
Diverted Trips [veh/h]		0			0	0
Pass-by Trips [veh/h]		20			19	14
Existing Site Adjustment Volume [veh/h]		0			0	0
Other Volume [veh/h]		0			0	0
Total Hourly Volume [veh/h]		28			1389	21
Peak Hour Factor		1.0000			1.0000	1.0000
Other Adjustment Factor		1.0000			1.0000	0.9400
Total 15-Minute Volume [veh/h]		7			347	5
Total Analysis Volume [veh/h]		28			1389	20
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop		Free
Flared Lane			
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio		0.18			
d_M, Delay for Movement [s/veh]		29.93			
Movement LOS		D		A	A
95th-Percentile Queue Length [veh/ln]		0.56		0.00	0.00
95th-Percentile Queue Length [ft/ln]		14.12		0.00	0.00
d_A, Approach Delay [s/veh]	29.93			0.00	
Approach LOS	D			A	
d_I, Intersection Delay [s/veh]			0.58		
Intersection LOS			D		

Intersection Level Of Service Report
Intersection 9: NW Alley Dwy (NS) and Fernfield Dr (EW)

Control Type:	Two-way stop	Delay (sec / veh):	9.3
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.032

Intersection Setup

Name	Northbound		Eastbound		Westbound	
Approach						
Lane Configuration	T		T		T	
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]						
Speed [mph]	25.00		25.00		30.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Northbound		Eastbound		Westbound	
Base Volume Input [veh/h]	0	0	50	0	0	50
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Rate	1.02	1.02	1.02	1.02	1.02	1.02
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	8	0	0	14	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	20	0	0	28	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	28	0	51	42	0	51
Peak Hour Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	7	0	13	11	0	13
Total Analysis Volume [veh/h]	28	0	51	42	0	51
Pedestrian Volume [ped/h]	0					

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane	No		
Storage Area [veh]			
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median			

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.03	0.00			0.00	
d_M, Delay for Movement [s/veh]	9.26	8.77			7.40	
Movement LOS	A	A	A	A	A	A
95th-Percentile Queue Length [veh/ln]	0.10	0.10	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	2.49	2.49	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	9.26		0.00		0.00	
Approach LOS	A		A		A	
d_I, Intersection Delay [s/veh]			1.51			
Intersection LOS			A			

APPENDIX E
TRIP GENERATION COUNT WORKSHEETS

**Trip Generation for Coffee Shop with Drive-Thru Window
(No interior seating)**

Coffee Drive-Thru Information ¹		TRIP GENERATION (TSF)								
		AM				DTW % ²	PM			Daily
Location	SF	IN	OUT	Total	IN		OUT	Total	DTW %	
Glendora, CA 91740	890	89.89	79.77	169.66	90%	61.80	65.17	126.97	65%	1647.19
Bellflower, CA 90706	804	119.40	118.16	237.56	72%	59.70	53.48	113.18	75%	2044.78
Weighted Average		103.90	97.99	201.89	81%	60.80	59.63	120.43	70%	1835.89

Notes:

- (1) Counts conducted at locations with drive-thru window and walk-up window with no interior seating.
- (2) Separate counts conducted for total trips as well as drive-thru only trips to determine drive-thru window percentages.

Starbucks
 17254 Lakewood Blvd
 Bellflower, CA 90706

6/6/2019		DRIVE-THRU	Lakewood & Driveway		Artesia & Driveway		IN BOUND	OUT BOUND	TOTAL	HOURLY COUNT			15MIN PEAK HOUR		
Time	IN		OUT	IN	OUT	IN				OUT	Total	IN	OUT	Total	
12:00 AM	0	0	0	0	0	0	0	0	0	0	0				
12:15 AM	0	0	0	0	0	0	0	0	0						
12:30 AM	0	0	0	0	0	0	0	0	0						
12:45 AM	0	0	0	0	0	0	0	0	0						
1:00 AM	0	0	0	1	0	1	1	1	1	1	2	3			
1:15 AM	0	0	0	0	0	0	0	0	0						
1:30 AM	0	1	0	0	1	1	1	2	2						
1:45 AM	0	0	0	0	0	0	0	0	0						
2:00 AM	0	0	0	0	0	0	0	0	0	1	0	1			
2:15 AM	0	0	0	0	0	0	0	0	0						
2:30 AM	0	0	0	0	0	0	0	0	0						
2:45 AM	0	0	0	1	0	1	0	1	1						
3:00 AM	0	0	0	0	0	0	0	0	0	0	1	1			
3:15 AM	0	0	0	0	1	0	1	1	1						
3:30 AM	0	0	0	0	0	0	0	0	0						
3:45 AM	0	0	0	0	0	0	0	0	0						
4:00 AM	0	0	0	0	0	0	0	0	0	15	16	31			
4:15 AM	0	0	0	0	0	0	0	0	0						
4:30 AM	12	1	9	12	1	13	10	23	23						
4:45 AM	2	0	4	2	2	2	6	8	8						
5:00 AM	8	1	3	10	1	11	4	15	15	45	41	86			
5:15 AM	6	4	14	4	1	8	15	23	23						
5:30 AM	10	4	10	10	0	14	10	24	24						
5:45 AM	10	2	11	10	1	12	12	24	24						
6:00 AM	13	4	18	15	2	19	20	39	39	74	71	145			
6:15 AM	13	3	18	12	1	15	19	34	34						
6:30 AM	11	2	16	17	3	19	19	38	38						
6:45 AM	16	6	12	15	1	21	13	34	34						
7:00 AM	13	5	21	18	5	23	26	49	49	94	97	191	94	97	191
7:15 AM	20	8	21	18	3	26	24	50	50				96	95	191
7:30 AM	17	6	22	17	4	23	26	49	49				87	91	178
7:45 AM	17	2	14	20	7	22	21	43	43				82	82	164
8:00 AM	15	5	24	20	0	25	24	49	49	81	82	163	81	82	163
8:15 AM	16	2	17	15	3	17	20	37	37				74	75	149
8:30 AM	14	5	16	13	1	18	17	35	35				77	75	152
8:45 AM	14	5	17	16	4	21	21	42	42				72	72	144
9:00 AM	15	7	13	11	4	18	17	35	35	69	66	135			
9:15 AM	13	5	16	15	4	20	20	40	40						
9:30 AM	11	1	13	12	1	13	14	27	27						
9:45 AM	12	3	11	15	4	18	15	33	33						
10:00 AM	12	5	12	10	2	15	14	29	29	50	51	101			
10:15 AM	12	2	11	12	1	14	12	26	26						
10:30 AM	7	3	11	5	4	8	15	23	23						
10:45 AM	12	4	8	9	2	13	10	23	23						
11:00 AM	12	3	13	11	2	14	15	29	29	52	52	104			
11:15 AM	8	3	12	7	0	10	12	22	22						
11:30 AM	11	3	10	9	1	12	11	23	23						
11:45 AM	11	4	10	12	4	16	14	30	30						
12:00 PM	10	1	8	12	1	13	9	22	22	40	44	84			
12:15 PM	10	3	12	9	2	12	14	26	26						
12:30 PM	5	3	8	4	3	7	11	18	18						
12:45 PM	7	4	7	4	3	8	10	18	18						
1:00 PM	8	2	6	5	0	7	6	13	13	39	35	74			
1:15 PM	8	1	7	9	1	10	8	18	18						

3:00 PM	11
3:15 PM	8
3:30 PM	4
3:45 PM	12
4:00 PM	12
4:15 PM	6
4:30 PM	13
4:45 PM	5
5:00 PM	10
5:15 PM	10
5:30 PM	8
5:45 PM	5
6:00 PM	7
6:15 PM	8
6:30 PM	6
6:45 PM	4
7:00 PM	4
7:15 PM	10
7:30 PM	6
7:45 PM	2
8:00 PM	7
8:15 PM	6
8:30 PM	6
8:45 PM	4
9:00 PM	4
9:15 PM	3
9:30 PM	4
9:45 PM	1
10:00 PM	0
10:15 PM	0
10:30 PM	1
10:45 PM	0
11:00 PM	0
11:15 PM	0
11:30 PM	0
11:45 PM	0
TOTAL	667

1	0	6	7	1	1	8	8	16	38	30	68			
3	1	4	7	2	0	9	8	17						
0	0	6	5	0	0	6	5	11						
2	1	12	8	1	0	15	9	24						
3	4	12	13	1	0	16	17	33	55	58	113	55	58	113
2	4	7	10	0	1	9	15	24				53	47	100
6	1	13	14	3	0	22	15	37				55	50	105
3	2	3	9	2	0	8	11	19				41	42	83
1	1	13	5	0	0	14	6	20	38	38	76	38	38	76
3	0	8	17	0	1	11	18	29				37	39	71
0	4	6	3	2	0	8	7	15				29	28	57
1	0	4	7	0	0	5	7	12				26	29	55
0	2	7	5	1	0	8	7	15	24	28	52			
2	1	6	5	0	1	8	7	15						
1	1	4	7	0	0	5	8	13						
1	0	2	6	0	0	3	6	9						
0	1	4	3	0	0	4	4	8	26	25	51			
1	0	10	7	0	0	11	7	18						
1	1	3	8	0	0	4	9	13						
1	0	6	5	0	0	7	5	12						
1	2	7	4	0	0	8	6	14	25	26	51			
0	2	3	5	1	0	4	7	11						
0	0	5	6	1	0	6	6	12						
1	0	6	7	0	0	7	7	14						
0	0	1	3	0	0	1	3	4	7	14	21			
1	0	2	4	0	0	3	4	7						
0	2	2	3	1	1	3	6	9						
0	0	0	1	0	0	0	1	1						
0	0	0	0	0	0	0	0	0	2	2	4			
0	0	0	0	0	0	0	0	0						
0	1	2	1	0	0	2	2	4						
0	0	0	0	0	0	0	0	0						
0	0	1	0	0	0	1	0	1	1	0	1			
0	0	0	0	0	0	0	0	0						
0	0	0	0	0	0	0	0	0						
0	0	0	0	0	0	0	0	0	1	0	1			
0	0	0	0	0	0	0	0	0						
0	0	0	0	0	0	0	0	0						
87	79	609	647	38	12	734	732	1466	734	732	1466			

Prepared by AimTD LLC
 714 253 7886

COUNTS															
AM						PM						Daily			
AM	IN	OUT	Total	DTW	DTW %	PM	IN	OUT	Total	DTW	DTW %	Total	DTW	DTW %	
7:15	80	71	151	72	90%	16:00	55	58	113	36	65%	1466	667	91%	
	53%	47%					49%	51%							

TRIP GENERATION (TSF)								
		AM			PM			Daily
Location	SF	IN	OUT	Total	IN	OUT	Total	DTW %
Glendora	890	89.89	79.77	169.66	61.80	65.17	126.97	1647.19
		IN	OUT	DTW %	IN	OUT	DTW %	DTW %

APPENDIX F
TRAFFIC SIGNAL WARRANT WORKSHEETS

PEAK HOUR VOLUME WARRANT (Rural Areas)

Existing Plus Project

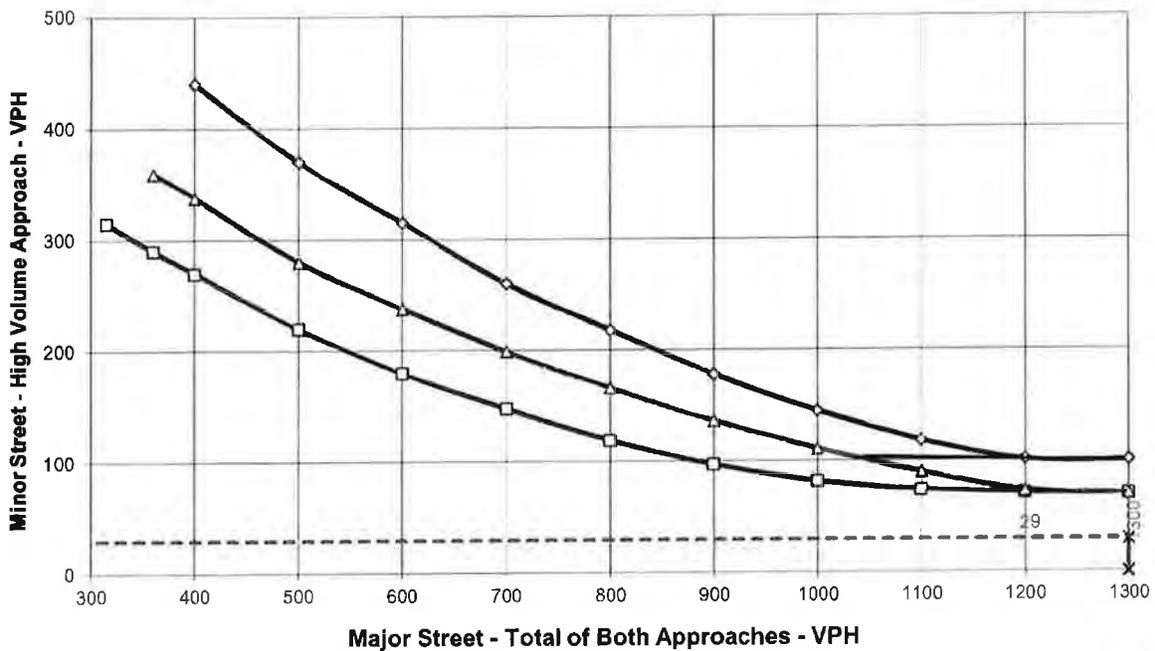
Major Street Name = **Pomona Blvd**

Total of Both Approaches (VPH) = **2057**
Number of Approach Lanes Major Street = **2**

Minor Street Name = **Project West DWY**

High Volume Approach (VPH) = **29**
Number of Approach Lanes Minor Street = **1**

SIGNAL WARRANT NOT SATISFIED



- 1 Lane (Major) & 1 Lane (Minor)
- ◇— 2+ Lanes (Major) & 1 Lane (Minor) OR 1 Lane (Major) & 2+ Lanes (Minor)
- ◇— 2+ Lanes (Major) & 2+ Lanes (Minor)
- x— Major Street Approaches
- - -x - - Minor Street Approaches

**** NOTE:**
100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACH WITH TWO OR MORE LANES AND 75 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

PEAK HOUR VOLUME WARRANT (Rural Areas)

Opening Year (2021) With Project

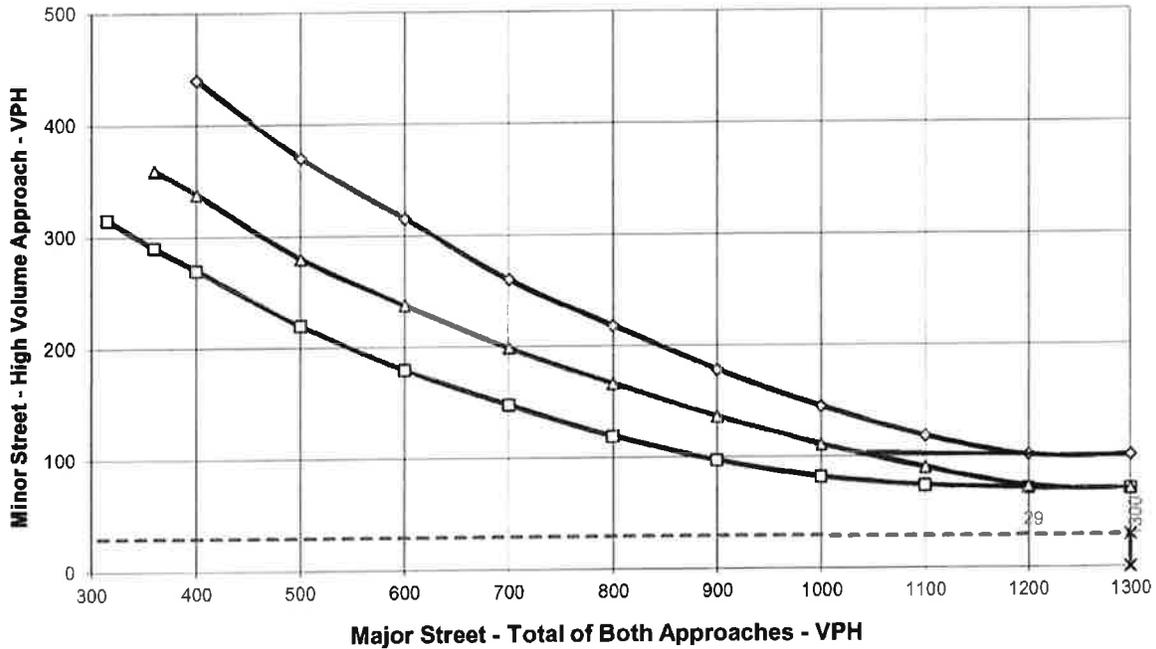
Major Street Name = **Pomona Blvd**

Total of Both Approaches (VPH) = **2173**
Number of Approach Lanes Major Street = **2**

Minor Street Name = **Project West DWY**

High Volume Approach (VPH) = **29**
Number of Approach Lanes Minor Street = **1**

SIGNAL WARRANT NOT SATISFIED



**** NOTE:**
100 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACH WITH TWO OR MORE LANES AND 75 VPH APPLIES AS THE LOWER THRESHOLD VOLUME FOR A MINOR STREET APPROACHING WITH ONE LANE.

APPENDIX G
DRIVE-THRU QUEUEING ANALYSIS WORKSHEETS

**APPENDIX G
GATE STACKING QUEUE ANALYSIS¹**

PROJECT:	2475 S. Garfield	DATE:	2019.06.24
LOCATION:	NWC Garfield and Pomona	JN:	19-0104
GATE		COMMERCIAL	
PEAK HOUR		AM	PM
DEMAND RATE (q) (Vehicles/ hour)		62	32
SERVICE RATE (Q) per channel		80	80
Seconds per vehicle		45	45
NO. OF SERVICE POSITIONS (N)		1	1
NO. OF STORAGE LANES (N1)		1	1
PROBABILITY OF NOT EXCEEDING (P) ²		0.05	0.05
		P=95%	P=95%
UTILIZATION FACTOR (q/(N*Q))		0.78	0.40
LENGTH OF VEHICLE (L) FEET ³		20	20
25 to 20 feet car			
UTILIZATION FACTOR Q(M) VALUE ⁴		0.78	0.40
NO. OF VEHICLES BEING SERVED (N)		1.00	1.00
NO. OF VEHICLES IN QUEUE (M)		9.75	1.27
$M = ((1/NP) - LN(Q(M))/LN(p)) - 1$			
TOTAL NUMBER OF VEHICLES (N+M)		10.75	2.27
		~11	~3
NO. OF VEHICLES IN EACH LANE		10.75	2.27
PER LANE ((N+M)/N1) ⁵		11	3
LENGTH OF QUEUE (L) FEET		225	65

Notes

- (1) Source: Institute of Transportation Engineers, Transportation and Land Development, 1988 Applications of Queueing Analysis p 231
- (2) P = confidence interval, (ie 95% of the time the queue will be equal to or less than the maximum vehicle que)
- (3) Standard passenger car vehicle design limits range from 25 to 20 feet. The normal 20 feet length is used for 2 or more cars and the conservative 25 is used for the first car in the queue to determine the length of the queue.
- (4) Q(m) = utilization factor, values based upon number of service channels (n) and utilization factor (q/n) as shown on table 8-11, pg 231, Transportation And Land Development, Institute Of Transportation Engineers (ITE), 1988
- (5) The number of vehicles in each lane is rounded up and used to determine queue length



GANDDINI GROUP, INC.
550 Parkcenter Drive, Suite 202, Santa Ana, CA 92705
714.795.3100 | www.ganddini.com

ATTACHMENT 5

City Council Staff Report dated February 5, 2020



City Council Staff Report

DATE: February 5, 2020

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: Honorable Mayor and Members of the City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider an amendment to the Garfield Village Specific Plan (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04) for the reconstruction of an existing service station (ARCO) and construction of new 24-hour drive-through coffee shop at 2425 and 2439 South Garfield Avenue.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Continuing the application to a date uncertain; and
- (2) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On December 18, 2019, the City Council reviewed the requested Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01), and Conditional Use Permit (CU-19-04). Collectively, these actions would allow for the reconstruction of an existing service station and construction of a new drive-through. At the meeting, the City Council requested to see the traffic analysis conducted for the project and continued the application to the February 5, 2020 meeting.

At this time, the Applicant is requesting a continuance of the application to a date uncertain due to scheduling conflicts. When the Applicant and application are ready to come back to the City Council the requested analysis and notice of the hearing date will be provided per MPMC § 21.32.070.

Respectfully Submitted by:

Mark A. McAvoy
Director of Public Works/City
Engineer /City Planner

Prepared By:

Samantha Tewasart
Senior Planner

Approved by:

Ron Bow
City Manager

Reviewed by:

Natalie C. Karpeles
Deputy City Attorney

ATTACHMENT 6

City Council Minutes dated February 5, 2020

MOTION BY: REAL SEBASTIAN				
SECONDED BY: CHAN				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
CHAN	X			
LAM				X
REAL SEBASTIAN	X			
ING	X			
LIANG	X			

APPROVED RECOMMENDATION
RESOLUTION NO. 12137 ADOPTED

3-D. APPROVAL OF AMENDMENT TO AGREEMENT WITH GENERAL PUMP COMPANY

It is recommended that the City Council:

- (1) Authorize the City Manager to execute the First Amendment, in a form approved by the City Attorney, that would extend the term of the Maintenance Agreement with General Pump Company for two years;
- (2) Take such additional, related, action that may be desirable.

MOTION BY: REAL SEBASTIAN				
SECONDED BY: ING				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
CHAN	X			
LAM				X
REAL SEBASTIAN	X			
ING	X			
LIANG	X			

APPROVED RECOMMENDATION

3-E. ANNUAL WEED ABATEMENT DECLARATION LIST

It is recommended that the City Council consider:

- (1) Approving the Weed Abatement Declaration List;
- (2) Adopting the attached Resolution; and
- (3) Taking such additional, related, action that may be desirable.

MOTION BY: CHAN				
SECONDED BY: LIANG				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
CHAN	X			
LAM				X
REAL SEBASTIAN		X		
ING				X
LIANG	X			

MAYOR PRO TEM ING RECUSED HIMSELF FROM DISCUSSION DUE TO A POTENTIAL CONFLICT OF INTEREST

APPROVED RECOMMENDATIONS
RESOLUTION NO. 12138 ADOPTED

[4.] PUBLIC HEARING

4-A. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE GARFIELD VILLAGE SPECIFIC PLAN (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) FOR THE RECONSTRUCTION OF AN EXISTING SERVICE STATION (ARCO) AND CONSTRUCTION OF NEW 24-HOUR DRIVE-THROUGH COFFEE SHOP AT 2425 AND 2439 SOUTH GARFIELD AVENUE

It is recommended that the City Council consider:

- (1) Opening the public hearing and continuing it to a date uncertain; and
- (2) Taking such additional, related, action that may be desirable.

THIS ITEM WAS HEARD AFTER ITEM NO. 4B

MOTION BY: REAL SEBASTIAN				
SECONDED BY: ING				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
CHAN	X			
LAM				X
REAL SEBASTIAN	X			
ING	X			
LIANG		X		

PUBLIC HEARING HELD

MOTION TO INCREASE THE NOTICING REQUIREMENT TO 500 FT

MOTION APPROVED

MOTION BY: LIANG				
SECONDED BY: CHAN				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
CHAN	X			
LAM				X
REAL SEBASTIAN		X		
ING		X		
LIANG	X			

MOTION TO CONTINUE PUBLIC HEARING TO A DATE UNCERTAIN

MOTION FAILED

ASSISTANT CITY ATTORNEY BERGER ADVISED THAT BECAUSE OF THE ABSENCE OF COUNCIL MEMBER LAM DUE TO ILLNESS, THE MATTER WILL CARRY OVER TO THE NEXT AGENDA FOR CONSIDERATION

4-B. CONSIDERATION OF A ZONE CHANGE (ZC-18-01) TO ALLOW FOR THE CREATION OF A SENIOR-CITIZEN-HOUSING (S-C-H) OVERLAY ZONE, AND CONDITIONAL USE PERMIT (CU-18-01) AND TENTATIVE MAP NO. 73741 (TM-18-01) FOR THE CONSTRUCTION OF A 40-UNIT SENIOR-CITIZEN HOUSING CONDOMINIUM PROJECT - 130-206 SOUTH CHANDLER AVENUE

It is recommended that the City Council consider:

- (1) Opening the continued public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Taking the following action:
 - a. Waive first reading and introduce an Ordinance approving a Zone Change (ZC-18-01);
 - b. Adopt a Resolution approving a Tentative Map No. 73741 (TM-18-01) subject to ZC-18-01 along with conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

THIS ITEM WAS HEARD AFTER ITEM NO.1B

MOTION BY: LIANG				
SECONDED BY: REAL SEBASTIAN				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
CHAN	X			
LAM				X
REAL SEBASTIAN	X			
ING	X			
LIANG	X			

PUBLIC HEARING HELD

RESOLUTION NO. 12135 ADOPTED

ORDINANCE - FIRST READING

[5.] NEW BUSINESS - None

[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

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

ADJOURNED - 10:35 P.M.

ATTACHMENT 7

City Council Staff Report dated December 18, 2019



City Council Staff Report

DATE: December 18, 2019

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: Honorable Mayor and Members of the City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider an amendment to the Garfield Village Specific Plan (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04) for the reconstruction of an existing service station (ARCO) and construction of new 24-hour drive-through coffee shop at 2425 and 2439 South Garfield Avenue.

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) Taking the following action:
 - a. Waiving first reading and introducing an Ordinance approving a Specific Plan Amendment (SPA-19-01) and Zone Change (ZC-19-01);
 - b. Adopting a Resolution approving a Conditional Use Permit (CU-19-04), subject to SPA-19-01 and ZC-19-01, along with conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) in that the Project consists of demolishing and reconstructing an existing service station. The property is designated Commercial in the General Plan Land Use Element. The proposed development will take place within city limits on a site of no more than five acres substantially surrounded by urban uses. The Project site has no value as habitat for endangered, rare or threatened species in that the property is already developed with an existing service station which will be demolished and reconstructed as part of the proposed Project; furthermore, the construction of the proposed drive-thru coffee shop will take place entirely upon the existing, developed lot. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality in that the Project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

EXECUTIVE SUMMARY:

The Applicant is requesting an amendment to the Garfield Village Specific Plan ("GVSP"), a Zone Change (from Garfield Village Neighborhood Shopping District (GVN-S) to Garfield Village Commercial Services District (GVC-S)) and a Conditional Use Permit to allow the demolishing and reconstruction of an existing service station and construction of a new 24-hour drive-through coffee shop. Pursuant to the GVSP, service stations are conditionally permitted within the GVC-S zone, only. On October 22, 2019, the Planning Commission adopted Resolution No. 20-19. The staff report and draft minutes from the October 22, 2019 Planning Commission meeting are attached for reference.

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

Legislative: The recommended action includes an amendment to the zoning regulations in the MPMC via an Ordinance. In considering such actions, the City Council acts in its discretionary legislative capacity (formulating rules that apply to all future cases). For the proposed zone change, the City Council must make these findings (MPMC § 21.38.050):

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

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

Quasi-judicial: The recommended action also includes adopting a Resolution approving an amendment to the GVSP, a Zone Change and conditional use permit ("CUP"). In considering such actions, the City Council acts in a quasi-judicial role. When doing so, the City Council acts like a court: it applies facts gathered during a public hearing to existing law. Just like a court, the City Council can only consider facts that are relevant to the case. A party appearing before the legislative body is entitled to

- Notice of the proposed action;
- Reasons for the action;
- A copy of the evidence on which the action is based; and
- The right to respond before a reasonably impartial, noninvolved reviewer.

The City Council must base its decisions upon substantial evidence within the record. "Substantial evidence" generally means enough relevant information and reasonable

inferences from information gathered during a public hearing that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts does not constitute substantial evidence. Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. If the City Council asks irrelevant questions and bases its decision-making on such questions, a court may overturn the City Council's decision and potentially hold the City liable for violating the applicant's constitutionally protected due process rights.

Per MPMC § 21.38.020(A), amendments to the zoning regulations may be initiated by any owner of real property located within the City.¹ At the public hearing for consideration of a zone change, the City Council must review the application and proposal and receive evidence as to how or why the proposed zone text amendment is consistent with the objectives of the MPMC, the General Plan, and the City's development policies (see MPMC § 21.38.030(B)). "A proposed amendment to the Garfield Village Neighborhood Shopping District (GVN-S) zone that is inconsistent with the General Plan cannot be recommended or adopted until the General Plan is amended to eliminate such inconsistency" (MPMC § 21.38.030(E)). However, a proposal to amend the General Plan, and any development proposal relying on such an amendment, may be considered concurrently. Following the public hearing, the City Council makes a decision regarding the proposed zone change, via resolution, and in consideration of the following findings:

- That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;
- That the proposed amendment will not adversely affect surrounding properties; and
- That the proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the zoning (MPMC § 21.38.050).

To approve the CUP (per MPMC §§ 21.32.020 and 21.10.040(I)), the City Council must find that:

- The site is adequate in size, shape and topography for the proposed use including without limitation, any required yards, walls, fences, parking and loading facilities, landscaping, setbacks, and other development standards prescribed in the MPMC;
- The site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;

¹ Note that voter approval does not apply to zone changes which do not exceed one acre of land; because the Project site is 0.51 acres (22,148 square feet), approval is not required for the proposed zone change (see MPMC § 21.42.020).

- The proposed use is consistent with the General Plan and any applicable specific plan;
- The proposed use will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other permitted uses in the City;
- The proposed use will not have an adverse effect on the public health, safety and general welfare;
- The use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to the MPMC;
- The proposed drive-through is an accessory to an established commercial business;
- The drive-through is not located in an area designated as MU-I in the General Plan Land Use Map;
- The pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
- The drive-through aisles have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
- The drive-through aisles provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
- All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment are screened from view;
- Landscaping will screen the drive-through or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
- The drive-through aisles will be constructed with concrete;
- The parking areas and the drive-through aisle and structure will be set back from the ultimate curb face a minimum of 25 feet;
- Menu boards will be a maximum of 30 square feet, with a maximum height of seven feet, and face away from the street; and

- The drive-through aisles do not exit directly onto a public right-of-way.²

These findings are included in the draft Resolution; the facts upon which these findings rely are also included with the draft documents based upon substantial evidence gathered during the public hearing in October.

BACKGROUND AND ANALYSIS:

2425 and 2439 South Garfield Avenue are adjacent lots located in the South Garfield Village ("Project Site"). The applicant, Garfield Oil, LLC ("Applicant"), seeks an amendment to the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for the Project Site from GVN-S to GVC-S (Zone Change (ZC-19-01)). To allow for the demolition and reconstruction of a service station and a 24-hour drive-through coffee shop in the GVC-S zone, the Applicant also requests approval of a Conditional Use Permit (CU-19-04) (collectively, these requests are referred to as the "Project"). 2439 Garfield and 2425 Garfield were both purchased by the same property owner and together these addresses take up two lots on the same block. The Applicant is proposing to combine and develop both lots in a single phase as part of the Project. An in-depth analysis of the Project is set forth in the Planning Commission staff report dated October 22, 2019 (which is attached for reference).

At its October 22, 2019 meeting, the Planning Commission raised the following concerns:

- Traffic circulation within the alleyway and on-site;
- Security and lighting issues related to the operation of a 24-hour drive-through coffee shop; and
- Whether the proposed Project conforms with the intent of the GVSP.

While the alleyway is one alternative to access the property, the primary accessways will be two existing driveways on Garfield Avenue and one existing driveway on Pomona Boulevard. Further, the proposed drive-through aisle will exit directly onto a public right-of-way (*i.e.*, the alleyway to the rear of the Project Site). According to the GVSP, vacation of alleyways may be provided as a lot-consolidation incentive bonus. However, the City's Engineering Division determined that, for this Project, vacation of the alleyway would not be feasible because it would require the alley to be divided between the Project Site and a few other properties located to the west. To incentivize the consolidation and development of the Project Site, and in consideration of the fact that the alleyway by nature tends to carry less volume than streets and roadways, the drive-through aisle may exit directly onto a public right-of-way for this Project.

With regard to security, the Police Department was informed of the proposed 24-hour operation of the drive-through coffee shop and recommended conditions of approval,

² See further discussion regarding this finding, below

including installation of security cameras and an alarm system, among other things. New lighting must also be provided on the property to deter any unwanted activity.

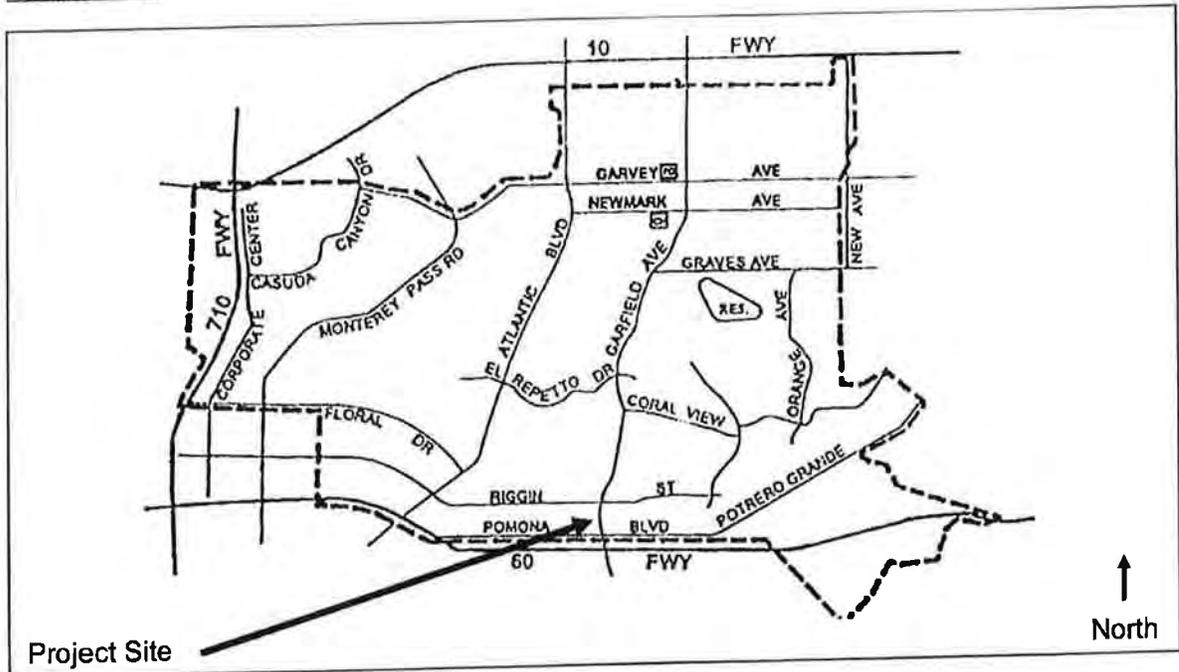
Finally, with regard to the South Garfield Village Specific Plan, four character-areas were identified as part of the Specific Plan – one area being the Primary Village Gateway, which is the general area around the corner of Pomona Boulevard and Garfield Avenue. According to GVSP § 2.4.2, this is a major gateway area for automobile traffic into Garfield Village, as well as for transit users and pedestrians (especially with the potential location of a future Gold Line station in proximity to this area). Additionally, parklets, outdoor dining and public gathering areas also help to emphasize the high-energy entryway into Garfield Village. The objectives of the GVSP also include improving mobility in the area and encouraging revitalization of the neighborhood commercial business area and connectivity to the surrounding neighborhoods (GVSP § 1.2.2). The proposed Project would: increase the use of a currently underutilized property and complement the surrounding neighborhood by taking advantage of nearby retail draws (GVSP § 2.3.1); upgrading the appearance of the Garfield/Pomona intersection and existing facades (GVSP § 2.3.2); and provide outdoor gathering/dining areas (GVSP § 2.3.3).

OTHER ITEMS:

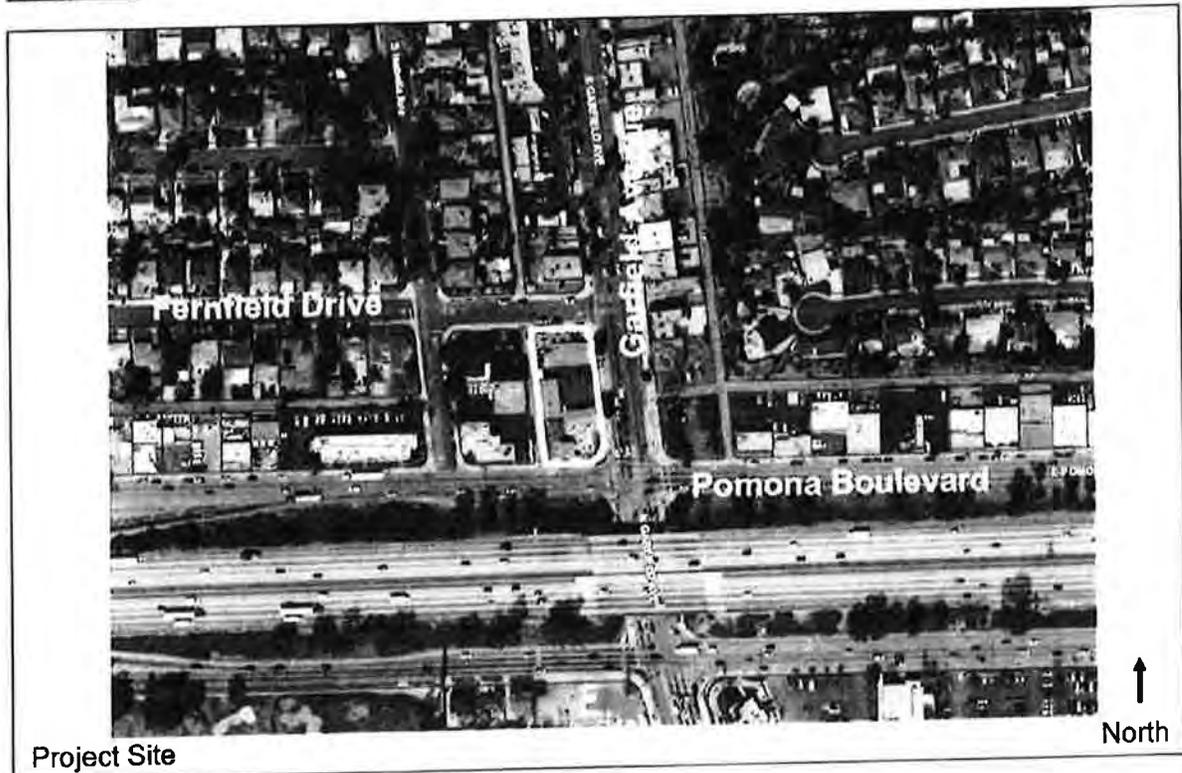
Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **November 27, 2019** and published in the Wave on **December 2, 2019**, with affidavits of posting on file. The legal notice of this hearing was mailed to **33** property owners within a 300 foot radius and current tenants of the property concerned on **November 27, 2019**.

Vicinity Map



Aerial Map



ALTERNATIVE COMMISSION CONSIDERATIONS:

None.

FISCAL IMPACT:

There will be an increase in property tax revenue, and an incidental increase in sales tax revenue by the introduction of additional housing along Potrero Grande Drive.

Respectfully Submitted by:

Prepared By:



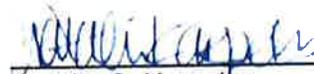
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Mark A. McAvoy
Director of Public Works/City
Engineer/City Planner



Samantha Tewasart
Senior Planner



Ron Bow
City Manager



Natalie C. Karpeles
Deputy City Attorney

Attachments:

- Attachment 1: Draft Ordinance
- Attachment 2: Draft Resolution
- Attachment 3: Architectural Plans
- Attachment 4: Planning Commission Staff Report dated October 22, 2019
- Attachment 5: Planning Commission Minutes dated October 22, 2019

ATTACHMENT 1

Draft Ordinance

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP (ZC-19-01) AND GARFIELD VILLAGE SPECIFIC PLAN (SPA-19-01) TO CHANGE THE ZONE AT 2425 AND 2439 SOUTH GARFIELD AVENUE FROM GVN-S TO GVC-S TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW 24-HOUR COFFEE SHOP WITH A DRIVE-THROUGH.

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

SECTION 1: The City Council finds and declares that:

- A. On February 26, 2019, Garfield Oil, LLC ("Applicant") submitted an application to amend the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for 2425 and 2439 South Garfield Avenue from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)(Zone Change (ZC-19-01)) and requesting approval of a Conditional Use Permit (CU-19-04) to allow reconstruction of an existing service station and construction of a new 24-hour drive-through coffee shop (collectively, the "Project");
- B. The proposed Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for October 22, 2019. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On October 22, 2019, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff, members of the public, and the applicant's representatives. The Planning Commission adopted Resolution No. 20-19 which recommended that the City Council adopt the Zone Change (ZC-19-01) and Specific Plan Amendment (SPA-19-01);
- F. The City Council reviewed the proposed Project and related environmental aspects of the proposal as required by the MPMC at its December 18, 2019 meeting; and

- G. The City Council has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing of December 18, 2019.

SECTION 2: *Factual Findings and Conclusions.* The City Council finds as follows:

- A. The Project is consistent with the goals, policies, and objectives of the General Plan. The proposed Specific Plan Amendment and Zone Change will allow for the revitalization of the existing property by providing the Applicant the opportunity to redevelop the Project Site.
- B. The Project will not adversely affect surrounding properties. The proposed Project is consistent with the type of the uses that are currently developed in that neighborhood. The Project would decrease the building square footages, which will help improve mobility on- and off-site, allow for connectivity between the Specific Plan area and the surrounding neighborhoods, and make efficient use of the Project Site. The proposed Project would also increase the use of an underutilized property (which occupies half a prominent street block and intersection) by complementing the existing businesses in the area and functioning as a retail draw.
- C. The proposed Specific Plan Amendment and Zone Change will allow the Applicant to: (1) rebuild the service station, upgrade the intersection and continue to utilize the existing alleyway as a secondary circulation network; (2) make improvements to the property and incorporate new uses which will be both automobile- and pedestrian-oriented; and (3) create more activity in the Specific Plan area and contribute to revitalizing the commercial area and neighborhood (GVSP § 2.4.4).
- D. The proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC. Without the proposed Specific Plan Amendment and Zone Change, the existing service station will be legal non-conforming use and the proposed coffee with drive-through would be prohibited. Rezoning of the site to accommodate the project will be consistent with general welfare as it will allow the Applicant to improve the existing service station property and to promote increased economic activity in the Garfield Village Specific Plan.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed with an existing service station which will be reconstructed as part of the

**ORDINANCE NO.
DECEMBER 18, 2019
PAGE 3 of 4**

proposed in-fill Project and the construction of the proposed drive-through coffee shop will take place entirely upon the existing, developed lot. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Approvals. The zoning for the Project site is changed from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S) (Zone Change (ZC-19-01)). Accordingly, the Zoning Map is amended as set forth in attached Exhibit "B," and incorporated by reference.

SECTION 5: Reliance on Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: Limitations. The City Council's analysis and evaluation of the Project are based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the Project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 8: Repeal of any provision of the MPMC, or any other City resolution or ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this

**ORDINANCE NO.
DECEMBER 18, 2019
PAGE 4 of 4**

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 9: 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 10: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within ten (10) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 11: This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED, APPROVED, AND ADOPTED this December 18, 2019.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: 

Natalie C. Karpeles, Deputy City Attorney

ATTACHMENT 2

Draft Resolution

RESOLUTION NO.

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW 24-HOUR COFFEE SHOP WITH A DRIVE-THROUGH AT 2425 AND 2439 SOUTH GARFIELD AVENUE.

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

SECTION 1: The City Council finds and declares that:

- A. On February 26, 2019, Garfield Oil, LLC ("Applicant") submitted an application to amend the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for 2425 and 2439 South Garfield Avenue from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)(Zone Change (ZC-19-01)) and requesting approval of a Conditional Use Permit (CU-19-04) to allow the demolition and reconstruction of an existing service station and construction of a new 24-hour drive-through coffee shop (collectively, the "Project");
- B. The Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for October 22, 2019. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On October 22, 2019, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and the applicant's representatives. The Planning Commission adopted Resolution No. 20-19 which recommended that the City Council approve Conditional Use Permit (CU-19-04);
- F. The City Council reviewed the proposed Project and related environmental aspects of the Project as required by the MPMC at the December 18, 2019 meeting; and
- G. The City Council has carefully considered all pertinent testimony and the staff report offered in the case presented at the public hearing of December 18, 2019.

SECTION 2: *Factual findings and Conclusions.* The City Council finds that the following facts exist and makes the following conclusions:

**PLANNING COMMISSION
DECEMBER 18, 2019
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- A. 2425 and 2439 South Garfield Avenue are adjacent lots currently located in the South Garfield Village ("Project Site"); and are designated zone GVN-S in the South Garfield Village Specific Plan ("GVSC") and Commercial in the General Plan. No changes are proposed to the Commercial designation of the properties. 2439 Garfield and 2425 Garfield were both purchased by the same property owner and together these addresses take up two lots on the same block. The Applicant proposes to combine and develop both lots in a single phase as part of the Project. The Project would demolish and reconfigure an existing service station and service-station canopy (currently, ARCO) at 2439 Garfield and demolish an existing one-story office building to construct a new detached coffee shop with a drive-through at 2425 Garfield. According to the GVSP, a service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).
- B. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at 2439 Garfield Avenue (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station). On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business to operate in conjunction with ARCO; and the ARCO station has remained continuously in operation.
- C. The Project Site is located at the northwest corner of South Garfield Avenue and Pomona Boulevard. It is comprised of two consolidated parcels totaling 22,148 square feet (0.51 acres) in size, rectangularly shaped and relatively flat. All the existing structures located at-grade would be demolished (except for the existing underground fuel storage tanks, landscape planter areas and freestanding pylon sign). The proposed total building area of the coffee shop and cashier kiosk would be 997 gross square feet; this is four percent of the lot area. All buildings and structures on the property would be one-story. The proposed coffee shop will have a walk-up window, no indoor seating, a drive-through aisle, and an outdoor seating area. The outdoor seating area would feature a covered patio, partially enclosed with trellis green screens. The proposed coffee shop would be designed to screen all service areas, restrooms and mechanical equipment; landscaping will be provided to screen the drive-through driveway aisle. The drive-through aisle and building will be setback 25 feet from the curb face. The menu board will be no more than 30 square feet and seven feet high and will face away from the street. The building design/architectural style, landscaping and new signage would be subject to the review and approval of the Design Review Board to maintain consistency with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale.

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- D. The MPMC requires that the Project provide at least six parking spaces; the Project proposes seven spaces. The Project will maintain three existing driveway cuts and the existing alleyway along the western property line. The drive-through will be accessible from a two-way driveway on South Garfield Avenue, a two-way driveway on Pomona Boulevard and an alleyway west of the lot. The drive-through aisle will be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; and will be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements or repairs are anticipated. The drive-through aisle will be made of concrete and will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars.
- E. To the north of the Project Site are West Fernfield Drive (a local street that is 36-foot curb-to-curb within a 50-foot wide right-of-way) and one-story commercial buildings; directly to the south is the Pomona Freeway (SR-60) and Pomona Boulevard (a principal arterial street); to the east are South Garfield Avenue (a principal arterial street that ranges in width from 84- to 100-foot curb-to-curb within a 100- to 120-foot wide right-of-way) and a one-story auto service building; and to the west is a two-story office building occupied by a California Driving School. Those properties located to the north and east of the subject property are zoned GVN-S and those to the west are zoned GVC-S.
- F. The proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- G. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed with an existing service station which will be reconstructed as part of the proposed in-fill Project and the construction of the proposed drive-through coffee shop will take place entirely upon the existing, developed lot. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is

consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Conditional Use Permit Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.040(I), 21.10.250 and 21.32.020(B), the City Council finds as follows:

- A. The proposed use complies with all MPMC requirements for a conditional use permit. Accordingly, the City Council finds pursuant to MPMC § 21.32.020:
1. The project site is adequate in size, shape and topography for the proposed Project. The site is two parcels totaling 22,148 square feet (0.51 acres), rectangularly shaped, and relatively flat. The total building area of the coffee shop and cashier kiosk will be 997 gross square feet. The proposed total building area will be substantially less than the maximum floor area allowed.
 2. The site has sufficient access to streets and highways and is adequate in width and pavement type. The Project would include three existing driveway cuts and the existing alleyway along the western property line.
 3. The proposed use is consistent with the General Plan and the South Garfield Specific Plan. No changes are proposed to the Commercial designation of the property and the Commercial land use category of the City's General Plan allows for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand. The objectives of the GVSP include improving mobility in the area and encouraging revitalization of the neighborhood commercial business area and connectivity to the surrounding neighborhoods (GVSP § 1.2.2). The proposed Project involves reconstructing the existing service station and creating a coffee shop with a drive-through and adjacent outdoor seating area; these improvements would: increase the use of a currently underutilized property and complement the surrounding neighborhood by taking advantage of nearby retail draws (GVSP § 2.3.1); upgrading the appearance of the Garfield/Pomona intersection (GVSP § 2.3.2); and providing outdoor gathering/dining areas along with the appearance of the existing facades (GVSP § 2.3.3).
 4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood. The Project's contribution to cumulative impacts to local and regional transportation facilities will not be considerable. The proposed Project would decrease the building square

footages (making efficient use of space at the Project Site) and increase the use of an underutilized property; which will help improve mobility on- and off-site, provide connectivity between the Specific Plan area and the surrounding neighborhoods, complement the existing businesses in the area, and function as a retail draw for the other existing businesses in the area.

5. The proposed Project will not have an adverse effect on the public health, safety and general welfare. The proposed Project will promote general welfare of the community by improving the aesthetics of an aging property and increasing the economic vitality of the surrounding neighborhood. The Project would not significantly impact any scenic vistas, scenic resources, or the visual character of the area and would not result in excessive light or glare. Based on the analysis of the Project's impacts, there is no indication that this project could result in substantial adverse effects on human beings.
 6. The use is properly one authorized by conditional use permit pursuant to the MPMC. A service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).
- B. The proposed drive-through complies with all requirements set forth for a conditional use permit pursuant to MPMC § 21.10.040(I):
1. The drive-through is an accessory to an established restaurant or commercial business, namely a coffee shop;
 2. The proposed location of the drive-through is designated commercial in the City's General Plan and is not located in any area designated as MU-I in the General Plan Land Use Map;
 3. The pedestrian walkways will have clear visibility and will be emphasized by striping;
 4. The drive-through aisle will be 12-foot width on curves and a minimum 11-foot width on straight sections;
 5. The drive-through aisle will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 6. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment will be screened from view;

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7. The proposed landscaping will screen drive-through or drive-in aisles from the public right-of-way and will be used to minimize the visual impact of reader board signs and directional signs;
 8. The drive-through aisles will be constructed with concrete;
 9. The parking areas and the drive-through aisle and structure will be set back from the ultimate curb face a minimum of 25 feet;
 10. The menu board will be no more than 30 square feet and seven feet high, and will face away from the street;
 11. The architectural style of the drive-through will be consistent with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale, among other things; and
 12. The drive-through aisle will exit into an alleyway, pursuant to a Lot-Consolidation-Incentive bonus (GVSP § 3.8.3).
- C. The proposed service station complies with all requirements for a conditional use permit pursuant to MPMC § 21.10.250(A):
1. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at the Project Site (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station);
 2. On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business in conjunction with the service station approved at the Project Site; and
 3. The preexisting service station has remained continuously in operation.

SECTION 5: Recommendations. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the City Council approves Conditional Use Permit (CU-19-04).

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

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SECTION 7: *Limitations.* The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 11: This Resolution will become effective immediately upon adoption.

ADOPTED AND APPROVED this ____ day of December 2019.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By:



Natalie C. Karpeles, Deputy City Attorney

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Exhibit A

CONDITIONS OF APPROVAL

2425-2439 SOUTH GARFIELD AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Garfield Oil LLC agrees that it will comply with the following conditions for the City of Monterey Park's approval of Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01), and Conditional Use Permit (CU-19-04) ("Project Conditions").

PLANNING:

1. Garfield Oil LLC ("Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of SPA-19-01, ZC-19-01, and CU-19-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of SPA-19-01, ZC-19-01, and CU-19-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the City Council and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Divisions. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

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6. The real property subject to SPA-19-01, ZC-19-01, and CU-19-04 must remain well-maintained and free of graffiti.
7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.
9. With the exception of the MPMC prohibition against drive-through aisles exiting directly onto a public right of way (see MPMC § 21.10.040(I)(12)), the drive-through component of the Project must otherwise comply with MPMC § 21.10.040(I) and must be reviewed and approved by the Design Review Board, where applicable. Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
 - b. The drive-through aisles must have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
 - c. The drive-through aisles must provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 - d. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment must be screened from view;
 - e. Landscaping will screen the drive-thru or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
 - f. The drive-through aisles must be constructed with (PCC) concrete;
 - g. The parking areas and the drive-through aisle and structure must be set back from the ultimate curb face a minimum of 25 feet; and
 - h. Menu boards can be no more than 30 square feet, with a maximum height of seven feet, and must face away from the street.

ENGINEERING:

10. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a permittee, this project involves the disturbance of soils by grading, clearing and/or excavation. Developer/owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the issuance of the grading permit on evidence of compliance with this permit and its requirements. This project will require the preparation of a Low Impact Development (LID) and a Storm Water Pollution Prevention Plan (SWPPP). Upon approval of the NPDES document by the

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City, Developer/Owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading Permit (the electronic copy requirement pertains to projects greater than an acre).

11. The Applicant must pay all City development fees including, without limitation, wastewater deficiency fees, water meter fees and metered water service impact fees as required by MPMC.
12. All improvement plans, including grading and public improvement plans must be based upon City approved data. Benchmark references to be obtained from the Engineering Division.
13. A grading and drainage plan must be prepared for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer.
14. A hydrology and hydraulic study of the site must be submitted to and approved by the City Engineer.
15. All storm drainage facilities serving the development must accommodate a 50-year storm. If existing storm drain facilities are inadequate, they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the City Engineer before the approval of the grading and drainage plans.
16. Landscaping and irrigation plans must be prepared and/or incorporated into the public improvement plans; any proposed parkway tree types must be reviewed and approved by the City. The Applicant must provide landscaping and irrigation system for parkways.
17. All public works improvements must comply with the standards and specifications of the City to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the Public Works Director, or designee.
18. All on-site electric, telephone and cable TV utility services must be installed fully underground and to required City standards. All other utilities and service connections, including water, sewer and gas, must satisfy City and public utility standards. A utility plan must be prepared and submitted before the City approves grading and drainage plans, showing all existing and proposed utilities. The utilities may be shown on a separate plan.
19. Before the City issues a building permit, the Applicant must provide water system calculations that include domestic and fire system demand sizing. The cost of any water meter upgrades and any fire line installation required by the City must be submitted before the City issues a building permit.

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20. The public works improvement plans, which include the location of the domestic water meter, water service laterals, fire service lines, all new sewer and water connections, and all existing utilities in the right of way, must be approved (or substantially complete) by the City Engineer before the City issues a grading permit.
21. The Applicant must replace the existing streetlight fronting Pomona Boulevard with Marbelite concrete streetlight.
22. The Applicant must install one new streetlight on Fernfield Drive at the alley as shown on the plans.
23. The Applicant must provide adequate lighting along the alley, whether from private or public lighting sources.
24. The Applicant must reconstruct or rehabilitate Fernfield Drive full street width from Garfield Avenue west to the alley behind the property.
25. The Applicant must reconstruct the adjacent alleyway (full depth pavement structural section) from Fernfield Drive to Pomona Boulevard to include a new concrete gutter or provide a recommended pavement section for repair as determined by an investigation approved by the City Engineer.
26. The Applicant must reconstruct alleyway approaches to include ADA compliant ramps.
27. The Applicant must remove old concrete bus pad along Pomona Boulevard and replace with asphalt pavement section and reconstruct the existing damaged sewer manhole fronting the alley on Pomona Boulevard and replace the sewer lid and ring, and reset to grade.
28. The Applicant must repair or reconstruct curb, gutter, sidewalk and driveway approaches along the entire frontage of Fernfield Drive, Garfield Avenue, and Pomona Boulevard as determined by a field investigation and the City Engineer.
29. All improvement plans, including grading and public improvement plans must incorporate all applicable site development information and include any and all necessary reports, attachments, and required materials to be considered a complete submittal or they will be rejected. Provide details and elevations for the new trash enclosures.

FIRE:

30. All conditional identified by the Monterey Park Fire Department are subject to the review and approval of the Fire Chief, or designee, for determination of applicability and extent to which any condition may be required.

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31. A permit must be obtained from the Fire Department before engaging in activities, operations, practices or functions as required by California Fire Code (CFC) §§ 106.6 and 105.7, as adopted by MPMC Chapter 17.
32. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 17.
33. All fire safeguards required by CFC Chapter 33, as adopted by MPMC Chapter 17, must be adhered to and maintained during the course of construction.
34. Provide an approved automatic fire sprinkler system and fire alarm as set forth by CFC §§ 903 and 907, as adopted by MPMC Chapter 17, for new structures. The Fire Sprinkler System or Fire Alarm requirements and/or modifications require a separate plan check submittal and approval. Work shall not commence until a permit is obtained.
35. Fuel dispensing station must comply with provisions of CFC Chapter 23, as adopted by MPMC Chapter 17.
36. Provide approved signs or other approved notices or markings that include the works NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the Fire Chief per CFC § 503.3, as adopted by MPMC Chapter 17.
37. Fire Department vehicular access must be installed and maintained in a serviceable manner before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 5.
38. The minimum fire flow required must be determined as specified by the current adopted edition of the CFC Appendix B with adopted amendments.
39. The required fire flow for the new structure is 1,000 gallons per minutes (gpm) as 20 pounds per square inch (psi) of 2 hours duration.
40. Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gallons per minute at 20 psi must be installed and in service along the access road/driveway at a location approved by the Fire Chief, or designee, but no further than 250 feet from the construction site. The owner of the combustible construction is responsible for the cost of this installation.
41. Per California Fire Code Appendix C, a minimum of one fire hydrant must be provided within 250 feet of the new structure.
42. A Knox box(es) must be provided at an approved location per CFC § 505.1.
43. Portable fire extinguishers must be installed per the CFC § 906.

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44. If revised plans are required, additional fees will be due for the review of the drawings.

POLICE:

45. Exterior lighting must be in full operation at all times.

46. All major common areas of the locations, including all parking areas, must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrance/exits and must be positioned to capture the faces of people entering and existing. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the management must comply with the request within seven days. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.

47. The applicant/property owner must install an adequate alarm system at any fixed money handling areas. The alarm system will allow notification of the Police Department in the event of any such attempt. The type of alarm system installed must be connected with the alarm company, and the system must have the capability to distinguish if the need for the Police service is for a robbery or burglary. The business must obtain an alarm permit from the Police Department.

48. Access to the roof, if there is one, will be locked and secure. Access to the roof will be restricted to maintenance personnel, building management, or other authorized personnel.

49. The business is encouraged to join and participate in the Monterey Park Police Department's Business Watch Program; a free service designed to educate businesses about minimizing criminal activity. The Community Services Bureau can be contacted at (626) 307-1215.

50. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.

51. The business must comply with federal, state, and local laws governing business licensing, and noise levels.

By signing this document, Garfield Oil LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

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Garfield Oil LLC, Applicant

ATTACHMENT 3

Architectural Plans

Available for inspection in the City Clerk's office
during normal business hours of
Mondays – Thursdays 8:00 a.m. – 5:00 p.m. and
Fridays 8:00 a.m. – 4:00 p.m.

Council Members were provided a copy.

ATTACHMENT 4

Planning Commission Staff Report dated October 22, 2019



Planning Commission Staff Report

DATE: October 22, 2019

AGENDA ITEM NO: 3-B

TO: The Planning Commission
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider an amendment to the Garfield Village Specific Plan (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04) for the reconstruction of an existing service station (ARCO) and construction of new drive-through coffee shop at 2425 and 2439 South Garfield Avenue.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution recommending that the City Council approve Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04), subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) in that the project consists of the reconstruction of an existing service station. The property is designated Commercial in the General Plan Land Use Element. The proposed development will take place within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species in that the property is already developed with an existing service station which will be reconstructed as part of the proposed project; furthermore, the construction of the proposed drive-thru coffee shop will take place entirely upon the existing, developed lot. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality in that the project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

EXECUTIVE SUMMARY:

The Applicant is requesting an amendment to the Garfield Village Specific Plan ("GVSP"), a Zone Change (from Garfield Village Neighborhood Shopping District (GVN-S) to Garfield Village Commercial Services District (GVC-S)) and a Conditional Use Permit to

allow reconstruction of an existing service station and construction of a new drive-through coffee shop. Pursuant to the GVSP, service stations are conditionally permitted within the GVC-S zone, only. Based upon the application, it appears that the proposed Specific-Plan amendment, zone change and use permit are consistent with the Monterey Park Municipal Code ("MPMC") and the General Plan.

TYPE OF ACTION (QUASI-JUDICIAL)

The recommended action is to adopt a Resolution recommending an amendment to the GVSP, a Zone Change and a CUP to the City Council. In considering such actions, the Planning Commission acts in a quasi-judicial role. When doing so, the Planning Commission acts like a court: it applies facts gathered during a public hearing to existing law. Just like a court, the Planning Commission can only consider facts that are relevant to the case. A party appearing before the legislative body is entitled to

- Notice of the proposed action;
- Reasons for the action;
- A copy of the evidence on which the action is based; and
- The right to respond before a reasonably impartial, noninvolved reviewer.

The Planning Commission must base its decisions upon substantial evidence within the record. "Substantial evidence" generally means enough relevant information and reasonable inferences from information gathered during a public hearing that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts does not constitute substantial evidence. Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. If the Planning Commission asks irrelevant questions and bases its decision-making on such questions, a court may overturn the Planning Commission's decision and potentially hold the City liable for violating the applicant's constitutionally protected due process rights.

Per MPMC § 21.38.020(A), amendments to the zoning regulations in the MPMC may be initiated by any owner of real property located within the City.¹ At the public hearing for consideration of a zone change, the Planning Commission must review the application and proposal and receive evidence as to how or why the proposed zone text amendment is consistent with the objectives of the MPMC, the General Plan, and the City's development policies. (See MPMC § 21.38.030(B).) "A proposed amendment to the Garfield Village Neighborhood Shopping District (GVN-S) zone that is inconsistent with the General Plan cannot be recommended or adopted until the General Plan is amended to eliminate such inconsistency." (MPMC § 21.38.030(E).) However, a proposal to amend the General Plan, and any development proposal relying on such an amendment, may be considered concurrently. (*Ibid.*) Following the public hearing, the Planning Commission

¹ Note that, according to MPMC § 21.42.020, voter approval does not apply to zone changes which do not exceed one acre of land.

makes a recommendation to the City Council regarding the proposed zone change, via resolution, and in consideration of the following findings:

- That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;
- That the proposed amendment will not adversely affect surrounding properties; and
- That the proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the zoning (MPMC § 21.38.050).

To approve the CUP (per MPMC §§ 21.32.020 and 21.10.040(I)), the Planning Commission must find that:

- The site is adequate in size, shape and topography for the proposed use including without limitation, any required yards, walls, fences, parking and loading facilities, landscaping, setbacks, and other development standards prescribed in the MPMC;
- The site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The proposed use will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other permitted uses in the City;
- The proposed use will not have an adverse effect on the public health, safety and general welfare; and
- The use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to the MPMC;
- The proposed drive-through is an accessory to an established commercial business;
- The drive-through is not located in an area designated as MU-I in the General Plan Land Use Map;
- The pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
- The drive-through aisles have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;

- The drive-through aisles provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
- All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment are screened from view;
- Landscaping will screen the drive-through or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
- The drive-through aisles will be constructed with concrete;
- The parking areas and the drive-through aisle and structure will be set back from the ultimate curb face a minimum of 25 feet;
- Menu boards will be a maximum of 30 square feet, with a maximum height of seven feet, and face away from the street; and
- The drive-through aisles do not exit directly onto a public right-of-way.

These findings are included in the draft Resolution.

BACKGROUND AND DISCUSSION:

2425 and 2439 South Garfield Avenue are adjacent lots currently located in the South Garfield Village ("Project Site"). They are designated as GVN-S zoning in the South Garfield Village Specific Plan ("GVSC") and Commercial land use designation in the General Plan. Garfield Oil, LLC ("Applicant") requests an amendment to the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for the Project Site from GVN-S to GVC-S (Zone Change (ZC-19-01)). To allow for the reconstruction of a service station and a drive-through coffee shop in the GVC-S zone, the Applicant also requests approval of a Conditional Use Permit (CU-19-04) (collectively, these requests are referred to as the "Project"). 2439 Garfield and 2425 Garfield were both purchased by the same property owner and together these addresses take up two lots on the same block. The Applicant is proposing to combine and develop both lots in a single phase as part of the Project.

The Project Site is located at the northwest corner of South Garfield Avenue and Pomona Boulevard. It is comprised of two consolidated parcels totaling 22,148 square feet (0.51 acres) in size. The Project Site is currently developed with four detached structures including a one-story, 1,629-square-foot, two-tenant commercial building (occupied by an auto repair/smog-check service business² (ARCO) and a food mart), two fueling canopies and a one-story 2,400-square-foot commercial building (currently occupied by a music studio). To the north of the Project Site are West Fernfield Drive and one-story commercial buildings; directly to the south is the Pomona Freeway (SR-60) and Pomona Boulevard;

² On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station (ARCO) at 2439 Garfield Avenue; and on September 24, 1998, it adopted Resolution No. 23-98 approving a CUP to allow a smog-testing business to operate in conjunction with ARCO (CU-98-13). The ARCO station has remained in continuous operation.

to the east are South Garfield Avenue and a one-story auto service building; and to the west is a two-story office building occupied by a California Driving School. Those properties located to the north and east of the subject property are zoned GVN-S and those to the west are zoned GVC-S.

The proposed Project proposes demolishing and reconfiguring an existing service station and service-station canopy at 2439 Garfield Avenue. It also proposes demolishing an existing one-story office building and constructing a new detached coffee shop with a drive-through at 2425 Garfield Ave. The existing underground fuel storage tanks, landscape planter areas and freestanding pylon sign will remain. In total, the proposed improvements will be 3,654 square feet in area – less than the existing square footage. Specifically, the service station canopy will be 87 feet long, 42 feet wide, and 18 feet tall; the cashier kiosk for the service station will be 117 square feet in size and 11 feet tall; and the retail coffee shop will be 880 square feet in size and 21 feet tall.

All buildings and structures on the property will be one-story. The building exteriors will be a combination of ¾-inch thick reclaimed wood siding and corrugated metal with a flat roof. The proposed coffee shop will have a walk-up window, no indoor seating, a drive-through aisle, and an outdoor seating area. The outdoor seating area will feature a covered patio, partially enclosed with trellis green screens. The draft CUP requires that the proposed coffee shop be designed to screen all service areas, restrooms and mechanical equipment; and provide landscaping to screen the drive-through driveway aisle. Additionally, the drive-through aisle and building must be setback 25 feet from the curb face, and the menu board can be no more than 30 square feet and seven feet high and must face away from the street – pursuant to the CUP. The building design/architectural style, landscaping and new signage will be subject to the review and approval of the Design Review Board to maintain consistency with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale, among other things.

The MPMC requires that the proposed Project provide at least six parking spaces; the Project provides seven spaces. The proposed Project will maintain three existing driveway cuts and the existing alleyway along the western property line. The drive-through will be accessible from a two-way driveway on South Garfield Avenue, a two-way driveway on Pomona Boulevard and an alleyway west of the lot. Pursuant to the GVSP, the City's Engineering Division considered lot-consolidation-incentive bonuses through the development process and determined that, for this Project, vacation of the alleyway would not be feasible because it would require the alley to be divided between the Project Site and a few other properties located to the west. The drive-through aisle must be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; it will be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements or repairs are anticipated. The draft CUP also requires that the drive-through aisle be made of concrete, and provide sufficient stacking area behind the menu board to accommodate a minimum of six cars.

In June of 2019, a Focused Traffic Impact Analysis was prepared. That analysis concluded that the Project would result in no significant traffic impacts at the study

intersections. Nevertheless, on-site and site-adjacent improvements (including Project driveways, roadway design, traffic signing and striping) and traffic control improvements relating to the proposed Project must be constructed in accordance with applicable engineering standards to the satisfaction of the City's Public Works Department.

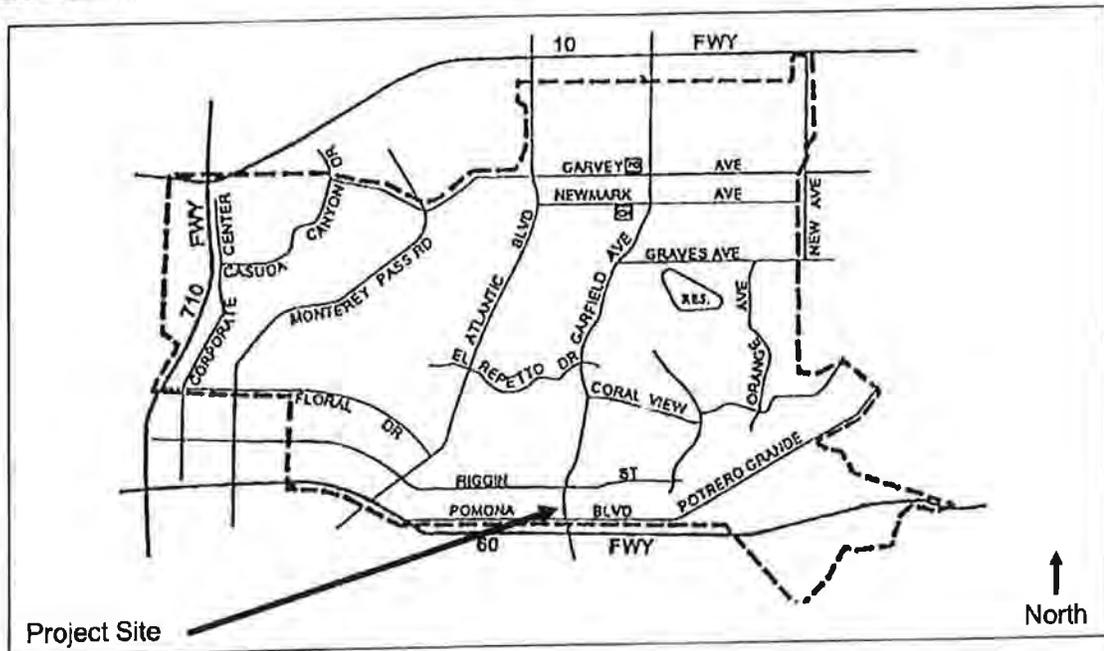
The Commercial land use category of the City's General Plan allows for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand.

OTHER ITEMS:

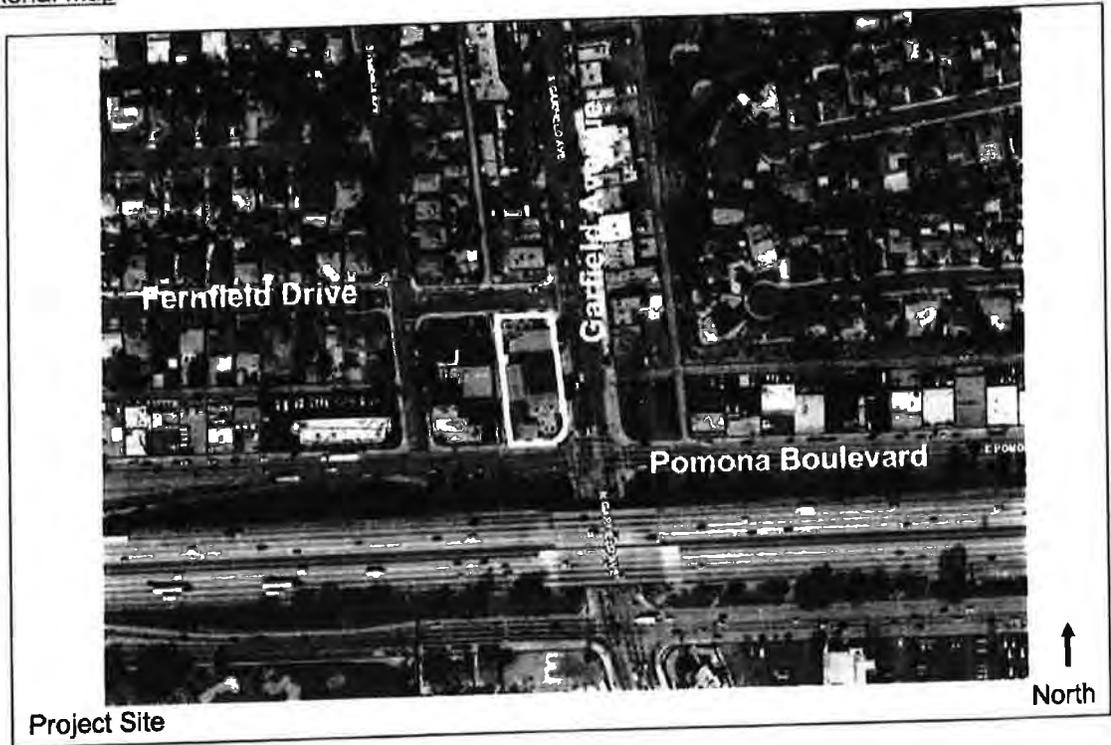
Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **October 10, 2019** and published in the Wave on **October 10, 2019**, with affidavits of posting on file. The legal notice of this hearing was mailed to **56** property owners within a 300 foot radius and current tenants of the property concerned on **October 10, 2019**.

Vicinity Map



Aerial Map



ALTERNATIVE COMMISSION CONSIDERATIONS:

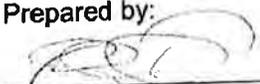
None

FISCAL IMPACT:

There may be an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

Respectfully submitted,


Mark A. McAyoy
Director of Public Works/
City Engineer/City Planner

Prepared by:

Samantha Tewart
Senior Planner

Reviewed by:

Natalie C. Karpeles
Deputy City Attorney

Staff Report
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Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Site, floor, elevation plans

ATTACHMENT 1

Draft Resolution

RESOLUTION NO. 20-19

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE SPECIFIC PLAN AMENDMENT (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW COFFEE SHOP WITH A DRIVE-THROUGH AT 2425 AND 2439 SOUTH GARFIELD AVENUE.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On February 26, 2019, Garfield Oil, LLC ("Applicant") submitted an application to amend the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for 2425 and 2439 South Garfield Avenue from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)(Zone Change (ZC-19-01)) and requesting approval of a Conditional Use Permit (CU-19-04) to allow reconstruction of an existing service station and construction of a new drive-through coffee shop (collectively, the "Project");
- B. The Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for October 22, 2019. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On October 22, 2019, the Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its October 22, 2019 public hearing including, without limitation, the staff report submitted by the City Planner.

SECTION 2: *Factual findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. 2425 and 2439 South Garfield Avenue are adjacent lots currently located in the South Garfield Village ("Project Site"); and are designated zone GVN-S in the South Garfield Village Specific Plan ("GVSC") and Commercial in the General Plan. No changes are proposed to the Commercial designation of the properties. 2439 Garfield and 2425 Garfield were both purchased by the same property owner and

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together these addresses take up two lots on the same block. The Applicant proposes to combine and develop both lots in a single phase as part of the Project. The Project would demolish and reconfigure an existing service station and service-station canopy (currently, ARCO) at 2439 Garfield and demolish an existing one-story office building to construct a new detached coffee shop with a drive-through at 2425 Garfield. According to the GVSP, a service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).

- B. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at 2439 Garfield Avenue (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station). On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business to operate in conjunction with ARCO; and the ARCO station has remained continuously in operation.
- C. The Project Site is located at the northwest corner of South Garfield Avenue and Pomona Boulevard. It is comprised of two consolidated parcels totaling 22,148 square feet (0.51 acres) in size, rectangularly shaped and relatively flat. All the existing structures located at-grade would be demolished (except for the existing underground fuel storage tanks, landscape planter areas and freestanding pylon sign). The proposed total building area of the coffee shop and cashier kiosk would be 997 gross square feet; this is four percent of the lot area. All buildings and structures on the property would be one-story. The proposed coffee shop will have a walk-up window, no indoor seating, a drive-through aisle, and an outdoor seating area. The outdoor seating area would feature a covered patio, partially enclosed with trellis green screens. The proposed coffee shop would be designed to screen all service areas, restrooms and mechanical equipment; landscaping will be provided to screen the drive-through driveway aisle. The drive-through aisle and building will be setback 25 feet from the curb face. The menu board will be no more than 30 square feet and seven feet high and will face away from the street. The building design/architectural style, landscaping and new signage would be subject to the review and approval of the Design Review Board to maintain consistency with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale.
- D. The MPMC requires that the Project provide at least six parking spaces; the Project proposes seven spaces. The Project will maintain three existing driveway cuts and the existing alleyway along the western property line. The drive-through will be accessible from a two-way driveway on South Garfield Avenue, a two-way driveway on Pomona Boulevard and an alleyway west of the lot. The drive-through aisle will be a minimum of 12-feet wide on the curve and 11-feet wide on the straight

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sections; and will be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements or repairs are anticipated. The drive-through aisle will be made of concrete and will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars.

- E. To the north of the Project Site are West Fernfield Drive (a local street that is 36-foot curb-to-curb within a 50-foot wide right-of-way) and one-story commercial buildings; directly to the south is the Pomona Freeway (SR-60) and Pomona Boulevard (a principal arterial street); to the east are South Garfield Avenue (a principal arterial street that ranges in width from 84- to 100-foot curb-to-curb within a 100- to 120-foot wide right-of-way) and a one-story auto service building; and to the west is a two-story office building occupied by a California Driving School. Those properties located to the north and east of the subject property are zoned GVN-S and those to the west are zoned GVC-S.
- F. The proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- G. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed with an existing service station which will be reconstructed as part of the proposed in-fill Project and the construction of the proposed drive-through coffee shop will take place entirely upon the existing, developed lot. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

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SECTION 4: Conditional Use Permit Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.040(I), 21.10.250 and 21.32.020(B), the Planning Commission finds as follows:

A. The proposed use complies with all MPMC requirements for a conditional use permit. Accordingly, the Planning Commission finds pursuant to MPMC § 21.32.020:

1. The project site is adequate in size, shape and topography for the proposed Project. The site is two parcels totaling 22,148 square feet (0.51 acres), rectangularly shaped, and relatively flat. The total building area of the coffee shop and cashier kiosk will be 997 gross square feet. The proposed total building area will be substantially less than the maximum floor area allowed.
2. The site has sufficient access to streets and highways and is adequate in width and pavement type. The Project would include three existing driveway cuts and the existing alleyway along the western property line.
3. The proposed use is consistent with the General Plan and the South Garfield Specific Plan. No changes are proposed to the Commercial designation of the property and the Commercial land use category of the City's General Plan allows for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand. The objectives of the GVSP include improving mobility in the area and encouraging revitalization of the neighborhood commercial business area and connectivity to the surrounding neighborhoods (GVSP § 1.2.2). The proposed Project involves reconstructing the existing service station and creating a coffee shop with a drive-through and adjacent outdoor seating area; these improvements would: increase the use of a currently underutilized property and complement the surrounding neighborhood by taking advantage of nearby retail draws (GVSP § 2.3.1); upgrading the appearance of the Garfield/Pomona intersection (GVSP § 2.3.2); and providing outdoor gathering/dining areas along with the appearance of the existing facades (GVSP § 2.3.3).
4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood. The Project's contribution to cumulative impacts to local and regional transportation facilities will not be considerable. The proposed Project would decrease the building square footages (making efficient use of space at the Project Site) and increase the use of an underutilized property; which will help improve mobility on- and off-site, provide connectivity between the Specific Plan area and the surrounding neighborhoods, complement the existing businesses in the area, and function as a retail draw for the other existing businesses in the area.

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5. The proposed Project will not have an adverse effect on the public health, safety and general welfare. The proposed Project will promote general welfare of the community by improving the aesthetics of an aging property and increasing the economic vitality of the surrounding neighborhood. The Project would not significantly impact any scenic vistas, scenic resources, or the visual character of the area and would not result in excessive light or glare. Based on the analysis of the Project's impacts, there is no indication that this project could result in substantial adverse effects on human beings.
 6. The use is properly one authorized by conditional use permit pursuant to the MPMC. A service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).
- B. The proposed drive-through complies with all requirements set forth for a conditional use permit pursuant to MPMC § 21.10.040(I):
1. The drive-through is an accessory to an established restaurant or commercial business, namely a coffee shop;
 2. The proposed location of the drive-through is designated commercial in the City's General Plan and is not located in any area designated as MU-I in the General Plan Land Use Map;
 3. The pedestrian walkways will have clear visibility and will be emphasized by striping;
 4. The drive-through aisle will be 12-foot width on curves and a minimum 11-foot width on straight sections;
 5. The drive-through aisle will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 6. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment will be screened from view;
 7. The proposed landscaping will screen drive-through or drive-in aisles from the public right-of-way and will be used to minimize the visual impact of reader board signs and directional signs;
 8. The drive-through aisles will be constructed with concrete;

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9. The parking areas and the drive-through aisle and structure will be set back from the ultimate curb face a minimum of 25 feet;
 10. The menu board will be no more than 30 square feet and seven feet high, and will face away from the street;
 11. The architectural style of the drive-through will be consistent with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale, among other things; and
 12. The drive-through aisle will exit into an alleyway, pursuant to a Lot-Consolidation-Incentive bonus (GVSP § 3.8.3).
- C. The proposed service station complies with all requirements for a conditional use permit pursuant to MPMC § 21.10.250(A):
1. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at the Project Site (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station);
 2. On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business in conjunction with the service station approved at the Project Site; and
 3. The preexisting service station has remained continuously in operation.

SECTION 5: *Zone Change and Specific Plan Amendment Findings.* Based on the Findings in Sections 2 and 4, and pursuant to MPMC § 21.38.050, the Planning Commission finds as follows:

- A. The Project is consistent with the goals, policies, and objectives of the General Plan. The proposed Specific Plan Amendment and Zone Change will allow for the revitalization of the existing property by providing the Applicant the opportunity to redevelop the Project Site.
- B. The Project will not adversely affect surrounding properties. The proposed Project is consistent with the type of the uses that are currently developed in that neighborhood. The Project would decrease the building square footages, which will help improve mobility on- and off-site, allow for connectivity between the Specific Plan area and the surrounding neighborhoods, and make efficient use of the Project Site. The proposed Project would also increase the use of an underutilized property

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(which occupies half a prominent street block and intersection) by complementing the existing businesses in the area and functioning as a retail draw.

- C. The proposed Specific Plan Amendment and Zone Change will allow the Applicant to: (1) rebuild the service station, upgrade the intersection and continue to utilize the existing alleyway as a secondary circulation network; (2) make improvements to the property and incorporate new uses which will be both automobile- and pedestrian-oriented; and (3) create more activity in the Specific Plan area and contribute to revitalizing the commercial area and neighborhood (GVSP § 2.4.4).
- D. The proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC. Without the proposed Specific Plan Amendment and Zone Change, the existing service station will be legal non-conforming use and the proposed coffee with drive-through would be prohibited. Rezoning of the site to accommodate the project will be consistent with general welfare as it will allow the Applicant to improve the existing service station property and to promote increased economic activity in the Garfield Village Specific Plan area.

SECTION 6: *Recommendations.* Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission recommends that the City Council approve Conditional Use Permit (CU-19-04); and adopt an ordinance implementing the proposed Zone Change (ZC-19-01) and Specific Plan Amendment (SPA-19-01).

SECTION 7: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of

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any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 10: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 11: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 12: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 13: Except as provided in Section 13, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 22nd day of October 2019.

Chairperson Eric Brossy de Dios

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 22nd day of October 2019, by the following vote of the Planning Commission:

AYES: Commissioners Choi, Amador, Salazar, and Robinson
NOES: Commissioner Brossy de Dios
ABSTAIN: None
ABSENT: None

Mark A. McAvoy, Secretary

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

By: _____
Natalie C. Karpeles,
Deputy City Attorney

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Exhibit A

CONDITIONS OF APPROVAL

2425-2439 SOUTH GARFIELD AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Garfield Oil LLC agrees that it will comply with the following conditions for the City of Monterey Park's approval of Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01), and Conditional Use Permit (CU-19-04) ("Project Conditions").

PLANNING:

1. Garfield Oil LLC ("Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of SPA-19-01, ZC-19-01, and CU-19-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of SPA-19-01, ZC-19-01, and CU-19-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Divisions. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

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6. The real property subject to SPA-19-01, ZC-19-01, and CU-19-04 must remain well-maintained and free of graffiti.
7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.
9. With the exception of the MPMC prohibition against drive-through aisles exiting directly onto a public right of way (see MPMC § 21.10.040(l)(12)), the drive-through component of the Project must otherwise comply with MPMC § 21.10.040(l) and must be reviewed and approved by the Design Review Board, where applicable. Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
 - b. The drive-through aisles must have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
 - c. The drive-through aisles must provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 - d. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment must be screened from view;
 - e. Landscaping will screen the drive-thru or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
 - f. The drive-through aisles must be constructed with (PCC) concrete;
 - g. The parking areas and the drive-through aisle and structure must be set back from the ultimate curb face a minimum of 25 feet; and
 - h. Menu boards can be no more than 30 square feet, with a maximum height of seven feet, and must face away from the street.

ENGINEERING:

10. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a permittee, this project involves the disturbance of soils by grading, clearing and/or excavation. Developer/owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the issuance of the grading permit on evidence of compliance with this permit and its requirements. This project will require the preparation of a Low Impact Development (LID) and a Storm Water Pollution Prevention Plan (SWPPP). Upon approval of the NPDES document by the

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City, Developer/Owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading Permit (the electronic copy requirement pertains to projects greater than an acre).

11. The Applicant must pay all City development fees including, without limitation, wastewater deficiency fees, water meter fees and metered water service impact fees as required by MPMC.
12. All improvement plans, including grading and public improvement plans must be based upon City approved data. Benchmark references to be obtained from the Engineering Division.
13. A grading and drainage plan must be prepared for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer.
14. A hydrology and hydraulic study of the site must be submitted to and approved by the City Engineer.
15. All storm drainage facilities serving the development must accommodate a 50-year storm. If existing storm drain facilities are inadequate, they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the City Engineer before the approval of the grading and drainage plans.
16. Landscaping and irrigation plans must be prepared and/or incorporated into the public improvement plans; any proposed parkway tree types must be reviewed and approved by the City. The Applicant must provide landscaping and irrigation system for parkways.
17. All public works improvements must comply with the standards and specifications of the City to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the Public Works Director, or designee.
18. All on-site electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, shall be made to City and public utility standards. A utility plan must be prepared and submitted before the City approves grading and drainage plans, showing all existing and proposed utilities. The utilities may be shown on a separate plan.
19. Before the City issues a building permit, the Applicant must provide water system calculations that include domestic and fire system demand sizing. The cost of any water meter upgrades and any fire line installation required by the City must be submitted before the City issues a building permit.

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20. The public works improvement plans, which include the location of the domestic water meter, water service laterals, fire service lines, all new sewer and water connections, and all existing utilities in the right of way, must be approved (or substantially complete) by the City Engineer before the City issues a grading permit.
21. The Applicant must replace the existing streetlight fronting Pomona Boulevard with Marbelite concrete streetlight.
22. The Applicant must install one new streetlight on Fernfield Drive at the alley as shown on the plans.
23. The Applicant must provide adequate lighting along the alley, whether from private or public lighting sources.
24. The Applicant must reconstruct or rehabilitate Fernfield Drive full street width from Garfield Avenue west to the alley behind the property.
25. The Applicant must reconstruct the adjacent alleyway (full depth pavement structural section) from Fernfield Drive to Pomona Boulevard to include a new concrete gutter or provide a recommended pavement section for repair as determined by an investigation approved by the City Engineer.
26. The Applicant must reconstruct alleyway approaches to include ADA compliant ramps.
27. The Applicant must remove old concrete bus pad along Pomona Boulevard and replace with asphalt pavement section and reconstruct the existing damaged sewer manhole fronting the alley on Pomona Boulevard and replace the sewer lid and ring, and reset to grade.
28. The Applicant must repair or reconstruct curb, gutter, sidewalk and driveway approaches along the entire frontage of Fernfield Drive, Garfield Avenue, and Pomona Boulevard as determined by a field investigation and the City Engineer.
29. All improvement plans, including grading and public improvement plans must incorporate all applicable site development information and include any and all necessary reports, attachments, and required materials to be considered a complete submittal or they will be rejected. Provide details and elevations for the new trash enclosures.

FIRE:

30. All conditional identified by the Monterey Park Fire Department are subject to the review and approval of the Fire Chief, or designee, for determination of applicability and extent to which any condition may be required.

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31. A permit must be obtained from the Fire Department before engaging in activities, operations, practices or functions as required by California Fire Code (CFC) §§ 106.6 and 105.7, as adopted by MPMC Chapter 17.
32. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 17.
33. All fire safeguards required by CFC Chapter 33, as adopted by MPMC Chapter 17, must be adhered to and maintained during the course of construction.
34. Provide an approved automatic fire sprinkler system and fire alarm as set forth by CFC §§ 903 and 907, as adopted by MPMC Chapter 17, for new structures. The Fire Sprinkler System or Fire Alarm requirements and/or modifications require a separate plan check submittal and approval. Work shall not commence until a permit is obtained.
35. Fuel dispensing station must comply with provisions of CFC Chapter 23, as adopted by MPMC Chapter 17.
36. Provide approved signs or other approved notices or markings that include the works NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the Fire Chief per CFC § 503.3, as adopted by MPMC Chapter 17.
37. Fire Department vehicular access must be installed and maintained in a serviceable manner before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 5.
38. The minimum fire flow required must be determined as specified by the current adopted edition of the CFC Appendix B with adopted amendments.
39. The required fire flow for the new structure is 1,000 gallons per minutes (gpm) as 20 pounds per square inch (psi) of 2 hours duration.
40. Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gallons per minute at 20 psi must be installed and in service along the access road/driveway at a location approved by the Fire Chief, or designee, but no further than 250 feet from the construction site. The owner of the combustible construction is responsible for the cost of this installation.
41. Per California Fire Code Appendix C, a minimum of one fire hydrant must be provided within 250 feet of the new structure.
42. A Knox box(es) must be provided at an approved location per CFC § 505.1.
43. Portable fire extinguishers must be installed per the CFC § 906.

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44. If revised plans are required, additional fees will be due for the review of the drawings.

POLICE:

45. Exterior lighting must be in full operation at all times.

46. All major common areas of the locations, including all parking areas, must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrance/exits and must be positioned to capture the faces of people entering and existing. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the management must comply with the request within seven days. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.

47. The applicant/property owner must install an adequate alarm system at any fixed money handling areas. The alarm system will allow notification of the Police Department in the event of any such attempt. The type of alarm system installed must be connected with the alarm company, and the system must have the capability to distinguish if the need for the Police service is for a robbery or burglary. The business must obtain an alarm permit from the Police Department.

48. Access to the roof, if there is one, will be locked and secure. Access to the roof will be restricted to maintenance personnel, building management, or other authorized personnel.

49. The business is encouraged to join and participate in the Monterey Park Police Department's Business Watch Program; a free service designed to educate businesses about minimizing criminal activity. The Community Services Bureau can be contacted at (626) 307-1215.

50. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.

51. The business must comply with federal, state, and local laws governing business licensing, and noise levels.

MISCELLANEOUS:

52. The coffee shop business hours of operation will be Monday through Sunday, 24-hours.

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By signing this document, Garfield Oil LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Garfield Oil LLC, Applicant

ATTACHMENT 2

Site, floor, elevation plans

ATTACHMENT 5

Planning Commission Minutes dated October 22, 2019

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
OCTOBER 22, 2019**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, October 22, 2019 at 7:00 p.m.

CALL TO ORDER:

Chairperson Eric Brossy de Dios called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Eric Brossy De Dios, Ricky Choi, Theresa Amador, Antonio Salazar, and Delario Robinson,

Board Members Absent: None

ALSO PRESENT: Natalie C. Karpeles, Deputy City Attorney, Mark A. McAvoy, Public Works Director/City Engineer/City Planner, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] **PRESENTATIONS:** None

[2.] **CONSENT CALENDAR:** None

[3.] **PUBLIC HEARING:**

3-A. TENTATIVE MAP NO. 80304 (TM-19-04) TO ALLOW THE SUBDIVISION OF AIR-RIGHTS TO ESTABLISH AND MAINTAIN A TWO-UNIT CONDOMINIUM CONVERSION PROJECT IN THE R-2 (MEDIUM DENSITY RESIDENTIAL) ZONE – 128 GLADYS AVENUE

Planner Tewasart provided a brief summary of the staff report.

Chairperson Brossy de Dios opened the public hearing.

Applicant, Alex Liu, 1455 Monterey Pass Road, #206, Monterey Park, CA 91754, was present for questions.

Chairperson Brossy de Dios closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 19-19** approving Tentative Map No. 80304

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(TM-19-04) to subdivide air-rights for a two-unit residential (3 bedrooms) condominium conversion development in the R-2 (Medium Density Residential) Zone.

Resolution No. 19-19

A RESOLUTION APPROVING TENTATIVE MAP NO. 80304 (TM-19-04) TO SUBDIVIDE AIR RIGHTS FOR A TWO-UNIT RESIDENTIAL CONDOMINIUM CONVERSION DEVELOPMENT AT 128 GLADYS AVENUE.

Motion: Moved, by Commissioner Salazar and seconded by Commissioner Choi, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

3-B. SPECIFIC PLAN AMENDMENT (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW COFFEE SHOP WITH A DRIVE-THROUGH – 2425-2439 SOUTH GARFIELD AVENUE

Planner Tewasart provided a brief summary of the staff report.

Commissioner Brossy de Dios inquired about the difference in intent of the two zones. Planner Tewasart replied that the Garfield/Pomona intersection is identified as the gateway entrance and the specific plan discusses landscaping, street furniture, outdoor seating, etc.

Commissioner Brossy de Dios stated that there is an existing use on the lot, the use and lot are being expanded, there is a zone change on the lot on which the gas station currently sits, and even though it is an existing gas station, the entire gas station is being torn down and rebuilt as new, so under the auspices of the specific plan and the process of approving a zone change and conditional use permit, should this application be considered a new project. Commissioner Brossy de Dios inquired if the request is considered a continuation of the existing use or a new application. Planner Tewasart replied that it would be a continuation and modification of an existing use. Attorney Karpeles replied that the use of the property as a service station is a continued use and the service station use has not been abandoned. A conditional use permit is needed to have the drive-through in the GVC-S zone and the service station. Once the zone is changed, the zone change would apply to the property in perpetuity and the conditional use permit will run with the land for as long as that use is continued, meaning the drive-through and the service station. Attorney Karpeles pointed out section B on page 5 of 8 which addresses findings for the conditional use permit.

Chairperson Brossy de Dios opened the public hearing.

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Applicant, Arian Talehakimi, 4316 Marina City Drive #731, Marina del Rey, CA 90292 provided a brief presentation of the proposed project.

Representative Indira Ibrahimbegovic of Greenberg Farrow, 30 Executive Park, Suite 100, Irvine, CA 92614, stated that they are the architect of record. The menu board is placed at the seventh car from the pick-up point. This is the optimal location for Starbucks Corporation and will allow for adequate stacking contained on-site. Commissioner Brossy de Dios inquired if there is a specified traffic flow and if access is off the alley. Representative Ibrahimbegovic replied that it could be off the alley. There is an arrow at the beginning of the drive-through lane. A right can be made if coming north from Garfield.

Commissioner Choi inquired about northbound access. Representative Ibrahimbegovic replied that it would be a left onto Pomona. Commissioner Choi inquired if there is a Starbucks representative because Starbucks is very active in the selection of their sites. They have a store development team and a real estate team. They are very meticulous with regards to selection of a site and a sticking point is access. Applicant Talehakimi stated that they have a fully executed lease that is conditional to the outcome of the Planning Commission and City Council. Ahmad Ghaderi of A & S Engineering, Inc., 28405 Sand Canyon Road, Suite B, Canyon Country, CA 91387, stated that on Pomona and Garfield there is driveway access and the alley.

Commissioner Salazar inquired if there are any barriers between Starbucks and the alley. Applicant Talehakimi replied no.

Commissioner Robinson stated that he is happy to see an international chain come into the area.

Commissioner Amador inquired about the number of service bays currently at the property. Applicant Talehakimi replied that there are three service bays. Half of one of the service bays was taken to expand the footprint of a small store. The service bays are currently not in operation. They had a smog test facility in there until about eighteen months ago and they suspended the use of the service bays pending the proposed development plans.

Commissioner Amador inquired about the number of fueling stations. Applicant Talehakimi replied that the number of fueling stations will stay the same. There are currently twelve and they will retain twelve, which are six stations with pumps on both sides. There will be three rows of two.

Commissioner Salazar inquired about the 24-hour service. Applicant Talehakimi replied that the service station is currently 24-hours. There is no interior access for the customers to the building, so they only walk-up to an outside service window. There would still be a degree of separation between any potential assailants and the employees inside. Commissioner Salazar stated that since the coffee shop will only be a drive-through there will be less opportunity for robberies.

Opponent Dan Morales, 2424 South Isabella Avenue stated the existing traffic flow particularly in the morning coming from southbound Garfield coming from Pomona, there

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are many trying to make a right on Riggin to get over to Isabella to make a left or they come down to Fernfield, which is the north street of this project, make a right and either make a left into the alley or drive up to Isabella and make a left there. The concern is that there is no divider that is going to keep the traffic controlled to come in through certain exits. Meaning there is two on Garfield, one on Pomona, and the alley particularly during peak hours when traffic is coming down south on Garfield. There is nothing on the plans that will keep cars from not crossing the alley where there can be potential stacking during peak hours. It is not that they are against the project; it is about what type of project it is going to be.

Speaker Flo Uwasa, 2412 South Isabella Avenue stated that the entryway from Garfield going north a left cannot be made on Garfield. The specific plan had mentioned making the alleyway and Fernfield one-way. There is a homeless situation in the area and they will be in outside area. She questioned the security and lighting.

Opponent Elena Helen Holguin, 206 West Fernfield Drive stated that she has lived in Monterey Park since 1959 and has seen a lot of changes in Monterey Park. There is terrible traffic going down Garfield and it is difficult to go down to ARCO gas station. They have problems with parking from the employees at the car wash.

Applicant Talehakimi stated that he apologizes for not connecting with the property owners, but he has tried on more than one occasion. He will provide the property owners with his connect information to bring any concerns that they may have with the project and to open the lines of communication. With respects to security, since they have owned the property, they have never been robbed or vandalized. Unfortunately, the recording studio with its dim lighting in the areas that are blocked from view it is easy for the homeless to go to those areas. They are hoping that this project will address those issues. With respects to lighting there will be more than adequate lighting. There will not be a security guard, but there will always be a person on-site to contact the police if needed. There will be greater visibility across the project. There will also be cameras throughout the property, which is a condition of the approval.

Mr. Ghaderi stated that the building is situated so as to not block the driveway. The majority of the traffic will be westbound Pomona and southbound Garfield, and going northbound on Garfield will be left on Pomona and then right onto the site. The traffic pattern is to have stacking towards the south side of the property. There is no potential blockage of the driveway. The building is intentionally designed so that the path there exiting off the driveway is accessible at all times.

Chairperson Brossy de Dios closed the public hearing.

Commissioner Robinson stated that the traffic on Garfield and Pomona is stressful. Most of the traffic comes from the 8-wheelers trying to make a left-turn going onto Garfield, but this project is on the north side and traffic is coming from the north onto Garfield. The Starbucks can be accessed from the west side and exit, which is not as much traffic. There is going to be homeless, but with the new lighting there will be a vast improvement.

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Commissioner Salazar stated that he believes that the clarification on the drive-through entrance has been addressed and there are no concerns. The new lighting will help to facilitate the discouragement of people hanging out in the existing northern part of the property. It will be an improvement for the property. He understands the concerns from the neighbors and hopes that this project can benefit everyone and not just the passer-bys.

Commissioner Amador inquired about clearance in the alleyway. Assistant City Engineering Frank Lopez replied that Starbucks is situated so that the entry is south of Mr. Morales's driveway and the exit is just north of it and cars exiting will likely turn right not through the alley to go onto Pomona. The entrance to the drive-through will likely be from Garfield. There is an aisle space outside of the alley for the drive-through, so they don't have to be in the alleyway. A couple of things to understand is that alleyways, while they are not streets, they are access to driveways both for residences and businesses. There will be some numbers that will come from Pomona, but most of the morning trips will be coming from the north going southbound, so the easiest entrance will be the driveway at the front of the property along Garfield. Commissioner Amador stated that she just wants to make that Mr. Morales's home was taken into consideration. It is a great project and may be it will give impetus to other businesses to come to this area. We see the changes, but we also need to address the concerns of the residents.

Commissioner Brossy de Dios stated that he does have concerns with this application. The gas station has been a fixture at that location for many years. There is a concern that the application made for the zone change flies in the face of what the intent of the specific plan was about. His understanding is that the corner is to be considered a primary gateway the Garfield Village and continuation to the pedestrian areas and by changing the land development zone for that parcel that we would be changing the ultimate intent of the specific plan. This project would be a great addition to a shopping center, but as the gateway there is a concern.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 20-19** recommending that the City Council approve Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04) to allow the reconstruction of an existing service station and construction of a new coffee shop with a drive-through at 2425 and 2439 South Garfield Avenue, with an added condition.

Resolution No. 20-19

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE SPECIFIC PLAN AMENDMENT (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW COFFEE SHOP WITH A DRIVE-THROUGH AT 2425 AND 2439 SOUTH GARFIELD AVENUE.

Motion: Moved, by Commissioner Robinson and seconded by Commissioner Amador, motion carried by the following vote:

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Ayes: Commissioners: Choi, Amador, Salazar, and Robinson
Noes: Commissioners: Brossy de Dios
Absent: Commissioners: None
Abstain: Commissioners: None

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS: None

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 8:38 p.m.

Next regular scheduled meeting on November 12, 2019 at 7:00 p.m. in the Council Chambers.

Mark A. McAvoy
Director of Public Works/City Engineer/City Planner

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ATTACHMENT 8

City Council Minutes dated December 18, 2019

Resolution No. 12131, entitled:

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE AND APPROVE GRANT FUNDS FOR THE PLANNING GRANTS PRGORAM

3I. EXTENSION TO MEMORANDA OF UNDERSTANDING WITH THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR EL NIÑO PREPAREDNESS PROJECTS AT GARVEY RESERVOIR

On June 19, 2019, City Council authorized the City Manager to enter into three Memoranda of Understanding (MOU) with the Metropolitan Water District of Southern California (MWD) for El Niño Preparedness projects at three areas near Garvey Reservoir. The agreements allow the City and MWD to work together to implement improvements that would remediate impacts from El Niño storm events.

The executed MOUs will expire on December 31, 2019 and extensions are necessary to complete the projects.

Action Taken: The City Council authorized the City Manager to execute Extensions to three Memoranda of Understanding between the City of Monterey Park and the Metropolitan water District of Southern California for El Niño Preparedness projects at three areas near Garvey Reservoir, in a form approved by the City Attorney. Council Member Chan recused himself and left the dias due to a conflict of interest as he resides within 500 feet of the subject site.

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

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

4. PUBLIC HEARING

4A. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE GARFIELD VILLAGE SPECIFIC PLAN (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) FOR THE RECONSTRUCTION OF AN EXISTING SERVICE STATION (ARCO) AND CONSTRUCTION OF NEW 24-HOUR DRIVE-THROUGH COFFEE SHOP AT 2425 AND 2439 SOUTH GARFIELD AVENUE

The Applicant is requesting an amendment to the Garfield Village Specific Plan ("GVSP"), a Zone Change (from Garfield Village Neighborhood Shopping District (GVN-S) to Garfield Village Commercial Services District (GVC-S)) and a Conditional Use Permit to allow the demolishing and reconstruction of an existing

service station and construction of a new 24-hour drive-through coffee shop. Pursuant to the GVSP, service stations are conditionally permitted within the GVC-S zone, only. On October 22, 2019, the Planning Commission adopted Resolution No. 20-19. The staff report and draft minutes from the October 22, 2019 Planning Commission meeting are attached to the staff report for reference.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) in that the Project consists of demolishing and reconstructing an existing service station. The property is designated Commercial in the General Plan Land Use Element. The proposed development will take place within city limits on a site of no more than five acres substantially surrounded by urban uses. The Project site has no value as habitat for endangered, rare or threatened species in that the property is already developed with an existing service station which will be demolished and reconstructed as part of the proposed Project; furthermore, the construction of the proposed drive-thru coffee shop will take place entirely upon the existing, developed lot. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality in that the Project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

This item was heard after Agenda Item 3B.

Public Speakers:

- Eric Brossy De Dios spoke in opposition of the agenda item and encouraged the city council to vote no.
- Dave Barron requested that the Council consider adding two conditions of approval: an electric pump for electric vehicles and a soil test to check for contamination prior to construction.
- Arian Talehakimi, applicant, provided information regarding the project and was available for questions.

Action Taken: The City Council (1) opened the public hearing at 7:59 p.m.; (2) received documentary and testimonial evidence; and (3) directed staff to provide the City Council with all items that were provided by applicant relative to the traffic study and any other information related to the project and moved to continued the agenda item to February 5, 2020 City Council Regular Meeting.

Motion: Moved by Council Member Real Sebastian and seconded by Mayor Pro Tem Ing motion carried by the following vote:

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

4B. A PUBLIC HEARING TO CONSIDER A ZONE CHANGE (ZC-18-01) TO CREATE A SENIOR-CITIZEN-HOUSING (S-C-H) OVERLAY ZONE, CONDITIONAL USE PERMIT (CU-18-01) FOR AN AFFORDABLE SENIOR HOUSING DEVELOPMENT, AND TENTATIVE MAP NO. 73741 (TM-18-01) TO SUBDIVIDE AIR RIGHTS FOR THE CONSTRUCTION OF A 54-UNIT SENIOR CITIZEN HOUSING CONDOMINIUM PROJECT – 130-206 SOUTH CHANDLER AVENUE

On April 17, 2019, May 15, 2019, and June 5, 2019, the City Council reviewed the requested Zone Change (ZC-18-01), Conditional Use Permit (CU-18-01), and Tentative Map No. 73741 (TM-18-01). Collectively, these actions would allow construction of a 54-unit senior citizen housing project. At the meeting, City Council requested that the Applicant consider lowering the height of the project to three stories and eliminating the affordable-housing component of the Project. To allow the Applicant sufficient time to evaluate these requests, the Project was continued until these amendments could be incorporated and considered. Staff is requesting additional time to work with the Applicant to address the comments.

Action Taken: The City Council continued the application to the meeting of January 15, 2019 as amended to postpone the agenda item to regular City Council meeting of February 5, 2020 and directed staff to notice the affected residents regarding the revised meeting date.

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

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

ATTACHMENT 9

Planning Commission Staff Report dated October 22, 2019



Planning Commission Staff Report

DATE: October 22, 2019

AGENDA ITEM NO: 3-B

TO: The Planning Commission
FROM: Mark A. McAvoy, Director of Public Works/City Engineer/City Planner
SUBJECT: A Public Hearing to consider an amendment to the Garfield Village Specific Plan (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04) for the reconstruction of an existing service station (ARCO) and construction of new drive-through coffee shop at 2425 and 2439 South Garfield Avenue.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution recommending that the City Council approve Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04), subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) in that the project consists of the reconstruction of an existing service station. The property is designated Commercial in the General Plan Land Use Element. The proposed development will take place within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species in that the property is already developed with an existing service station which will be reconstructed as part of the proposed project; furthermore, the construction of the proposed drive-thru coffee shop will take place entirely upon the existing, developed lot. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality in that the project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

EXECUTIVE SUMMARY:

The Applicant is requesting an amendment to the Garfield Village Specific Plan ("GVSP"), a Zone Change (from Garfield Village Neighborhood Shopping District (GVN-S) to Garfield Village Commercial Services District (GVC-S)) and a Conditional Use Permit to

allow reconstruction of an existing service station and construction of a new drive-through coffee shop. Pursuant to the GVSP, service stations are conditionally permitted within the GVC-S zone, only. Based upon the application, it appears that the proposed Specific-Plan amendment, zone change and use permit are consistent with the Monterey Park Municipal Code ("MPMC") and the General Plan.

TYPE OF ACTION (QUASI-JUDICIAL)

The recommended action is to adopt a Resolution recommending an amendment to the GVSP, a Zone Change and a CUP to the City Council. In considering such actions, the Planning Commission acts in a quasi-judicial role. When doing so, the Planning Commission acts like a court: it applies facts gathered during a public hearing to existing law. Just like a court, the Planning Commission can only consider facts that are relevant to the case. A party appearing before the legislative body is entitled to

- Notice of the proposed action;
- Reasons for the action;
- A copy of the evidence on which the action is based; and
- The right to respond before a reasonably impartial, noninvolved reviewer.

The Planning Commission must base its decisions upon substantial evidence within the record. "Substantial evidence" generally means enough relevant information and reasonable inferences from information gathered during a public hearing that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts does not constitute substantial evidence. Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. If the Planning Commission asks irrelevant questions and bases its decision-making on such questions, a court may overturn the Planning Commission's decision and potentially hold the City liable for violating the applicant's constitutionally protected due process rights.

Per MPMC § 21.38.020(A), amendments to the zoning regulations in the MPMC may be initiated by any owner of real property located within the City.¹ At the public hearing for consideration of a zone change, the Planning Commission must review the application and proposal and receive evidence as to how or why the proposed zone text amendment is consistent with the objectives of the MPMC, the General Plan, and the City's development policies. (See MPMC § 21.38.030(B).) "A proposed amendment to the Garfield Village Neighborhood Shopping District (GVN-S) zone that is inconsistent with the General Plan cannot be recommended or adopted until the General Plan is amended to eliminate such inconsistency." (MPMC § 21.38.030(E).) However, a proposal to amend the General Plan, and any development proposal relying on such an amendment, may be considered concurrently. (*Ibid.*) Following the public hearing, the Planning Commission

¹ Note that, according to MPMC § 21.42.020, voter approval does not apply to zone changes which do not exceed one acre of land.

makes a recommendation to the City Council regarding the proposed zone change, via resolution, and in consideration of the following findings:

- That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;
- That the proposed amendment will not adversely affect surrounding properties; and
- That the proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the zoning (MPMC § 21.38.050).

To approve the CUP (per MPMC §§ 21.32.020 and 21.10.040(I)), the Planning Commission must find that:

- The site is adequate in size, shape and topography for the proposed use including without limitation, any required yards, walls, fences, parking and loading facilities, landscaping, setbacks, and other development standards prescribed in the MPMC;
- The site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The proposed use will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other permitted uses in the City;
- The proposed use will not have an adverse effect on the public health, safety and general welfare; and
- The use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to the MPMC;
- The proposed drive-through is an accessory to an established commercial business;
- The drive-through is not located in an area designated as MU-I in the General Plan Land Use Map;
- The pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
- The drive-through aisles have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;

- The drive-through aisles provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
- All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment are screened from view;
- Landscaping will screen the drive-through or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
- The drive-through aisles will be constructed with concrete;
- The parking areas and the drive-through aisle and structure will be set back from the ultimate curb face a minimum of 25 feet;
- Menu boards will be a maximum of 30 square feet, with a maximum height of seven feet, and face away from the street; and
- The drive-through aisles do not exit directly onto a public right-of-way.

These findings are included in the draft Resolution.

BACKGROUND AND DISCUSSION:

2425 and 2439 South Garfield Avenue are adjacent lots currently located in the South Garfield Village ("Project Site"). They are designated as GVN-S zoning in the South Garfield Village Specific Plan ("GVSC") and Commercial land use designation in the General Plan. Garfield Oil, LLC ("Applicant") requests an amendment to the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for the Project Site from GVN-S to GVC-S (Zone Change (ZC-19-01)). To allow for the reconstruction of a service station and a drive-through coffee shop in the GVC-S zone, the Applicant also requests approval of a Conditional Use Permit (CU-19-04) (collectively, these requests are referred to as the "Project"). 2439 Garfield and 2425 Garfield were both purchased by the same property owner and together these addresses take up two lots on the same block. The Applicant is proposing to combine and develop both lots in a single phase as part of the Project.

The Project Site is located at the northwest corner of South Garfield Avenue and Pomona Boulevard. It is comprised of two consolidated parcels totaling 22,148 square feet (0.51 acres) in size. The Project Site is currently developed with four detached structures including a one-story, 1,629-square-foot, two-tenant commercial building (occupied by an auto repair/smog-check service business² (ARCO) and a food mart), two fueling canopies and a one-story 2,400-square-foot commercial building (currently occupied by a music studio). To the north of the Project Site are West Fernfield Drive and one-story commercial buildings; directly to the south is the Pomona Freeway (SR-60) and Pomona Boulevard;

² On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station (ARCO) at 2439 Garfield Avenue; and on September 24, 1998, it adopted Resolution No. 23-98 approving a CUP to allow a smog-testing business to operate in conjunction with ARCO (CU-98-13). The ARCO station has remained in continuous operation.

to the east are South Garfield Avenue and a one-story auto service building; and to the west is a two-story office building occupied by a California Driving School. Those properties located to the north and east of the subject property are zoned GVN-S and those to the west are zoned GVC-S.

The proposed Project proposes demolishing and reconfiguring an existing service station and service-station canopy at 2439 Garfield Avenue. It also proposes demolishing an existing one-story office building and constructing a new detached coffee shop with a drive-through at 2425 Garfield Ave. The existing underground fuel storage tanks, landscape planter areas and freestanding pylon sign will remain. In total, the proposed improvements will be 3,654 square feet in area – less than the existing square footage. Specifically, the service station canopy will be 87 feet long, 42 feet wide, and 18 feet tall; the cashier kiosk for the service station will be 117 square feet in size and 11 feet tall; and the retail coffee shop will be 880 square feet in size and 21 feet tall.

All buildings and structures on the property will be one-story. The building exteriors will be a combination of ¾-inch thick reclaimed wood siding and corrugated metal with a flat roof. The proposed coffee shop will have a walk-up window, no indoor seating, a drive-through aisle, and an outdoor seating area. The outdoor seating area will feature a covered patio, partially enclosed with trellis green screens. The draft CUP requires that the proposed coffee shop be designed to screen all service areas, restrooms and mechanical equipment; and provide landscaping to screen the drive-through driveway aisle. Additionally, the drive-through aisle and building must be setback 25 feet from the curb face, and the menu board can be no more than 30 square feet and seven feet high and must face away from the street – pursuant to the CUP. The building design/architectural style, landscaping and new signage will be subject to the review and approval of the Design Review Board to maintain consistency with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale, among other things.

The MPMC requires that the proposed Project provide at least six parking spaces; the Project provides seven spaces. The proposed Project will maintain three existing driveway cuts and the existing alleyway along the western property line. The drive-through will be accessible from a two-way driveway on South Garfield Avenue, a two-way driveway on Pomona Boulevard and an alleyway west of the lot. Pursuant to the GVSP, the City's Engineering Division considered lot-consolidation-incentive bonuses through the development process and determined that, for this Project, vacation of the alleyway would not be feasible because it would require the alley to be divided between the Project Site and a few other properties located to the west. The drive-through aisle must be a minimum of 12-feet wide on the curve and 11-feet wide on the straight sections; it will be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements or repairs are anticipated. The draft CUP also requires that the drive-through aisle be made of concrete, and provide sufficient stacking area behind the menu board to accommodate a minimum of six cars.

In June of 2019, a Focused Traffic Impact Analysis was prepared. That analysis concluded that the Project would result in no significant traffic impacts at the study

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intersections. Nevertheless, on-site and site-adjacent improvements (including Project driveways, roadway design, traffic signing and striping) and traffic control improvements relating to the proposed Project must be constructed in accordance with applicable engineering standards to the satisfaction of the City's Public Works Department.

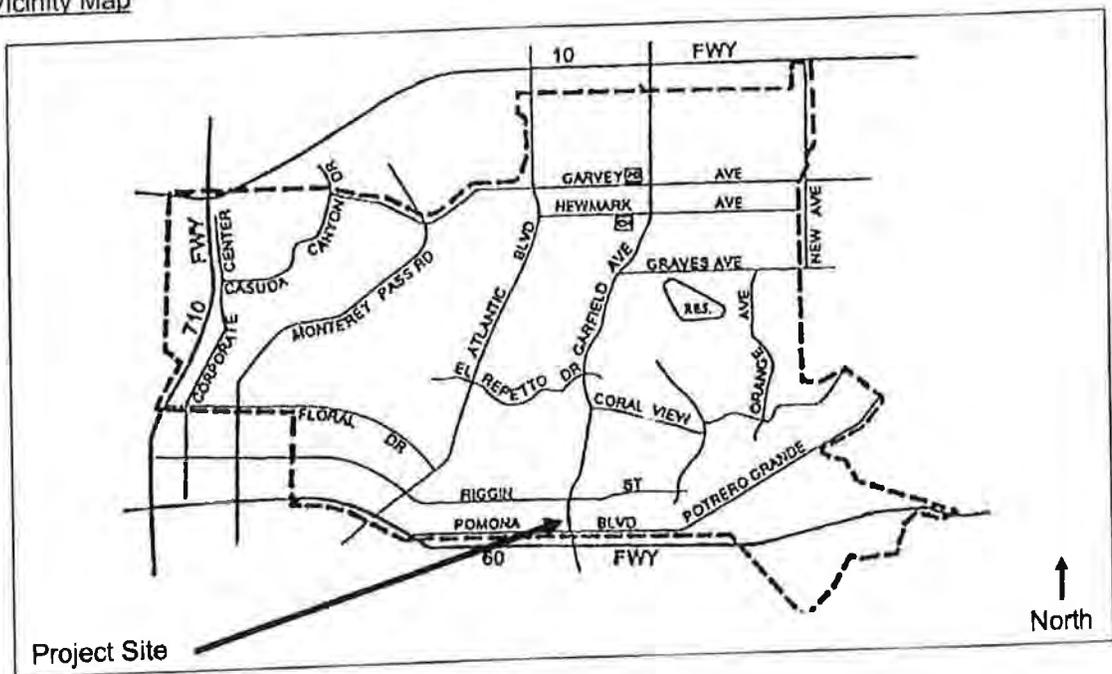
The Commercial land use category of the City's General Plan allows for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand.

OTHER ITEMS:

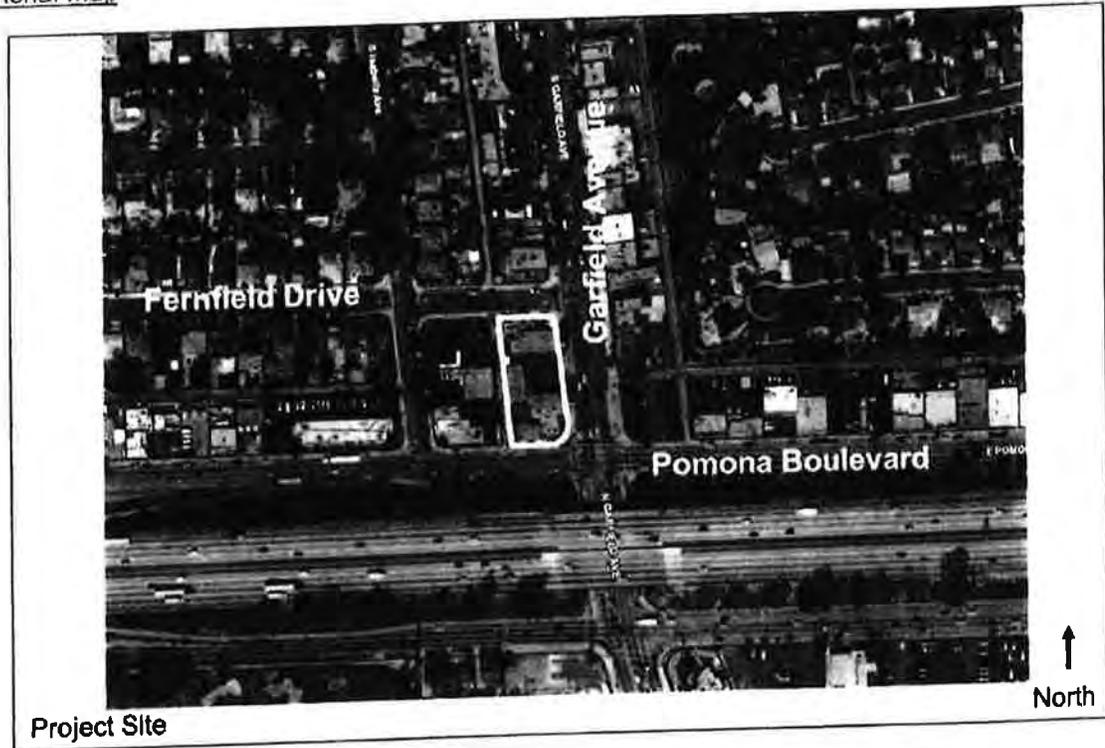
Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **October 10, 2019** and published in the Wave on **October 10, 2019**, with affidavits of posting on file. The legal notice of this hearing was mailed to **56** property owners within a 300 feet radius and current tenants of the property concerned on **October 10, 2019**.

Vicinity Map



Aerial Map



ALTERNATIVE COMMISSION CONSIDERATIONS:

None

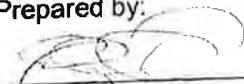
FISCAL IMPACT:

There may be an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

Respectfully submitted,


Mark A. McAvoy
Director of Public Works/
City Engineer/City Planner

Prepared by:


Samantha Tewart
Senior Planner

Reviewed by:


Natalie C. Karpeles
Deputy City Attorney

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Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Site, floor, elevation plans

ATTACHMENT 1

Draft Resolution

RESOLUTION NO. 20-19

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE SPECIFIC PLAN AMENDMENT (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW COFFEE SHOP WITH A DRIVE-THROUGH AT 2425 AND 2439 SOUTH GARFIELD AVENUE.

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On February 26, 2019, Garfield Oil, LLC ("Applicant") submitted an application to amend the Garfield Village Specific Plan (SPA-19-01) to change the zoning designation for 2425 and 2439 South Garfield Avenue from Garfield Village Neighborhood Shopping (GVN-S) to Garfield Village Commercial Services (GVC-S)(Zone Change (ZC-19-01)) and requesting approval of a Conditional Use Permit (CU-19-04) to allow reconstruction of an existing service station and construction of a new drive-through coffee shop (collectively, the "Project");
- B. The Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for October 22, 2019. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On October 22, 2019, the Planning Commission opened the public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its October 22, 2019 public hearing including, without limitation, the staff report submitted by the City Planner.

SECTION 2: *Factual findings and Conclusions.* The Planning Commission finds that the following facts exist and makes the following conclusions:

- A. 2425 and 2439 South Garfield Avenue are adjacent lots currently located in the South Garfield Village ("Project Site"); and are designated zone GVN-S in the South Garfield Village Specific Plan ("GVSC") and Commercial in the General Plan. No changes are proposed to the Commercial designation of the properties. 2439 Garfield and 2425 Garfield were both purchased by the same property owner and

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together these addresses take up two lots on the same block. The Applicant proposes to combine and develop both lots in a single phase as part of the Project. The Project would demolish and reconfigure an existing service station and service-station canopy (currently, ARCO) at 2439 Garfield and demolish an existing one-story office building to construct a new detached coffee shop with a drive-through at 2425 Garfield. According to the GVSP, a service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).

- B. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at 2439 Garfield Avenue (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station). On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business to operate in conjunction with ARCO; and the ARCO station has remained continuously in operation.
- C. The Project Site is located at the northwest corner of South Garfield Avenue and Pomona Boulevard. It is comprised of two consolidated parcels totaling 22,148 square feet (0.51 acres) in size, rectangularly shaped and relatively flat. All the existing structures located at-grade would be demolished (except for the existing underground fuel storage tanks, landscape planter areas and freestanding pylon sign). The proposed total building area of the coffee shop and cashier kiosk would be 997 gross square feet; this is four percent of the lot area. All buildings and structures on the property would be one-story. The proposed coffee shop will have a walk-up window, no indoor seating, a drive-through aisle, and an outdoor seating area. The outdoor seating area would feature a covered patio, partially enclosed with trellis green screens. The proposed coffee shop would be designed to screen all service areas, restrooms and mechanical equipment; landscaping will be provided to screen the drive-through driveway aisle. The drive-through aisle and building will be setback 25 feet from the curb face. The menu board will be no more than 30 square feet and seven feet high and will face away from the street. The building design/architectural style, landscaping and new signage would be subject to the review and approval of the Design Review Board to maintain consistency with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale.
- D. The MPMC requires that the Project provide at least six parking spaces; the Project proposes seven spaces. The Project will maintain three existing driveway cuts and the existing alleyway along the western property line. The drive-through will be accessible from a two-way driveway on South Garfield Avenue, a two-way driveway on Pomona Boulevard and an alleyway west of the lot. The drive-through aisle will be a minimum of 12-feet wide on the curve and 11-feet wide on the straight

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sections; and will be intersected by a clearly-visible pedestrian walkway. The Project does not include any off-site roadway improvements and minimal site-adjacent improvements or repairs are anticipated. The drive-through aisle will be made of concrete and will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars.

- E. To the north of the Project Site are West Fernfield Drive (a local street that is 36-foot curb-to-curb within a 50-foot wide right-of-way) and one-story commercial buildings; directly to the south is the Pomona Freeway (SR-60) and Pomona Boulevard (a principal arterial street); to the east are South Garfield Avenue (a principal arterial street that ranges in width from 84- to 100-foot curb-to-curb within a 100- to 120-foot wide right-of-way) and a one-story auto service building; and to the west is a two-story office building occupied by a California Driving School. Those properties located to the north and east of the subject property are zoned GVN-S and those to the west are zoned GVC-S.
- F. The proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- G. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed with an existing service station which will be reconstructed as part of the proposed in-fill Project and the construction of the proposed drive-through coffee shop will take place entirely upon the existing, developed lot. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

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SECTION 4: Conditional Use Permit Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.040(I), 21.10.250 and 21.32.020(B), the Planning Commission finds as follows:

A. The proposed use complies with all MPMC requirements for a conditional use permit. Accordingly, the Planning Commission finds pursuant to MPMC § 21.32.020:

1. The project site is adequate in size, shape and topography for the proposed Project. The site is two parcels totaling 22,148 square feet (0.51 acres), rectangularly shaped, and relatively flat. The total building area of the coffee shop and cashier kiosk will be 997 gross square feet. The proposed total building area will be substantially less than the maximum floor area allowed.
2. The site has sufficient access to streets and highways and is adequate in width and pavement type. The Project would include three existing driveway cuts and the existing alleyway along the western property line.
3. The proposed use is consistent with the General Plan and the South Garfield Specific Plan. No changes are proposed to the Commercial designation of the property and the Commercial land use category of the City's General Plan allows for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand. The objectives of the GVSP include improving mobility in the area and encouraging revitalization of the neighborhood commercial business area and connectivity to the surrounding neighborhoods (GVSP § 1.2.2). The proposed Project involves reconstructing the existing service station and creating a coffee shop with a drive-through and adjacent outdoor seating area; these improvements would: increase the use of a currently underutilized property and complement the surrounding neighborhood by taking advantage of nearby retail draws (GVSP § 2.3.1); upgrading the appearance of the Garfield/Pomona intersection (GVSP § 2.3.2); and providing outdoor gathering/dining areas along with the appearance of the existing facades (GVSP § 2.3.3).
4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood. The Project's contribution to cumulative impacts to local and regional transportation facilities will not be considerable. The proposed Project would decrease the building square footages (making efficient use of space at the Project Site) and increase the use of an underutilized property; which will help improve mobility on- and off-site, provide connectivity between the Specific Plan area and the surrounding neighborhoods, complement the existing businesses in the area, and function as a retail draw for the other existing businesses in the area.

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5. The proposed Project will not have an adverse effect on the public health, safety and general welfare. The proposed Project will promote general welfare of the community by improving the aesthetics of an aging property and increasing the economic vitality of the surrounding neighborhood. The Project would not significantly impact any scenic vistas, scenic resources, or the visual character of the area and would not result in excessive light or glare. Based on the analysis of the Project's impacts, there is no indication that this project could result in substantial adverse effects on human beings.
 6. The use is properly one authorized by conditional use permit pursuant to the MPMC. A service station is permitted in the GVC-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)) and a drive-through business is permitted subject to the limitations or special standards described in MPMC § 21.10.040(I).
- B. The proposed drive-through complies with all requirements set forth for a conditional use permit pursuant to MPMC § 21.10.040(I):
1. The drive-through is an accessory to an established restaurant or commercial business, namely a coffee shop;
 2. The proposed location of the drive-through is designated commercial in the City's General Plan and is not located in any area designated as MU-I in the General Plan Land Use Map;
 3. The pedestrian walkways will have clear visibility and will be emphasized by striping;
 4. The drive-through aisle will be 12-foot width on curves and a minimum 11-foot width on straight sections;
 5. The drive-through aisle will provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 6. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment will be screened from view;
 7. The proposed landscaping will screen drive-through or drive-in aisles from the public right-of-way and will be used to minimize the visual impact of reader board signs and directional signs;
 8. The drive-through aisles will be constructed with concrete;

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9. The parking areas and the drive-through aisle and structure will be set back from the ultimate curb face a minimum of 25 feet;
 10. The menu board will be no more than 30 square feet and seven feet high, and will face away from the street;
 11. The architectural style of the drive-through will be consistent with the theme established in the center and provide compatibility with surrounding uses in form, materials, colors and scale, among other things; and
 12. The drive-through aisle will exit into an alleyway, pursuant to a Lot-Consolidation-Incentive bonus (GVSP § 3.8.3).
- C. The proposed service station complies with all requirements for a conditional use permit pursuant to MPMC § 21.10.250(A):
1. On August 21, 1969, the Planning Commission adopted Resolution No. 30-69 approving a variance to construct a service station at the Project Site (an intersection where more than one-half the number of corners of a street intersection within the City limits area occupied by a service station);
 2. On September 24, 1998, the Planning Commission adopted Resolution No. 23-98 approving Conditional Use Permit (CU-98-13) to allow a smog testing business in conjunction with the service station approved at the Project Site; and
 3. The preexisting service station has remained continuously in operation.

SECTION 5: Zone Change and Specific Plan Amendment Findings. Based on the Findings in Sections 2 and 4, and pursuant to MPMC § 21.38.050, the Planning Commission finds as follows:

- A. The Project is consistent with the goals, policies, and objectives of the General Plan. The proposed Specific Plan Amendment and Zone Change will allow for the revitalization of the existing property by providing the Applicant the opportunity to redevelop the Project Site.
- B. The Project will not adversely affect surrounding properties. The proposed Project is consistent with the type of the uses that are currently developed in that neighborhood. The Project would decrease the building square footages, which will help improve mobility on- and off-site, allow for connectivity between the Specific Plan area and the surrounding neighborhoods, and make efficient use of the Project Site. The proposed Project would also increase the use of an underutilized property

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(which occupies half a prominent street block and intersection) by complementing the existing businesses in the area and functioning as a retail draw.

- C The proposed Specific Plan Amendment and Zone Change will allow the Applicant to: (1) rebuild the service station, upgrade the intersection and continue to utilize the existing alleyway as a secondary circulation network; (2) make improvements to the property and incorporate new uses which will be both automobile- and pedestrian-oriented; and (3) create more activity in the Specific Plan area and contribute to revitalizing the commercial area and neighborhood (GVSP § 2.4.4).
- D The proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC. Without the proposed Specific Plan Amendment and Zone Change, the existing service station will be legal non-conforming use and the proposed coffee with drive-through would be prohibited. Rezoning of the site to accommodate the project will be consistent with general welfare as it will allow the Applicant to improve the existing service station property and to promote increased economic activity in the Garfield Village Specific Plan area.

SECTION 6: Recommendations. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission recommends that the City Council approve Conditional Use Permit (CU-19-04); and adopt an ordinance implementing the proposed Zone Change (ZC-19-01) and Specific Plan Amendment (SPA-19-01).

SECTION 7: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: Limitations. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: Summaries of Information. All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of

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any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 10: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 11: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 12: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 13: Except as provided in Section 13, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 22nd day of October 2019.

Chairperson Eric Brossy de Dios

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 22nd day of October 2019, by the following vote of the Planning Commission:

AYES: Commissioners Choi, Amador, Salazar, and Robinson
NOES: Commissioner Brossy de Dios
ABSTAIN: None
ABSENT: None

Mark A. McAvoy, Secretary

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

By: _____
Natalie C. Karpeles,
Deputy City Attorney

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Exhibit A

CONDITIONS OF APPROVAL

2425-2439 SOUTH GARFIELD AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Garfield Oil LLC agrees that it will comply with the following conditions for the City of Monterey Park's approval of Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01), and Conditional Use Permit (CU-19-04) ("Project Conditions").

PLANNING:

1. Garfield Oil LLC ("Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of SPA-19-01, ZC-19-01, and CU-19-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of SPA-19-01, ZC-19-01, and CU-19-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Divisions. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
6. The real property subject to SPA-19-01, ZC-19-01, and CU-19-04 must remain well-maintained and free of graffiti.

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7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.
9. With the exception of the MPMC prohibition against drive-through aisles exiting directly onto a public right of way (see MPMC § 21.10.040(l)(12)), the drive-through component of the Project must otherwise comply with MPMC § 21.10.040(l) and must be reviewed and approved by the Design Review Board, where applicable. Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
 - b. The drive-through aisles must have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections;
 - c. The drive-through aisles must provide sufficient stacking area behind the menu board to accommodate a minimum of six cars;
 - d. All service areas, restrooms and ground-mounted and roof-mounted mechanical equipment must be screened from view;
 - e. Landscaping will screen the drive-thru or drive-in aisles from the public right-of-way and minimize the visual impact of reader board signs and directional signs;
 - f. The drive-through aisles must be constructed with (PCC) concrete;
 - g. The parking areas and the drive-through aisle and structure must be set back from the ultimate curb face a minimum of 25 feet; and
 - h. Menu boards can be no more than 30 square feet, with a maximum height of seven feet, and must face away from the street.

ENGINEERING:

10. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a permittee, this project involves the disturbance of soils by grading, clearing and/or excavation. Developer/owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the issuance of the grading permit on evidence of compliance with this permit and its requirements. This project will require the preparation of a Low Impact Development (LID) and a Storm Water Pollution Prevention Plan (SWPPP). Upon approval of the NPDES document by the City, Developer/Owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading Permit (the electronic copy requirement pertains to projects greater than an acre).

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11. The Applicant must pay all City development fees including, without limitation, wastewater deficiency fees, water meter fees and metered water service impact fees as required by MPMC.
12. All improvement plans, including grading and public improvement plans must be based upon City approved data. Benchmark references to be obtained from the Engineering Division.
13. A grading and drainage plan must be prepared for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer.
14. A hydrology and hydraulic study of the site must be submitted to and approved by the City Engineer.
15. All storm drainage facilities serving the development must accommodate a 50-year storm. If existing storm drain facilities are inadequate, they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the City Engineer before the approval of the grading and drainage plans.
16. Landscaping and irrigation plans must be prepared and/or incorporated into the public improvement plans; any proposed parkway tree types must be reviewed and approved by the City. The Applicant must provide landscaping and irrigation system for parkways.
17. All public works improvements must comply with the standards and specifications of the City to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the Public Works Director, or designee.
18. All on-site electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, shall be made to City and public utility standards. A utility plan must be prepared and submitted before the City approves grading and drainage plans, showing all existing and proposed utilities. The utilities may be shown on a separate plan.
19. Before the City issues a building permit, the Applicant must provide water system calculations that include domestic and fire system demand sizing. The cost of any water meter upgrades and any fire line installation required by the City must be submitted before the City issues a building permit.
20. The public works improvement plans, which include the location of the domestic water meter, water service laterals, fire service lines, all new sewer and water connections, and all existing utilities in the right of way, must be approved (or substantially complete) by the City Engineer before the City issues a grading permit.

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21. The Applicant must replace the existing streetlight fronting Pomona Boulevard with Marbelite concrete streetlight.
22. The Applicant must install one new streetlight on Fernfield Drive at the alley as shown on the plans.
23. The Applicant must provide adequate lighting along the alley, whether from private or public lighting sources.
24. The Applicant must reconstruct or rehabilitate Fernfield Drive full street width from Garfield Avenue west to the alley behind the property.
25. The Applicant must reconstruct the adjacent alleyway (full depth pavement structural section) from Fernfield Drive to Pomona Boulevard to include a new concrete gutter or provide a recommended pavement section for repair as determined by an investigation approved by the City Engineer.
26. The Applicant must reconstruct alleyway approaches to include ADA compliant ramps.
27. The Applicant must remove old concrete bus pad along Pomona Boulevard and replace with asphalt pavement section and reconstruct the existing damaged sewer manhole fronting the alley on Pomona Boulevard and replace the sewer lid and ring, and reset to grade.
28. The Applicant must repair or reconstruct curb, gutter, sidewalk and driveway approaches along the entire frontage of Fernfield Drive, Garfield Avenue, and Pomona Boulevard as determined by a field investigation and the City Engineer.
29. All improvement plans, including grading and public improvement plans must incorporate all applicable site development information and include any and all necessary reports, attachments, and required materials to be considered a complete submittal or they will be rejected. Provide details and elevations for the new trash enclosures.

FIRE:

30. All conditional identified by the Monterey Park Fire Department are subject to the review and approval of the Fire Chief, or designee, for determination of applicability and extent to which any condition may be required.
31. A permit must be obtained from the Fire Department before engaging in activities, operations, practices or functions as required by California Fire Code (CFC) §§ 106.6 and 105.7, as adopted by MPMC Chapter 17.
32. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 17.

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33. All fire safeguards required by CFC Chapter 33, as adopted by MPMC Chapter 17, must be adhered to and maintained during the course of construction.
34. Provide an approved automatic fire sprinkler system and fire alarm as set forth by CFC §§ 903 and 907, as adopted by MPMC Chapter 17, for new structures. The Fire Sprinkler System or Fire Alarm requirements and/or modifications require a separate plan check submittal and approval. Work shall not commence until a permit is obtained.
35. Fuel dispensing station must comply with provisions of CFC Chapter 23, as adopted by MPMC Chapter 17.
36. Provide approved signs or other approved notices or markings that include the works NO PARKING – FIRE LANE. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the Fire Chief per CFC § 503.3, as adopted by MPMC Chapter 17.
37. Fire Department vehicular access must be installed and maintained in a serviceable manner before and during the time of construction per CFC § 501.4, as adopted by MPMC Chapter 5.
38. The minimum fire flow required must be determined as specified by the current adopted edition of the CFC Appendix B with adopted amendments.
39. The required fire flow for the new structure is 1,000 gallons per minutes (gpm) as 20 pounds per square inch (psi) of 2 hours duration.
40. Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gallons per minute at 20 psi must be installed and in service along the access road/driveway at a location approved by the Fire Chief, or designee, but no further than 250 feet from the construction site. The owner of the combustible construction is responsible for the cost of this installation.
41. Per California Fire Code Appendix C, a minimum of one fire hydrant must be provided within 250 feet of the new structure.
42. A Knox box(es) must be provided at an approved location per CFC § 505.1.
43. Portable fire extinguishers must be installed per the CFC § 906.
44. If revised plans are required, additional fees will be due for the review of the drawings.

POLICE:

45. Exterior lighting must be in full operation at all times.

**PLANNING COMMISSION
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46. All major common areas of the locations, including all parking areas, must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrance/exits and must be positioned to capture the faces of people entering and existing. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the management must comply with the request within seven days. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.
47. The applicant/property owner must install an adequate alarm system at any fixed money handling areas. The alarm system will allow notification of the Police Department in the event of any such attempt. The type of alarm system installed must be connected with the alarm company, and the system must have the capability to distinguish if the need for the Police service is for a robbery or burglary. The business must obtain an alarm permit from the Police Department.
48. Access to the roof, if there is one, will be locked and secure. Access to the roof will be restricted to maintenance personnel, building management, or other authorized personnel.
49. The business is encouraged to join and participate in the Monterey Park Police Department's Business Watch Program; a free service designed to educate businesses about minimizing criminal activity. The Community Services Bureau can be contacted at (626) 307-1215.
50. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.
51. The business must comply with federal, state, and local laws governing business licensing, and noise levels.

By signing this document, Garfield Oil LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Garfield Oil LLC, Applicant

RESOLUTION NO. 20-19

Exhibit A

CONDITIONS OF APPROVAL

2425-2439 SOUTH GARFIELD AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Garfield Oil LLC agrees that it will comply with the following conditions for the City of Monterey Park's approval of Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01), and Conditional Use Permit (CU-19-04) ("Project Conditions").

PLANNING:

1. Garfield Oil LLC ("Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of SPA-19-01, ZC-19-01, and CU-19-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of SPA-19-01, ZC-19-01, and CU-19-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Divisions. Any subsequent modification must be referred to the City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

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6. The real property subject to SPA-19-01, ZC-19-01, and CU-19-04 must remain well-maintained and free of graffiti.
7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.
9. With the exception of the MPMC prohibition against drive-through aisles exiting directly onto a public right of way (see MPMC § 21.10.040(I)(12)), the drive-through component of the Project must otherwise comply with MPMC § 21.10.040(I) and must be reviewed and approved by the Design Review Board, where applicable. Specifically:
 - a. Any pedestrian walkways either will not intersect the drive-through drive aisles or, if they do, will have clear visibility and will be emphasized by enriched paving or striping;
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10. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a permittee, this project involves the disturbance of soils by grading, clearing and/or excavation. Developer/owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the issuance of the grading permit on evidence of compliance with this permit and its requirements. This project will require the preparation of a Low Impact Development (LID) and a Storm Water Pollution Prevention Plan (SWPPP). Upon approval of the NPDES document by the

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City, Developer/Owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading Permit (the electronic copy requirement pertains to projects greater than an acre).

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43. Portable fire extinguishers must be installed per the CFC § 906.

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44. If revised plans are required, additional fees will be due for the review of the drawings.

POLICE:

45. Exterior lighting must be in full operation at all times.
46. All major common areas of the locations, including all parking areas, must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. Security video cameras must be installed at all the entrance/exits and must be positioned to capture the faces of people entering and existing. All recordings must be maintained for a minimum of 30 days. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the management must comply with the request within seven days. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within seven days.
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49. The business is encouraged to join and participate in the Monterey Park Police Department's Business Watch Program; a free service designed to educate businesses about minimizing criminal activity. The Community Services Bureau can be contacted at (626) 307-1215.
50. The shrubbery on the property must be installed and maintained in such condition as to not restrict visibility from the street or easily conceal persons.
51. The business must comply with federal, state, and local laws governing business licensing, and noise levels.

MISCELLANEOUS:

52. The coffee shop business hours of operation will be Monday through Sunday, 24-hours.

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By signing this document, Garfield Oil LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Garfield Oil LLC, Applicant

ATTACHMENT 2

Site, floor, elevation plans

ATTACHMENT 10

Planning Commission Minutes dated October 22, 2019

**UNOFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
OCTOBER 22, 2019**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, October 22, 2019 at 7:00 p.m.

CALL TO ORDER:

Chairperson Eric Brossy de Dios called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Eric Brossy De Dios, Ricky Choi, Theresa Amador, Antonio Salazar, and Delario Robinson,

Board Members Absent: None

ALSO PRESENT: Natalie C. Karpeles, Deputy City Attorney, Mark A. McAvoy, Public Works Director/City Engineer/City Planner, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] **PRESENTATIONS:** None

[2.] **CONSENT CALENDAR:** None

[3.] **PUBLIC HEARING:**

3-A. TENTATIVE MAP NO. 80304 (TM-19-04) TO ALLOW THE SUBDIVISION OF AIR-RIGHTS TO ESTABLISH AND MAINTAIN A TWO-UNIT CONDOMINIUM CONVERSION PROJECT IN THE R-2 (MEDIUM DENSITY RESIDENTIAL) ZONE – 128 GLADYS AVENUE

Planner Tewasart provided a brief summary of the staff report.

Chairperson Brossy de Dios opened the public hearing.

Applicant, Alex Liu, 1455 Monterey Pass Road, #206, Monterey Park, CA 91754, was present for questions.

Chairperson Brossy de Dios closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 19-19** approving Tentative Map No. 80304

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

(TM-19-04) to subdivide air-rights for a two-unit residential (3 bedrooms) condominium conversion development in the R-2 (Medium Density Residential) Zone.

Resolution No. 19-19

A RESOLUTION APPROVING TENTATIVE MAP NO. 80304 (TM-19-04) TO SUBDIVIDE AIR RIGHTS FOR A TWO-UNIT RESIDENTIAL CONDOMINIUM CONVERSION DEVELOPMENT AT 128 GLADYS AVENUE.

Motion: Moved, by Commissioner Salazar and seconded by Commissioner Choi, motion carried by the following vote:

Ayes: Commissioners: Brossy de Dios, Choi, Amador, Salazar, and Robinson
Noes: Commissioners: None
Absent: Commissioners: None
Abstain: Commissioners: None

3-B. SPECIFIC PLAN AMENDMENT (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW COFFEE SHOP WITH A DRIVE-THROUGH – 2425-2439 SOUTH GARFIELD AVENUE

Planner Tewart provided a brief summary of the staff report.

Commissioner Brossy de Dios inquired about the difference in intent of the two zones. Planner Tewart replied that the Garfield/Pomona intersection is identified as the gateway entrance and the specific plan discusses landscaping, street furniture, outdoor seating, etc.

Commissioner Brossy de Dios stated that there is an existing use on the lot, the use and lot are being expanded, there is a zone change on the lot on which the gas station currently sits, and even though it is an existing gas station, the entire gas station is being torn down and rebuilt as new, so under the auspices of the specific plan and the process of approving a zone change and conditional use permit, should this application be considered a new project. Commissioner Brossy de Dios inquired if the request is considered a continuation of the existing use or a new application. Planner Tewart replied that it would be a continuation and modification of an existing use. Attorney Karpeles replied that the use of the property as a service station is a continued use and the service station use has not been abandoned. A conditional use permit is needed to have the drive-through in the GVC-S zone and the service station. Once the zone is changed, the zone change would apply to the property in perpetuity and the conditional use permit will run with the land for as long as that use is continued, meaning the drive-through and the service station. Attorney Karpeles pointed out section B on page 5 of 8 which addresses findings for the conditional use permit.

Chairperson Brossy de Dios opened the public hearing.

MISSION STATEMENT

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Applicant, Arian Talehakimi, 4316 Marina City Drive #731, Marina del Rey, CA 90292 provided a brief presentation of the proposed project.

Representative Indira Ibrahimbegovic of Greenberg Farrow, 30 Executive Park, Suite 100, Irvine, CA 92614, stated that they are the architect of record. The menu board is placed at the seventh car from the pick-up point. This is the optimal location for Starbucks Corporation and will allow for adequate stacking contained on-site. Commissioner Brossy de Dios inquired if there is a specified traffic flow and if access is off the alley. Representative Ibrahimbegovic replied that it could be off the alley. There is an arrow at the beginning of the drive-through lane. A right can be made if coming north from Garfield.

Commissioner Choi inquired about northbound access. Representative Ibrahimbegovic replied that it would be a left onto Pomona. Commissioner Choi inquired if there is a Starbucks representative because Starbucks is very active in the selection of their sites. They have a store development team and a real estate team. They are very meticulous with regards to selection of a site and a sticking point is access. Applicant Talehakimi stated that they have a fully executed lease that is conditional to the outcome of the Planning Commission and City Council. Ahmad Ghaderi of A & S Engineering, Inc., 28405 Sand Canyon Road, Suite B, Canyon Country, CA 91387, stated that on Pomona and Garfield there is driveway access and the alley.

Commissioner Salazar inquired if there are any barriers between Starbucks and the alley. Applicant Talehakimi replied no.

Commissioner Robinson stated that he is happy to see an international chain come into the area.

Commissioner Amador inquired about the number of service bays currently at the property. Applicant Talehakimi replied that there are three service bays. Half of one of the service bays was taken to expand the footprint of a small store. The service bays are currently not in operation. They had a smog test facility in there until about eighteen months ago and they suspended the use of the service bays pending the proposed development plans.

Commissioner Amador inquired about the number of fueling stations. Applicant Talehakimi replied that the number of fueling stations will stay the same. There are currently twelve and they will retain twelve, which are six stations with pumps on both sides. There will be three rows of two.

Commissioner Salazar inquired about the 24-hour service. Applicant Talehakimi replied that the service station is currently 24-hours. There is no interior access for the customers to the building, so they only walk-up to an outside service window. There would still be a degree of separation between any potential assailants and the employees inside. Commissioner Salazar stated that since the coffee shop will only be a drive-through there will be less opportunity for robberies.

Opponent Dan Morales, 2424 South Isabella Avenue stated the existing traffic flow particularly in the morning coming from southbound Garfield coming from Pomona, there

MISSION STATEMENT

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are many trying to make a right on Riggins to get over to Isabella to make a left or they come down to Fernfield, which is the north street of this project, make a right and either make a left into the alley or drive up to Isabella and make a left there. The concern is that there is no divider that is going to keep the traffic controlled to come in through certain exits. Meaning there is two on Garfield, one on Pomona, and the alley particularly during peak hours when traffic is coming down south on Garfield. There is nothing on the plans that will keep cars from not crossing the alley where there can be potential stacking during peak hours. It is not that they are against the project; it is about what type of project it is going to be.

Speaker Flo Uwasa, 2412 South Isabella Avenue stated that the entryway from Garfield going north a left cannot be made on Garfield. The specific plan had mentioned making the alleyway and Fernfield one-way. There is a homeless situation in the area and they will be in outside area. She questioned the security and lighting.

Opponent Elena Helen Holguin, 206 West Fernfield Drive stated that she has lived in Monterey Park since 1959 and has seen a lot of changes in Monterey Park. There is terrible traffic going down Garfield and it is difficult to go down to ARCO gas station. They have problems with parking from the employees at the car wash.

Applicant Talehakimi stated that he apologizes for not connecting with the property owners, but he has tried on more than one occasion. He will provide the property owners with his connect information to bring any concerns that they may have with the project and to open the lines of communication. With respects to security, since they have owned the property, they have never been robbed or vandalized. Unfortunately, the recording studio with its dim lighting in the areas that are blocked from view it is easy for the homeless to go to those areas. They are hoping that this project will address those issues. With respects to lighting there will be more than adequate lighting. There will not be a security guard, but there will always be a person on-site to contact the police if needed. There will be greater visibility across the project. There will also be cameras throughout the property, which is a condition of the approval.

Mr. Ghaderi stated that the building is situated so as to not block the driveway. The majority of the traffic will be westbound Pomona and southbound Garfield, and going northbound on Garfield will be left on Pomona and then right onto the site. The traffic pattern is to have stacking towards the south side of the property. There is no potential blockage of the driveway. The building is intentionally designed so that the path there exiting off the driveway is accessible at all times.

Chairperson Brossy de Dios closed the public hearing.

Commissioner Robinson stated that the traffic on Garfield and Pomona is stressful. Most of the traffic comes from the 8-wheelers trying to make a left-turn going onto Garfield, but this project is on the north side and traffic is coming from the north onto Garfield. The Starbucks can be accessed from the west side and exit, which is not as much traffic. There is going to be homeless, but with the new lighting there will be a vast improvement.

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

Commissioner Salazar stated that he believes that the clarification on the drive-through entrance has been addressed and there are no concerns. The new lighting will help to facilitate the discouragement of people hanging out in the existing northern part of the property. It will be an improvement for the property. He understands the concerns from the neighbors and hopes that this project can benefit everyone and not just the passer-bys.

Commissioner Amador inquired about clearance in the alleyway. Assistant City Engineering Frank Lopez replied that Starbucks is situated so that the entry is south of Mr. Morales's driveway and the exit is just north of it and cars exiting will likely turn right not through the alley to go onto Pomona. The entrance to the drive-through will likely be from Garfield. There is an aisle space outside of the alley for the drive-through, so they don't have to be in the alleyway. A couple of things to understand is that alleyways, while they are not streets, they are access to driveways both for residences and businesses. There will be some numbers that will come from Pomona, but most of the morning trips will be coming from the north going southbound, so the easiest entrance will be the driveway at the front of the property along Garfield. Commissioner Amador stated that she just wants to make that Mr. Morales's home was taken into consideration. It is a great project and may be it will give impetus to other businesses to come to this area. We see the changes, but we also need to address the concerns of the residents.

Commissioner Brossy de Dios stated that he does have concerns with this application. The gas station has been a fixture at that location for many years. There is a concern that the application made for the zone change flies in the face of what the intent of the specific plan was about. His understanding is that the corner is to be considered a primary gateway the Garfield Village and continuation to the pedestrian areas and by changing the land development zone for that parcel that we would be changing the ultimate intent of the specific plan. This project would be a great addition to a shopping center, but as the gateway there is a concern.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 20-19** recommending that the City Council approve Specific Plan Amendment (SPA-19-01), Zone Change (ZC-19-01) and Conditional Use Permit (CU-19-04) to allow the reconstruction of an existing service station and construction of a new coffee shop with a drive-through at 2425 and 2439 South Garfield Avenue, with an added condition.

Resolution No. 20-19

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE SPECIFIC PLAN AMENDMENT (SPA-19-01), ZONE CHANGE (ZC-19-01) AND CONDITIONAL USE PERMIT (CU-19-04) TO ALLOW THE RECONSTRUCTION OF AN EXISTING SERVICE STATION AND CONSTRUCTION OF A NEW COFFEE SHOP WITH A DRIVE-THROUGH AT 2425 AND 2439 SOUTH GARFIELD AVENUE.

Motion: Moved, by Commissioner Robinson and seconded by Commissioner Amador, motion carried by the following vote:

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

Ayes: Commissioners: Choi, Amador, Salazar, and Robinson
Noes: Commissioners: Brossy de Dios
Absent: Commissioners: None
Abstain: Commissioners: None

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS: None

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 8:38 p.m.

Next regular scheduled meeting on November 12, 2019 at 7:00 p.m. in the Council Chambers.

Mark A. McAvoy
Director of Public Works/City Engineer/City Planner

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



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-E

TO: The Honorable Mayor and City Council
FROM: Matthew Hallock, Fire Chief
SUBJECT: Acceptance of Urban Search and Rescue (USAR) Vehicle Transfer from the City of San Gabriel

RECOMMENDATION:

It is recommended that the City Council consider:

1. Accepting a USAR purchased Heavy Rescue Truck & Accessory Equipment ("USAR Truck") from the City of San Gabriel; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

In 2017, the Monterey Park Fire Department began operating and maintaining the USAR Truck which was transferred from the City of San Gabriel. Because the USAR Truck was purchased through the State Homeland Security Grant Program ("SHSP"), transferring title to the USAR Truck from San Gabriel to Monterey Park requires action by the cities' respective City Councils. On April 21, 2020, the San Gabriel City Council authorized the transfer; it is now desirable for the Monterey Park City Council to accept the USAR Truck transfer. An agreement memorializing that transfer was negotiated, and approved as to form, between the cities' respective City Attorneys.

BACKGROUND:

The Los Angeles County's Chief Executive Office – Budget and Fiscal Services/Homeland Security Grant Program Division and Office of Emergency Management serves as the local grant administrator for SHSP grant funds. The City of San Gabriel applied for and was awarded SHSP grant funds for the purchase a 2005 Pierce Heavy Duty Fire Truck, for use in Urban Search & Rescue mission for San Gabriel and as part of the Verdugo System. The City of Monterey Park was awarded SHSP funding for USAR equipment and training for various grant years. Monterey Park currently provides firefighter staffing for the USAR Truck. There are no other Urban Search and Rescue teams in the immediate vicinity and San Gabriel seeks to keep valuable service provided by Monterey Park in the immediate vicinity as mutual contracting members of the Verdugo System with its mutual aid and 'no borders' provision.

Monterey Park Fire Department is committed to providing the community the highest level of standard care and emergency response. Monterey Park Fire Department is also part

of the Regional USAR Task Force 4 for urban search and rescue and provides services to the State of California.

In 2017, MPFD began operating and maintaining the USAR Truck as part of the Verdugo System. Since that time, MPFD negotiated with the San Gabriel Fire Department to make that transition official. Accomplishing the transfer requires approval by both the San Gabriel and Monterey Park City Councils.

FISCAL IMPACT:

The City of San Gabriel has approved the transfer of the grant-funded Pierce Quantum Heavy Rescue Truck & Accessory Equipment to the City of Monterey Park. While there is no cost for MPFD to acquire the USAR Truck, operation and maintenance of the USAR Truck is estimated to be between \$7,500 and \$10,000 annually. This cost is part of the MPFD's budget.

Approved by:

Respectfully submitted by:

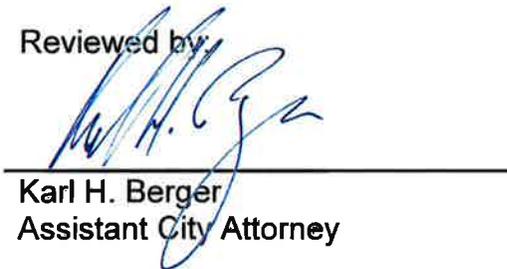


Ron Bow
City Manager



Matthew Hallock
Fire Chief

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENTS:

1. Resolution – Transfer of USAR Vehicle to the City of Monterey Park
2. Picture of USAR Truck

ATTACHMENT 1
Resolution – Transfer of USAR Vehicle to the
City of Monterey Park

RESOLUTION NO. 20-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN GABRIEL,
CALIFORNIA, AUTHORIZING THE TRANSFER OF A FIRE TRUCK TO THE
CITY OF MONTEREY PARK**

WHEREAS, the City of San Gabriel Fire Department has in its possession and title for an Urban Search and Rescue Fire Truck and accessory equipment ("Equipment") previously used for joint Urban Search and Rescue operations with the City of Monterey Park Fire Department; and

WHEREAS, the Equipment is approximately 14 years old and has become obsolete; and

WHEREAS, due to funding and staffing concerns, it has become uneconomical for the City to upkeep and maintain the Equipment; and

WHEREAS, there exists a mutual aid agreement for fire assistance with the neighboring City of Monterey Park; and

WHEREAS, a donation to the City of Monterey Park of this Equipment would maintain Urban Search and Rescue services in the immediate area for the common benefit and serve a public purpose; and

WHEREAS, the Equipment is at the end of its depreciable life and has little to no economic book value factoring the cost of preparing the Equipment for sale; and

WHEREAS, Government Code Sections 37350 and 37351 provides that a City may purchase, lease, receive, hold and enjoy real and personal property, and control and dispose of it for the common benefit or for the benefit of the City; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN GABRIEL,
CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The Recitals set forth above are incorporated into this Resolution by this reference.

SECTION 2. The Council finds that due to the Equipment's age and staffing limitations, that the Equipment is obsolete and no longer used or needed by the San Gabriel Fire Department.

SECTION 3. The Council declares the Equipment surplus property.

SECTION 4. The Council finds that disposing of this surplus property would serve a public purpose and also benefit the City of San Gabriel by releasing the City of its maintenance obligations and ensuring that the City of San Gabriel continues to benefit from its operation by a neighboring jurisdiction under a mutual aid agreement.

SECTION 5. The Council finds that the equipment has little or no monetary value, and therefore can be disposed of by donation to a public entity, such as the City of Monterey Park.

SECTION 6. The City Council of the City of San Gabriel hereby authorizes and directs the City Manager, and the San Gabriel Fire Chief, or their designees to execute an agreement for the transfer of the Equipment subject to the substantive terms and

conditions set forth in the agreement entitled Agreement to Transfer Pierce Quantum Heavy Rescue Truck & Accessory Equipment and Waiver & Release, attached hereto as Exhibit "A".

SECTION 7 The City Manager and the San Gabriel Fire Chief, or their designees, is authorized to execute any additional documents and take any additional actions necessary to complete the transfer.

SECTION 8 The City Clerk shall certify to the adoption of this resolution and shall enter the same in the Book of Original Resolutions

APPROVED and PASSED this 21st day of April, 2020

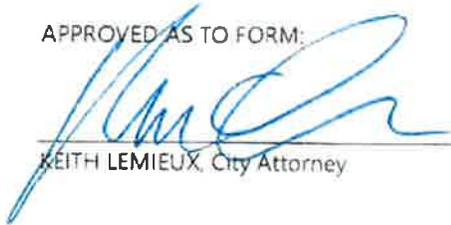
City of San Gabriel, California

BY: 
DENISE MENCHACA, Mayor

ATTEST:


SHARON F. CLARK, Chief City Clerk

APPROVED AS TO FORM:


KEITH LEMIEUX, City Attorney

CERTIFICATION

I, Sharon F. Clark, Chief City Clerk of the City of San Gabriel, do hereby certify that Resolution No. 20-18 was duly adopted by the City Council of the City of San Gabriel at a regular meeting held on the 21st day of April, 2020, by the following vote:

AYES: DING, HARRINGTON, PU, LIAO, MENCHACA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Dated: April 22, 2020



SHARON F. CLARK, Chief City Clerk

ATTACHMENT 2

Picture of USAR Truck





City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: Consent Calendar
Agenda Item 3-F

TO: The Honorable Mayor and City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer
Matt Hallock, Fire Chief
SUBJECT: Demolition & Reconstruction of Fire Station 62 Specification No. 2019-004 - Terminate Contract, Waive Bidding, Authorize City Manager to Utilize Informal Bid Procedures

RECOMMENDATION:

It is recommended that the City Council:

1. Direct the City Manager to terminate Klassic Engineering & Construction, Inc.'s control over Contract No. 2158-A (in the amount of \$5,397,101) for the Demolition and Reconstruction of Fire Station 62, due to non-performance;
2. Adopt Resolution No. ____ declaring an emergency and authorizing contracting without formal bidding pursuant to Public Contracts Code § 22050;
3. Authorize the City Manager to execute a standard public works contract, in a form approved with the City Attorney, in accordance with Resolution No. ____ and after 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 total \$5,556,100, including change orders and contingency as required and within available funds;
4. Take such additional, related action that may be desirable.

EXECUTIVE SUMMARY:

On November 7, 2018, the City Council adopted a resolution approving the design and specifications for the Fire Station 62 Demolition and Reconstruction Project and authorized staff to solicit bids. On December 18, 2019, City Council awarded a contract to Klassic Engineering & Construction Inc., the apparent lowest responsible bidder, in the amount of \$5,397,101 and authorized a 3% contingency for a total project cost of \$5,556,100. Due to non-performance on the contract, staff recommends terminating the contractor's control over the project and moving forward with a different contractor following a procurement process utilizing MPMC Chapter 3.100.

BACKGROUND:

On January 20, 2016, City Council awarded a contract to WLC Architects, Inc. to draft architectural drawings for the reconstruction of Fire Station 62, remodel of Fire Station 61 and evaluation of Fire Station 63. On May 18, 2016, City Council selected a preferred design for Fire Station 62 and final design commenced. Final design was completed by Summer 2019. The project was bid in accordance with Resolution No. 12046, adopted November 7, 2018. The work included demolition of the existing residential house and fire station buildings, construction of new fire station buildings, site grading, minor concrete and paving, and landscaping. Ten bids were received and opened on October 22, 2019. Bids ranged from \$5,397,101 to \$6,995,000. The bid submitted by Klassic Engineering & Construction, Inc. (Klassic) was the lowest bid and City Council awarded a contract to Klassic on December 18, 2019.

On January 23, 2020, the first pre-construction meeting was held whereby a schedule for construction was requested from Klassic. At the pre-construction meeting, Klassic representatives informed staff that though they bid the project to demolish and reconstruct the residence first, they did not think they could follow this schedule. Staff informed Klassic that this contract requirement was mandatory, had been specifically delineated in the project bid documents, and the construction schedule must include this sequencing.

On January 28, 2020, the missing County Certification for the contract bonds were requested per project specifications; they were received on February 7, 2020. On March 2nd, Klassic representatives informed staff that they did not budget for a project Stormwater Pollution Prevention Plan, even though required by the specifications, because they did not think one was necessary. Subsequently, staff requested proper insurance documents from Klassic on multiple occasions because what was provided did not meet the City's minimum requirements; on March 11, correct insurance was finally submitted, and the agreement was executed on March 16, 2020.

On March 18th, the contractor was informed that due to the local emergency declaration for the COVID-19 pandemic, a project construction start date was on-hold; however, Klassic should continue with required project submittals, primarily an overall construction schedule, and a project schedule of values. On March 27th, the contractor was notified that this project was no longer on-hold and the start date would occur as soon as a reasonable schedule of values (SOV) was approved and a schedule that met the project specifications was submitted. In the meantime, Klassic representatives continued to assert that they could not build the project as bid, that they could not sequence the project as designed, and instead wanted access to the whole site in spite of previous direction from staff.

Another teleconference meeting was held with Klassic on March 30th, and Klassic representatives stated that they would provide all requests for information (RFIs) before the end of that week, followed by an SOV by April 3rd. Several repetitive RFIs were submitted, and continue to be submitted, that request the same information over and

over. The SOV was not submitted. Klassic was reminded by email on April 8th and April 13th that the SOV remained outstanding and was critical for start of construction. It was submitted on April 13th but rejected by staff and returned on April 15th with comments. Klassic requested another teleconference to discuss project phasing, which was held on April 15th and Klassic was informed that project phasing was to be per the project specifications that were bid on; Klassic representatives stated that they could not perform the project phasing as designed, and would submit a new schedule by April 17th.

Klassic submitted a project schedule on April 20th, listing 19 months to complete the project which did not meet the contract specifications of 12 months per the submitted bid. During another teleconference on April 23rd, Klassic was informed by phone (followed up in email) regarding staff comments on project schedule and SOV, that neither submittal was responsive to the bid specifications.

In an effort to work with the contractor and move the project forward, staff discussed with Klassic that if the full project site were to be provided to Klassic and the phasing modified per their request, a credit in contract cost and/or schedule would be required. Klassic promised to provide what the credit amount would be by April 27th; on May 4th staff followed up as no credit information had yet been provided; and on May 8th the information was submitted and was in the unacceptable amount of \$13,000 which would not cover six months of relocation for fire personnel and fire apparatus.

To date a SOV has not been approved, and the most recent project submittal exceeded the allowed contract time and has not been approved. In addition, Klassic is requesting the contract be modified to include provisions related to the COVID-19 pandemic for delays, which is unnecessary and not representative of current construction industry conditions around the State. Staff recommends at this point that Klassic's control over the contract be terminated in accordance with 6-4.2 of the General Specifications. This will allow the City to replace Klassic with a new contractor.

To continue the project, staff recommends that the project be rebid utilizing an informal bidding procedure per MPMC Chapter 3.100. This would be performed, and the lowest responsive, responsible bidder selected, utilizing the existing project funds. Industry trends have shown a slight decrease in some construction costs in recent months (e.g., fuel costs) and staff is anticipating that existing project budget is sufficient. Once a contractor is selected, the City Manager will execute a contract in a form approved by the City Attorney, and staff will provide an update to the City Council at its next subsequent meeting.

FISCAL IMPACT:

The project is funded by Fire Suppression Development Impact Fees (DIF), General Fund Capital Improvement Project (CIP) reserve funds, Measure R funds, and Measure M funds. Below is a summary of the funding sources.

Fiscal Year	Fund	Amount
<i>Budgeted FY2018-19</i>	DIF (0071)	\$420,521
	General Fund (0010)	\$4,686,456
<i>Budgeted FY2019-20</i>	Fire Suppression DIF (0071)	\$100,000
	General Fund CIP Reserve (0010)	\$150,000
	Measure R	\$100,000
	Measure M	\$100,000
TOTAL		\$5,556,977

Respectfully submitted by:



 Mark A. McAvoy
 Director of Public Works /
 City Engineer



 Matt Hallock
 Fire Chief

Approved by:



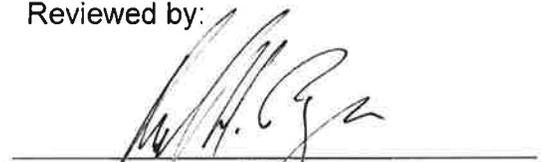
 Ron Bow
 City Manager

Reviewed by:



 Martha Garcia
 Director of Management Services

Reviewed by:



 Karl H. Berger
 Assistant City Attorney

ATTACHMENT(S):

1. December 18, 2019 Klassic Bid Award Staff Report
2. Draft Resolution

ATTACHMENT - 1

Klassic Bid Award Staff Report Dated December 18, 2019



City Council Staff Report

DATE: December 18, 2019

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

TO: The Honorable Mayor and City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer
Scott Haberle, Fire Chief
SUBJECT: Demolition & Reconstruction of Fire Station 62 Specification No. 2019-004 - Award of Contract

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the City Manager to execute a public works contract, in a form approved by the City Attorney, with Klassic Engineering & Construction, Inc. of Orange, California in the amount of \$5,397,101 for the Demolition and Reconstruction of Fire Station 62;
2. Authorize the Director of Public Works to approve change orders and contingency up to \$159,000, or 3% of the contract amount, for a total project cost of \$5,556,101;
3. Appropriate a total of \$450,000 to cover costs above the FY2019 budgeted amount of \$5,106,977: \$100,000 from Fire Suppression Development Impact Fees (DIF); \$150,000 in General Fund Capital Improvement Projects (CIP) reserve funds; \$100,000 from Measure R funds; and \$100,000 from Measure M funds – for a total of \$5,556,977; and
4. Take such additional, related action that may be desirable.

EXECUTIVE SUMMARY:

On November 7, 2018, the City Council adopted a resolution approving the design and specifications for the Fire Station 62 Demolition and Reconstruction Project and authorized staff to solicit bids. Staff has completed its review of bids and recommends that the contract be awarded to Klassic Engineering & Construction Inc., the apparent lowest responsible bidder, in the amount of \$5,397,101. A 3% contingency is requested for a total project cost of \$5,556,100.

BACKGROUND:

On January 20, 2016, City Council awarded a contract to WLC Architects, Inc. for architectural services for the reconstruction of Fire Station 62, remodel of Fire Station 61 and evaluation of Fire Station 63. On May 18, 2016, WLC Architects presented conceptual renderings of Fire Station 62 to City Council at which time a selection was made for the preferred design.

On November 7, 2018, City Council approved an amendment to WLC Architect's contract to cover costs for ADA revisions and the reconstruction of the residential building at the site. At this meeting, Council also authorized staff to advertise for construction once the plans and specifications were completed to the satisfaction of the City Engineer. The purpose for the early authorization was to expedite the release of the construction bid as construction costs were projected to increase.

Staff released the public works bid on September 2, 2019. The work included demolition of the existing residential house and fire station buildings, construction of new fire station buildings, site grading, minor concrete and paving, and landscaping.

The bid was opened on October 22, 2019 and includes the following ten bids:

RANK	BIDDER	BASE BID AMOUNT
1	Klassic Engineering & Construction, Inc.	\$5,397,101
2	New Dynasty Construction	\$5,602,035
3	Caliba, Inc.	\$5,618,000
4	PCN3, Inc.	\$5,669,000
5	RC Construction Services, Inc.	\$5,695,000
6	General Consolidated Constructors	\$5,850,000
7	Keystone Builders, Inc.	\$5,890,000
8	Monet Construction , Inc.	\$5,993,000
9	Morillo Construction, Inc.	\$6,540,000
10	Woodcliff Corporation	\$6,995,000

The bid submitted by Klassic Engineering & Construction, Inc. is the lowest responsive bid from a responsible bidder. Klassic's license was verified with the California State Contractor's License Board to be current, active and in good standing. Registration with the California Department of Industrial Relations (DIR) was verified. Staff also checked the contractor's references and received positive feedback.

FISCAL IMPACT:

The FY2018-19 budget includes \$5,106,977 for this construction project. The remaining balance of \$450,000 is requested to be appropriated from Fire Suppression Development Impact Fees (DIF), General Fund Capital Improvement Project (CIP) reserve funds, Measure R funds, and Measure M funds. Below is a summary of the funding sources.

Fiscal Year	Fund	Amount
<i>Budgeted FY2018-19</i>	DIF (0071)	\$420,521
	General Fund (0010)	\$4,686,456
<i>Budgeted Subtotal</i>		\$5,106,977
<i>Additional Funding</i>	Fire Suppression DIF (0071)	\$100,000
	General Fund CIP Reserve (0010)	\$150,000
	Measure R	\$100,000
	Measure M	\$100,000
TOTAL		\$5,556,977

Respectfully submitted by:


 Mark A. McAvoy
 Director of Public Works /
 City Engineer


 Scott Haberle
 Fire Chief

Prepared by:


 Frank A. Lopez
 Assistant City Engineer

Approved by:


 Ron Bow
 City Manager

Reviewed by:


 Annie Yaung
 Director of Management Services

Reviewed by:


 Karl H. Berger
 Assistant City Attorney

ATTACHMENT(S):

1. Klassic Engineering & Construction, Inc. Bid

ATTACHMENT - 1
Klassic Engineering & Construction, Inc. Bid

SECTION C. BIDDERS PROPOSAL
(Entire section C shall be submitted with the bid)

BIDDER'S NAME: Klassic Engineering & Construction Inc.

In accordance with the City's Notice Inviting Sealed Bids, the undersigned BIDDER, hereby proposes to furnish all materials, equipment, tools, labor, and incidentals required for the above stated project as set forth in the Plans, Specifications, and contract documents therefore, and to perform all work in the manner and time prescribed therein.

BIDDER declares that this proposal is based upon careful examination of the work site, Plans, Specifications, Instructions to Bidders, and all other contract documents. If this proposal is accepted for award, BIDDER understands that failure to enter into a contract in the manner and time prescribed will result in forfeiture to the City of Monterey Park of the guarantee accompanying this proposal.

BIDDER understands that a bid is required for the entire work. The contract will be awarded on the prices shown on the bid schedule. It is agreed that the unit and/or lump sum prices bid include all appurtenant expenses, taxes, royalties and fees. In the case of discrepancies in the amounts of bid, unit prices shall govern over extended amount, and words shall govern over figures.

If awarded the Contract, the undersigned further agrees that in the event of the BIDDER'S default in executing the required contract and filing the necessary bonds and insurance certificates within ten working days after the date of the City's notice of award of contract to the BIDDER, the proceeds of the guarantee accompanying this bid shall become the property of the City and this bid and the acceptance hereof may, at the City's option, be considered null and void.

BID SCHEDULE

To the Monterey Park's City Council, herein called the "Council".

Pursuant to and in compliance with your Notice Inviting Bids and the other documents relating thereto, the undersigned bidder, having familiarized himself with the work, and with the terms of the contract, the local conditions affecting the performance of the contract, and the cost of the work at the place where the work is done, and with the drawings and specifications and other contract documents, hereby proposes and agrees to perform, within the time stipulated, the contract, including all of its component parts, and everything required to be performed, and to provide and furnish any and all of the labor, materials, tools, expendable equipment, and all applicable taxes, utility and transportation services necessary to perform the contract and complete in a workmanlike manner, all in strict conformity with the Contract Documents on file at the office of the City Clerk of said City, per the following bid schedule:

**BID SCHEDULE
DEMOLITION AND RECONSTRUCTION OF FIRE STATION 62**

TOTAL BASE BID AMOUNT IN WORDS Five Million Three Hundred
Ninety Seven Thousand One Hundred and
one Dollars and Zero Cents DOLLARS

TOTAL BASE BID AMOUNT IN NUMBERS \$ 5,397,101.⁰⁰

- The bid prices shall include any and all costs, including labor, materials, appurtenant expenses, taxes, royalties and any and all other incidental costs to complete the project, in compliance with the Bid and Contract Documents and all applicable codes and standards.
- All other work items not specifically listed in the bid schedule, but necessary to complete the work per bid and contract documents and all applicable codes and standards are assumed to be included in the bid prices.
- A bid is required for the entire work. The quantities set forth in the Bid Schedule will be used to calculate total bid amount. The final compensation under the contract will be based upon the actual quantities of work satisfactorily completed.

DESIGNATION OF SUBCONTRACTORS

BIDDER proposes to subcontract certain portions of the work which are in excess of one-half of one percent of the bid and to procure materials and equipment from suppliers and vendors as follows:

Subcontractor Information	Work to be Performed	Dollar Amount
Name: Abdellatif Enterprises, Inc Address: 26072 Merit Circle Ste. 103 Laguna Hills, Ca. 92653 Tel: (949) 215-4790	Rough Carpentry	\$ <u>825,000.00</u>
Name: Worthington Construction Inc. Address: 1325 Pico St. Ste #104 Corona, Ca. 92881 Tel: (951) 734-4950	Landscape & Irrigation	\$ <u>85,000.00</u>
Name: Innovated Acoustical Corp. Address: 4097 Trailcreek Rd. Riverside, Ca. 92505 Tel: (951) 374-9773	Acoustical Ceilings	\$ <u>17,000.00</u>
Name: Geargrid Corporation Address: 670 15th St. SW Forest Lake, Mn., 55025 Tel: (9651) 464-4468	Material Onl: Lockers & Accesories	\$ <u>9,000.00</u>
Name: FFS TECH Address: 6000 Venice Blvd. Los Angeles, Ca. 90034 Tel: (323) 965-9300	Fire Alarm System	\$ <u>35,000.00</u>
Name: Simco Mechanical Address: 3795 La Crescenta Ste A Glendale, Ca. 91208 Tel: (818) 957-4994	HVAC	\$ <u>87,000.00</u>
Name: Serenity Fire Protection Address: 417 Associated Rd. #215 Brea, Ca. 92821 Tel: (714) 914-1463	Fire Sprinkler System	\$ <u>75,000.00</u>

DESIGNATION OF SUBCONTRACTORS

BIDDER proposes to subcontract certain portions of the work which are in excess of one-half of one percent of the bid and to procure materials and equipment from suppliers and vendors as follows:

Subcontractor Information	Work to be Performed	Dollar Amount
Name: Zila Storm Water Management Address: 10880 Wilshire Blvd. Ste 1101 Los Angeles, Ca. 90024 Tel: (323) 455-5012	SWPPP	\$ <u>3,000</u>
Name: Air Exchange Clean Air Address: 495 Edison Court Ste A Fairfield, Ca. 94534 Tel: (929) 923-7952	Diesel Exhaust Removal	\$ <u>60,000.00</u>
Name: Commercial Roofing Systems Address: 11735 Goldring Rd. Arcadia, Ca. 91006 Tel: (626) 359-5354	All Roofing	\$ <u>75,000.00</u>
Name: Architectural Casework, Inc Address: 8594 Siempe Viva Rd. Ste C San Diego CA 92154 Tel: 619-571-9653	Millwork case work and Finished Carpentry Interior	\$ <u>250,000</u>
Name: Demolition Specialist Inc Address: 3020 Denton St Riverside, CA 92507 Tel: 951-737-2077	Demolition	\$ <u>80,000.-</u>
Name: La Four Builders, Inc Address: 23632 Via Fabricante unit 6, Mission Viejo, CA 92691 Tel: 949-269-2205	Windows	\$ <u>130,000.-</u>
Name: BF Steel Inc Address: 1037 251 St Harbor City CA 90710 Tel: 310-539-3323	Structural steel	\$ <u>255,000.-</u>

DESIGNATION OF SUBCONTRACTORS

BIDDER proposes to subcontract certain portions of the work which are in excess of one-half of one percent of the bid and to procure materials and equipment from suppliers and vendors as follows:

Subcontractor Information	Work to be Performed	Dollar Amount
Name: <u>Onyx Building Group Inc</u> Address: <u>555 Raleigh Ave.</u> <u>El Cajon, CA 92020</u> Tel: <u>619-324-1440</u>	<u>Cement Plastering</u>	<u>\$245,000.-</u>
Name: <u>Guirguis Electric</u> Address: <u>1109 W San Bernardino Rd.</u> <u>Sierra Vista, CA 91722</u> Tel: <u>626-412-0412</u>	<u>Electrical</u>	<u>\$800,000.-</u>
Name: <u>Valencia Sheet Metal Co.</u> Address: <u>10576 Illex Ave.</u> <u>Palmdale CA, 91331</u> Tel: <u>818-896-5005</u>	<u>Sheet Metal Gutters and down spouts</u>	<u>\$140,000</u>
Name: Address: Tel:		\$ _____

REFERENCES

References shall be for projects constructed by the bidding company; references for other projects performed by principals or other individuals of the bidding company may not be included. References shall be either minimum from 3 Public Agencies; or minimum from 2 Public Agencies plus 2 Private Entities for which BIDDER has performed similar work within the past three years.

Reference 1		
Agency Name <u>Westminster Unified School District</u>	Project Name and Brief Description Stacey Middle School Modernization & New Construction	
Contact Name and Title <u>Brayn Johnson / Exexutive Director of Facilities and Planning</u>	New Classrooms, renovation of lunch area including shade s tructure and new Gymnasium.	
Tel: <u>(714) 894-7311 x1122</u> E-mail: <u>bkjohnson@wsdk8.us</u>	Contract Value: \$ <u>2,200,000.00</u>	Year Completed: <u>2018</u>

Reference 2		
Agency Name <u>MT. San Antonio College District</u>	Project Name and Brief Description MT. SAC - Humanities/Social Science Bldg. 26 Restroom Renovations - Bid #3198	
Contact Name and Title <u>Fernan Siocon / Project Manager</u>	Demoliton and Renovation of 17 Staff and Student Restrooms, new pipes (Aquatherm) and toilets, sinks, mirror, partitons and counter tops.	
Tel: <u>(909) 240-5473</u> E-mail: <u>fsiocon@mtsac.edu</u>	Contract Value: \$ <u>2,600,000.00</u>	Year Completed: <u>2019</u>

Reference 3		
Agency Name <u>Santa Ana Public Works</u>	Project Name and Brief Description Santa Ana Regional Transportation Center Restroom Renovation	
Contact Name and Title <u>Michael Ortiz / Construction Manager</u>	Demolition of Public Restrooms, new piping and new toilets, sinks, mirrors, partitons, sinks and countertops.	
Tel: <u>(714) 647-5624</u> E-mail: <u>mortiz@santa-ana.org</u>	Contract Value: \$ <u>296,735.00</u>	Year Completed: <u>2018</u>

Reference 4		
Agency Name <u>Ardurra Group, LLC</u>	Project Name and Brief Description Alamitos Beach Concession Building R7106	
Contact Name and Title <u>Mark Verrengia/ Sr. Project Manager</u>	Demoliton of existing building and new construction of 2 new, 2 story buidings with new playground, showers, lockers, rental facilities and restrooms.	
Tel: <u>(714) 865-4005</u> E-mail: <u>mverrengia@ardurra.com</u>	Contract Value: \$ <u>681,000.00</u>	Year Completed: <u>In Construction</u>

SITE INSPECTION

The Bidder declares that he/she has carefully read and examined the plans, specifications, bid documents, and he/she has made a personal examination of the site (indicate name of the person, representing the bidder, who inspected the site and date below) and that he/she understands the exact scope of the Project without question.

Name of Person who inspected the site: Keivan Shirali

Date of Inspection: 09/25/19

ADDENDA ACKNOWLEDGMENT

The Bidder acknowledges receipt of the following Addenda and has included their provisions in this Proposal:

Addendum No. 1 Dated 09/23/19

Addendum No. 2 Dated 10/07/19

Addendum No. 3 Dated 10/17/19

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

Addendum No. _____ Dated _____

ATTACHMENT - 2
Draft Resolution

RESOLUTION NO. _____

A RESOLUTION ADOPTED PURSUANT TO PUBLIC CONTRACTS CODE § 20168 FINDING THAT AN EMERGENCY EXISTS WITHIN THE CITY AND AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO § 22050 AND MONTEREY PARK MUNICIPAL CODE (“MPMC”) CHAPTER 2.52.

The City Council does resolve as follows:

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

- A. Pursuant to Public Contracts Code (“PCC”) § 20168, the City Council may, upon a four-fifths vote, declare that public interest and necessity demand the immediate expenditure of public money to safeguard life, health, or property because of an emergency.
- B. In accordance with PCC §§ 20168 and 22050, the City Council may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.
- C. On November 7, 2018, the City Council adopted Resolution No. 12046, approving the design and specifications for the Fire Station 62 Demolition and Reconstruction Project (the “Project”) and authorized staff to solicit bids.
- D. On December 18, 2019, City Council awarded a contract to Klassic Engineering & Construction Inc. (“Klassic”) in the amount of \$5,397,101 and authorized a 3% contingency for a total project cost of \$5,556,100.
- E. Between January 23, 2020 and May 14, 2020, Klassic failed to perform in accordance with the contract specifications including, without limitation, failing to provide a schedule of values that meets the contract specifications; was unable to provide a project construction schedule that meets the contract specifications; and was unable to provide a phasing plan that meets the contract specifications.
- F. Klassic now also seeks to modify the contract be modified to include provisions related to the COVID-19 Pandemic for delays, which is unnecessary and not representative of current construction industry conditions around the State, and is not recommended.
- G. The City Manager declared a local emergency on March 11, 2020 (ratified by the City Council on March 18, 2020 and April 15, 2020) due to the COVID-19 Pandemic (the “Emergency”). Standard formal bidding to procure a new contractor would take up to three months to complete and

potentially delay the Project by another construction season.

- H. The Project is part of the City's public safety facility infrastructure and critical for the City's COVID-19 response and also for additional foreseeable emergencies including, without limitation, the California fire seasons (there are generally two recognized fire seasons: during Santa Ana winds in October through April and warm and dry periods in June through September). It is necessary to have the Project substantially commenced not later than November 1, 2020 (which is the recognized beginning of the rainy season) in order to ensure that the City can vigorously respond to ongoing – and new – emergencies.
- I. Under these Emergency conditions, the City Council finds that the delay resulting from public bidding would imperil essential public services and it is in the public's interest to complete procurement of a new contractor in the most expedient fashion.

SECTION 2: Environmental Assessment. The environmental assessment set forth in Resolution No. 12046 is incorporated by reference.

SECTION 3: Declaration of Emergency; Termination of Control. Based upon the entirety of the administrative record, the City Council finds that the Emergency constitutes an imminent threat to public health and safety that requires immediate action. Based upon nonperformance, Klassic's control over the contract is terminated in accordance with 6-4.2 of the General Specifications. Accordingly, the City Council authorizes the City Manager to rebid the Project in accordance with MPMC Chapter 3.100; to select an appropriate contractor based upon the bid results; and execute a contract, in a form approved by the City Attorney, with the best qualified contractor within the contract price. While MPMC Chapter 3.100 should be used for competitive selection of an appropriate contractor, all contracts may be awarded and executed in accordance with PCC § 22050 and MPMC Chapter 2.52.

SECTION 4: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

PASSED AND ADOPTED this ___ day of May, 2020.

Hans Liang, Mayor

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

Resolution No. _____

Page 2 of 3

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CERTIFICATION

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 whole number of members of the City Council of the said City is five; that the foregoing resolution, being RESOLUTION NO. _____ was duly passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the City Clerk of said City, all at a regular meeting of the said Council held on the _____ day of May, 2020, and the same was so passed and adopted by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTENTION:
- NOT PARTICIPATING:

WITNESS MY HAND THE OFFICIAL SEAL OF SAID CITY this _____ day of _____, 2020.

Vincent D. Chang, City Clerk
Of the City of Monterey Park,
California
(SEAL)



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: Public Hearing
Agenda Item 4-A

TO: The Honorable Mayor and City Council
FROM: Martha Garcia, Director of Management Services
SUBJECT: A public hearing to consider the proposed Substantial Amendments to the Citizen Participation Plan, FY 2015-2019 Consolidated Plan, and FY 2017, 2018 and 2019 Annual Action Plans.

RECOMMENDATION:

It is recommended that the City Council consider:

- 1) Opening the public hearing to receive testimonial and documentary evidence;
- 2) Approving the proposed Substantial Amendments to the Citizen Participation Plan, FY 2015-2019 Consolidated Plan and 2019 Annual Action Plan;
- 3) Authorizing the City Manager, or designee, to execute and submit the necessary documents related to the Substantial Amendments to the Citizen Participation Plan, FY 2015-2019 Consolidated Plan and 2019 Annual Action Plan to HUD for its review and approval;
- 4) Approving the proposed Substantial Amendments to the FY 2017 Annual Action Plan;
- 5) Authorizing the City Manager, or designee, to execute and submit the necessary documents related to the FY 2017 Annual Action Plan to HUD for its review and approval upon the completion of the 30-day public review period; and
- 6) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) made \$390,757 available to the City in supplemental Community Development Block Grant (CDBG) funds to prevent, prepare for, and respond to coronavirus (CDBG-CV). Additionally, the CARES Act provides flexibilities that make it easier to use Home Investment Partnerships (HOME) Program funds which total \$329,606, and CDBG-CV funds, FY 2019 and FY 2020 CDBG funds which total \$750,318.53 for coronavirus response. These grants provide a total of \$1,470,681 to the City of Monterey Park to use for eligible activities related to coronavirus economic recovery for businesses and residents.

The purpose of this public hearing is to provide the public with an opportunity to comment on Substantial Amendments proposed to the City's Citizen Participation Plan, FY 2015-2019 Consolidated Plan (Consolidated Plan), and FY 2017 and 2019 Annual Action Plans that are necessary to prepare, prevent, or respond to coronavirus.

On an annual basis, the City receives Community Development Block Grant (CDBG) and HOME Investment Partnership Program funds. In order to receive these grant funds, the City must adopt a Consolidated Plan. The Consolidated Plan serves as the City's 5-year planning document for the use of the funds. The Consolidated Plan is carried out each fiscal year (July 1 – June 30) through an Annual Action Plan. The Annual Action Plan provides a concise summary of the actions, activities, and the specific resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan. The City's current Consolidated Plan was adopted by the City Council in May 2015 and its current fiscal year (2019-2020) Annual Year Annual Action Plan was submitted to the U. S. Department of Housing and Urban Development (HUD) in August 2019.

In response to the COVID-19 pandemic, on March 31, 2020, April 9, 2020 and April 10, 2020, HUD published memoranda of available regulatory waivers and flexibilities for the CDBG Program, HOME Program and the Consolidated Plan. The regulatory waivers and flexibilities are intended to prevent the spread of COVID-19 and facilitate assistance to households and businesses economically impacted by COVID-19.

Among the waivers and flexibilities authorized by HUD for the oversight and implementation of activities specifically related to the prevention, response, or recovery related to coronavirus are: (1) the reduction of the public comment period for Substantial Amendments to the Consolidated Plan, FY 2019 and FY 2020 Annual Action Plans from 30 days to 5 days, (2) elimination of the 20% administration cap for CDBG-CV funds, (3) elimination of the 15% public service cap for CDBG-CV, FY 2019 CDBG and FY 2020 CDBG funds, (4) increase from 10% to 25% for HOME Program administration, (5) HOME Program flexibilities related to the implementation of a short-term emergency rental assistance program (less than one year).

In order to use the waivers provide by HUD, the City must amend its Citizen Participation Plan, Consolidated Plan and Annual Action Plans for FY 2017 and 2019. The Substantial Amendments associated with the HUD waivers include: (1) adding emergency policies and procedures to the Citizen Participation Plan, (2) adding goals and activities that were not previously included the Consolidated Plan and/or FY 2019 Annual Action Plan; (3) deleting an activity that will no longer be funded with CDBG funds; (4) reallocating available CDBG funds to programs and activities to prevent, prepare or respond to coronavirus.

In addition to the amendments related to the HUD waivers, the Consolidated Plan substantial amendment includes: (1) amending the Strategic Plan to include CDBG-CV funds as an anticipated resource; (2) adjusting the number of households and public facilities assisted closer to the actual assisted over the 5-year planning period.

A summary of the specific Substantial Amendments and recommended CDBG-CV, CDBG and HOME program allocations are shown below:

Description	Action
<p><u>5-Year Plan</u> <u>Citizen Participation Plan</u> Explains how residents participate in the entitlement planning process.</p>	<p>1. Adding emergency policy and procedures</p>
<p><u>5-Year Plan</u> <u>Accomplishment Goals</u> Identifies goals to be achieved from addressing community needs.</p>	<p>1. Reduce Rehabilitation goal from 40 to 15 households 2. Reduce Infrastructure activity from 2 to 1 project 3. Add Economic Development Activities to assist 65 business 4. Add Public Services activities to assist 500 people</p>
<p><u>FY 2015-19 Consolidated Plan</u> <u>Strategic Plan Goals</u> Add/Amend goals and/or goal descriptions to prepare, prevent or respond to coronavirus.</p>	<p>1. Amend the Strategic Plan to add CARES Act funds (CDBG-CV) as an anticipated resource. 2. Amend Goal #1 (Affordable Housing) to add a short-term rental assistance program. 3. Amend Goal #2 (Economic Development) to include small business assistance activities for approximately 65 businesses. 4. Add Goal #5 (Public Services) to include short-term utility assistance (up to three months) for approximately 100 household.</p>
<p><u>FY 2019-20 Annual Action Plan</u> <u>CDBG-CV</u> <u>New Allocation \$390,757</u> Allocation of the CDBG-CV funds provided by the CARES Act.</p>	<p>1. Administration - \$78,151 <u>New Programs</u> 2. Small Business Assistance Program - \$32,136 3. Utility Assistance Program - \$265,470 4. Banner Assistance Program - \$15,000</p>
<p><u>FY 2019-20 Annual Action Plan</u> <u>HOME</u> Allocate funds for rental assistance program</p>	<p><u>New Program</u> Rental Assistance - \$278,000</p>
<p><u>FY 2017-18 Annual Action Plan</u> Cancel project</p>	<p><u>Cancel Project</u> City Hall ADA Counter Project - \$100,000</p>

BACKGROUND:

Title 24 Section 91.505 of the Code of Federal Regulations requires that the City of Monterey Park amend its approved plans whenever it makes one of the following decisions:

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously described in the action plan; or
3. To change the purpose, scope, location, or beneficiaries of an activity.

The Regulation further requires that the City identify in its Citizen Participation Plan the criteria used to determining what constitutes a substantial amendment. Consistent with these requirements, the Citizen Participation Plan adopted by the City of Monterey Park identifies three criteria that will require a Substantial Amendment:

1. Carry out an activity not previously described in the Action Plan;
2. Cancel an activity previously described in the Action Plan; or
3. Substantially change the purpose, scope, location, or beneficiaries of an activity.

The proposed changes meet one of these three criteria, and so requires Substantial Amendments.

The public notice was published on May 11, 2020 in the Monterey Park Progress newspaper to inform the public of the May 20, 2020 Public Hearing for discussions on the Substantial Amendments as follows:

Consolidated Plan and FY 2019 Annual Action Plan (5-Day Public Review) - The draft Consolidated Plan and draft FY 2019 Annual Action Plan were available for public review from May 11, 2020 to May 19, 2020. At the time of preparing this staff report, City staff had not received any written comments concerning the Substantial Amendments to the Consolidated Plan and FY 2019 Annual Action Plan. Subsequent to City Council approval, the Substantial Amendments will be submitted to the U.S. Department of Housing and Urban Development.

FY 2017 Annual Action Plan (30-Day Public Review) - The draft FY 2017 Annual Action Plan is available for public review from May 11, 2020 to June 12, 2020. At the time of preparing this staff report, City staff had not received any written comments concerning the Substantial Amendment to the FY 2017 Annual Action Plans. Subsequent comments received through the comment period ending June 12, 2020 to City Council approval, the Substantial Amendment will be submitted to the U.S. Department of Housing and Urban Development.

FISCAL IMPACT:

There is no fiscal impact to the General Fund.

The Substantial Amendments allocates \$390,757 in Community Development Block Grant Coronavirus (CDBG-CV) funds allocated to the City of Monterey Park authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). In addition, prior years CDBG funds in the amount of \$750,318 and HOME funds in the amount of \$329,606 will be allocated to eligible activities and programs for a total of \$1,470,681.

Respectfully submitted by:



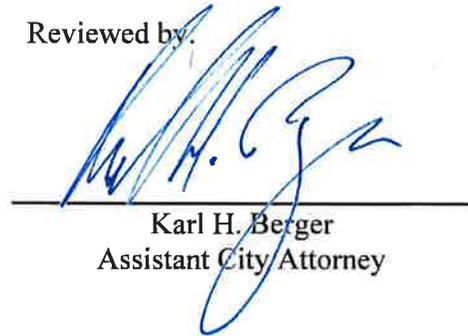
Martha Garcia,
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENTS:

1. Draft Substantial Amendments

ATTACHMENT 1
Draft Substantial Amendments

**CITY OF MONTEREY PARK'S
SUBSTANTIAL AMENDMENT TO
CITIZEN PARTICIPATION PLAN
(DRAFT)**



**Management Services Department
320 West Newmark Ave.
Monterey Park, CA 91754**

SUBSTANTIAL AMENDMENT TO CITIZEN PARTICIPATION PLAN

INTRODUCTION

The City of Monterey Park (“City”) is an entitlement jurisdiction receiving Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) funds directly from the U.S. Department of Housing and Urban Development (HUD). Pursuant to HUD regulations, the City is required to prepare a five-year Consolidated Plan and annual updates (Annual Action Plan) to guide and report on the use of CDBG funds. Annual reviews of program performance (CAPER) are also required.

This Citizen Participation Plan (CPP) sets forth the City’s policies and procedures for citizen participation in the development of the Consolidated Plan and related documents and any subsequent amendments. The CPP provides an opportunity for nonprofit service agencies and the community to work in partnership with the City to identify needs and allocate CDBG and HOME funds. The primary goal is to provide citizens--especially low- and moderate-income citizens of the community where CDBG-funded activities will take place-- an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects.

REGULATORY BASIS

Section 104(a)(2) of the Housing and Community Development Act and by regulations at 24 CFR 570.486(a)(6) require that the City must provide citizens with reasonable advance notice of and opportunity to comment on proposed activities in an application to HUD for grants already made, the same opportunities must be provided for activities proposed to be added, deleted or substantially changed from the City’s Consolidated Plan, Annual Action Plan application previously submitted to HUD. A period of not less than 30 days for public review and comment prior to the submittal of the Consolidated Plan and any related documents is required.

In response to the COVID-19 pandemic, on March 31, 2020, April 9, 2020 and April 10, 2020, HUD published memorandums of available regulatory waivers related to the Consolidated Plan. The regulatory waiver is intended to prevent the spread of COVID-19 and facilitate assistance to households and businesses economically impacted by COVID-19.

Among the waivers offered by HUD for the oversight and implementation of programs and activities specifically related to the prevention, response, or recovery related to coronavirus are (1)the reduction of the public comment period for substantial amendments to the Consolidated Plan and specific fiscal year Annual Action Plans from 30 days to 5 days, and (2) allowing for virtual public hearings in lieu of in-person public hearings.

PROPOSED AMENDMENT TO THE CITIZEN PARTICIPATION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP PROGRAM

The City is proposing the following amendment to its Citizen Participation Plan:

Emergency Policies and Procedures Related to Infectious Disease Response – The City is proposing to amend its Citizen Participation Plan to include emergency policies and procedures in response to the COVID-19 pandemic which will:

1. Reduce the required public comment period for substantial amendments from a minimum of 30 days to no less than 5 days;
2. Provide for virtual public hearings where in-person public hearings are not required, and virtual public hearings will be held if:
 - a. National/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and
 - b. Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee’s certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

These emergency policies and procedures will apply to substantial amendments made to the FY 2015-2019 Consolidated Plan and related documents through June 30, 2021.

CITIZEN PARTICIPATION

In accordance with 24 CFR 91.105(c)(3) for local governments and HUD waiver published April 9, 2020, the public notice inviting public review and comments on the Substantial Amendment for the Citizen Participation Plan was published on May 11, 2020 and comments were accepted through May 19, 2020. During the 7-day public comment period, the public notice for the proposed Substantial Amendment was made available for public inspection on the City’s website at <https://www.montereypark.ca.gov/231/Federal-HUD-CDBG-Program>.

At the time of preparing this staff report, City staff *had not received* any written comments concerning the Substantial Amendment to the Citizen Participation Plan. Subsequent to City Council approval, the Substantial Amendment will be incorporated into the City’s CDBG and HOME files.

EXHIBIT 1
PROOF OF PUBLICATION, 5-DAY COMMENT PERIOD, AND PUBLIC HEARING

Garcia, Diana

From: stephanie_armenta@dailyjournal.com
Sent: Friday, May 8, 2020 9:04 AM
To: Cho, Helena
Subject: Confirmation of Order 3364432 for 20-34 Amendment to Consolidated Plan and Action Plan

[EXTERNAL EMAIL]

Dear Customer:

The order listed below has been received and processed. If you have any questions regarding this order, please contact your ad coordinator or the phone number listed below.

Customer Account Number: 127360
Type of Notice : HRG - NOTICE OF HEARING
Ad Description : 20-34 Amendment to Consolidated Plan and Action Plan
Our Order Number : 3364432
Newspaper : MONTEREY PARK PRESS
Publication Date(s) : 05/11/2020

Thank you.

STEPHANIE ARMENTA
DAILY JOURNAL CORPORATION
CALIFORNIA NEWSPAPER SERVICE BUREAU
Phone: (800) 788 7840 / (213)229-5300
Fax: (800) 540 4089 / (213)229-5481

**CITY OF MONTEREY PARK'S
SUBSTANTIAL AMENDMENT TO
FY 2015-2019
CONSOLIDATED PLAN (DRAFT)**



**Management Services Department
320 West Newmark Ave.
Monterey Park, CA 91754**

SUBSTANTIAL AMENDMENT TO PY 2015-2019 CONSOLIDATED PLAN

INTRODUCTION

The City of Monterey Park (“City”) is an entitlement jurisdiction receiving Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds directly from the U.S. Department of Housing and Urban Development (HUD). Pursuant to HUD regulations, the City is required to prepare a five-year Consolidated Plan and annual updates (Annual Action Plan) to guide and report on the use of CDBG funds. This document is a Substantial Amendment to the City of Monterey Park’s 2015-2019 Consolidated Plan which was submitted to and approved by the U.S. Department of Housing and Urban Development (HUD).

REGULATORY BASIS

Title 24 Section 91.505 of the Code of Federal Regulations stipulates that the City must amend its approved Consolidated Plan and associated Annual Action Plans whenever the City:

1. Makes a change in its allocation priorities or a change in the method of distribution of funds;
2. Carries out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously described in the action plan; or
3. Changes the purpose, scope, location, or beneficiaries of an activity.

The Regulation further requires that the City identify in its Citizen Participation Plan the criteria used to determining what constitutes a Substantial Amendment. Consistent with these requirements, the Citizen Participation Plan adopted by the City of Monterey Park identifies three criteria that will require a Substantial Amendment. A Substantial Amendment will be required when the City:

1. Makes a change in allocation priorities or change in method of distribution of funds;
2. Carries out an activity not previously described in the Action Plan; or
3. Substantially changes the purpose, scope, location, or beneficiaries of an activity.

The proposed change meets one of these three criteria and so requires a Substantial Amendment.

PROPOSED CONSOLIDATED PLAN SUBSTANTIAL AMENDMENT

The City is proposing the following amendments to the Strategic Plan section of its FY 2015-2019 Consolidated Plan in order to prepare, prevent or respond to coronavirus. The Strategic Plan is the centerpiece of the Consolidated Plan. The Strategic Plan describes the general priorities for assisting households, programs to assist those households in need; and five-year accomplishments objectives.

1. Strategic Plan Anticipated Resources –The City is proposing to amend the Strategic Plan to add Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds (CDBG-CV) as an anticipated resource during the planning period.

2. Strategic Plan Goals – The Consolidated Plan identifies the following four goals:

1	Goal Name	Affordable Housing
	Goal Description	Assist in the creation and preservation of affordable housing for low income and special needs households, including the rehabilitation of existing owner-occupied units (entitlement funds) and rehabilitation of existing rental units (CHDO funds).
2	Goal Name	Economic Development
	Goal Description	Make timely payments to retire Section 108 Loan.
3	Goal Name	Fair Housing
	Goal Description	Promote fair housing choice.
4	Goal Name	Planning and Administration
	Goal Description	Support activities that strengthen neighborhoods through the provision of community services to benefit low- and moderate-income and special needs households.

The City is proposing to amend the Consolidated Plan Strategic goals shown above as follows:

- a. Goal # 1 (Affordable Housing) – Amend to add tenant based rental assistance including emergency short-term tenant-based rental assistance in response to the coronavirus.
- b. Goal #2 (Economic Development) – Amend to add small business assistance.
- c. Goal #3 (Fair Housing) – No change.
- d. Goal #4 – (Planning and Administration) – No change.
- e. Add Goal #5 (Public Services) – Add public service activities as a goal including but limited to short-term utility assistance, short-term rental assistance, and other public

services benefiting low- and moderate-income households such as short-term meal assistance, health services, employment services.

3. **5-Year Accomplishment Goals** – The City is proposing to adjust numerical goals identified in the Consolidated Plan as follows:

Due to programmatic and staff changes, the City not meet the goals set forth in the Consolidated Plan and is proposing the following numerical Consolidated Plan numerical goal amendment.

- a. Reduce housing rehabilitation goal from 40 to 15 households.
- b. Reduce public infrastructure goal from two to one project.

With the addition of Strategic Plan goals noted under Section 2 (Strategic Plan Goals), the following accomplishment goals are being added:

- a. Add economic development accomplishment goal to assist 65 businesses.
- b. Add Public Services accomplishment goal to assist 500 households.

CITIZEN PARTICIPATION

In accordance with 24 CFR 91.105(c)(3) for local governments and HUD waiver published April 9, 2020, the public notice inviting public review and comments on the Substantial Amendment for the Consolidated Plan was published on May 11, 2020 and comments were accepted through May 19, 2020. During the 7-day public comment period, the public notice for the proposed Substantial Amendment was made available for public inspection on the City's website at <https://www.montereypark.ca.gov/231/Federal-HUD-CDBG-Program>.

At the time of preparing this staff report, City staff *had not received* any written comments concerning the Substantial Amendment to the FY 2015-2019 Consolidated Plan. Subsequent to City Council approval, the Substantial Amendment will be submitted to the U.S. Department of Housing and Urban Development. *Insert comments if received.*

EXHIBIT 1

PROOF OF PUBLICATION, 7-DAY COMMENT PERIOD, AND PUBLIC HEARING

Garcia, Diana

From: stephanie_armenta@dailyjournal.com
Sent: Friday, May 8, 2020 9:04 AM
To: Cho, Helena
Subject: Confirmation of Order 3364432 for 20-34 Amendment to Consolidated Plan and Action Plan

[EXTERNAL EMAIL]

Dear Customer:

The order listed below has been received and processed. If you have any questions regarding this order, please contact your ad coordinator or the phone number listed below.

Customer Account Number: 127360
Type of Notice : HRG - NOTICE OF HEARING
Ad Description : 20-34 Amendment to Consolidated Plan and Action Plan
Our Order Number : 3364432
Newspaper : MONTEREY PARK PRESS
Publication Date(s) : 05/11/2020

Thank you.

STEPHANIE ARMENTA
DAILY JOURNAL CORPORATION
CALIFORNIA NEWSPAPER SERVICE BUREAU
Phone: (800) 788 7840 / (213)229-5300
Fax: (800) 540 4089 / (213)229-5481

**CITY OF MONTEREY PARK'S
SUBSTANTIAL AMENDMENT TO
FY 2017-2018
ANNUAL ACTION PLAN (DRAFT)**



**Management Services Department
320 West Newmark Ave.
Monterey Park, CA 91754**

**SUBSTANTIAL AMENDMENT TO
FY 2017-18 ANNUAL ACTION PLAN
CDBG PROGRAM**

INTRODUCTION

As a recipient of Community Development Block Grant (“CDBG”) and HOME Investment Partnerships (HOME) funding from the U.S. Department of Housing and Urban Development (“HUD”) the City is required to prepare and submit to HUD an Annual Action Plan. The Annual Action Plan describes how the City will utilize and distribute funds between eligible activities during the program year. This Annual Action Plan implements our jurisdiction’s Five-Year Consolidated Plan and are developed through significant public input, analyses, and planning. This document is the Substantial Amendment to the City of Monterey Park’s 2017-18 Annual Action Plan, which were submitted to the U.S. Department of Housing and Urban Development (HUD).

REGULATORY BASIS

Title 24 Section 91.505 of the Code of Federal Regulations stipulates that the City of Monterey Park shall amend their approved plans whenever they make one of the following decisions:

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously described in the action plan; or
3. To change the purpose, scope, location, or beneficiaries of an activity.

The Regulation further requires that the City identify in its Citizen Participation Plan the criteria used to determining what constitutes a substantial amendment. Consistent with these requirements, the Citizen Participation Plan adopted by the City of Monterey Park identifies four criteria that will require a Substantial Amendment. A Substantial Amendment will be required when the City:

1. Makes a change in allocation priorities or change in method of distribution of funds;
2. Carries out an activity not previously described in the Action Plan; or
3. Substantially changes the purpose, scope, location, or beneficiaries of an activity.

The proposed change meets one of these three criteria, and so requires Substantial Amendment.

**PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
SUBSTANTIAL AMENDMENT**

The City is proposing the following amendments to its Annual Action Plans

2017-18 Annual Action Plan

Cancel Project – The City is proposing to remove the *City Hall ADA Counter Project* funded at \$100,000 from its 2017-2018 Annual Action Plan. The project involved improvement to infrastructure and public facilities to meet ADA compliance. This project would have assisted persons with disabilities by removing architectural barriers at City Hall to meet ADA (Americans with Disabilities Act) requirements. The project will be funded with alternate City resources.

CITIZEN PARTICIPATION

In accordance with 24 CFR 91.105(c)(3) for local governments, the Substantial Amendment Public Notice for the use of CDBG funds was released for citizen review and comments. During the 30-day public comment period from May 11, 2020 through June 12, 2020, the Public Notice for the Proposed Substantial Amendment was made available for public inspection on the City’s website at <https://www.montereypark.ca.gov/231/Federal-HUD-CDBG-Program>.

The draft Substantial Amendment was available for public review from May 11, 2020 through June 12, 2020. At the time of preparing this staff report, City staff *had not received* any written comments concerning the Substantial Amendment to the FY 2017-18 Annual Action Plans. Subsequent to City Council approval, the Substantial Amendments will be submitted to the U.S. Department of Housing and Urban Development. *Insert comments if received.*

EXHIBIT 1

PROOF OF PUBLICATION, 30-DAY COMMENT PERIOD, AND PUBLIC HEARING

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Sent: Friday, May 8, 2020 9:04 AM
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Thank you.

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DAILY JOURNAL CORPORATION
CALIFORNIA NEWSPAPER SERVICE BUREAU
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Fax: (800) 540 4089 / (213)229-5481

**CITY OF MONTEREY PARK'S
SUBSTANTIAL AMENDMENT TO
FY 2019-2020
ANNUAL ACTION PLAN (DRAFT)**



**Management Services Department
320 West Newmark Ave.
Monterey Park, CA 91754**

**SUBSTANTIAL AMENDMENT TO
FY 2019-2020 ANNUAL ACTION PLAN
CDBG & HOME PROGRAM**

INTRODUCTION

As a recipient of Community Development Block Grant (“CDBG”) and HOME Investment Partnerships Program (HOME) funding from the U.S. Department of Housing and Urban Development (“HUD”) the City is required to prepare and submit to HUD an Annual Action Plan. The Annual Action Plan describes how the City will utilize and distribute funds between eligible activities during the program year. This Annual Action Plan implements the City’s Five-Year Consolidated Plan and are developed through significant public input, analyses, and planning. This document is a Substantial Amendment to the City of Monterey Park’s 2019-2020 Annual Action Plan, which was submitted to the U.S. Department of Housing and Urban Development (HUD).

REGULATORY BASIS

Title 24 Section 91.505 of the Code of Federal Regulations stipulates that the City of Monterey Park shall amend their approved plans whenever they make one of the following decisions:

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously described in the action plan; or
3. To change the purpose, scope, location, or beneficiaries of an activity.

The Regulation further requires that the City identify in its Citizen Participation Plan the criteria used to determining what constitutes a Substantial Amendment. Consistent with these requirements, the Citizen Participation Plan adopted by the City of Monterey Park identifies three criteria that will require a Substantial Amendment. A Substantial Amendment will be required when the City:

1. Makes a change in allocation priorities or change in method of distribution of funds;
2. Carries out an activity not previously described in the Action Plan; or
3. Substantially changes the purpose, scope, location, or beneficiaries of an activity.

The proposed change meets one of these three criteria, and so requires a Substantial Amendment.

PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIP PROGRAM SUBSTANTIAL AMENDMENTS

The City is proposing the following amendments to its FY 2019-2020 Annual Action Plan:

1. **Allocate CDBG-CV Funds** – The City is proposing to: (1) add \$390,757 in CDBG-CV funds for use in its 2019-2020 fiscal year, and (2) fund four eligible activities and programs to address the impact of COVID-19 including, but not limited to, those shown in table below.
2. **Allocate Uncommitted HOME Balance** – The City is proposing to commit \$278,000 in unallocated HOME funds to a tenant-based rental assistance program.

CDBG-CV Funds	
Program/Activity	Funding Amount
1. Administration	\$78,151
2. Small Business Assistance	\$32,136
3. Utility Assistance	\$265,470
4. Small Business Banner Program	\$15,000
FY 2019 HOME Funds	
1. Short-Term Emergency Rental Assistance	\$278,000

CITIZEN PARTICIPATION

In accordance with 24 CFR 91.105(c)(3) for local governments and HUD waiver published April 9, 2020, the Substantial Amendment to the FY 2019-2020 Annual Action for the use of CDBG-CV and HOME funds was made available for citizen review and comments for no less than 5 days. During the 7-day public comment period from May 11, 2020 through May 19, 2020, the draft Consolidated Plan Substantial Amendment was made available for public inspection on the City’s website at <https://www.montereypark.ca.gov/231/Federal-HUD-CDBG-Program>.

The draft Substantial Amendment was available for public review from May 11, 2020 to May 19, 2020. At the time of preparing this staff report, City staff *had not received* any written comments concerning the Substantial Amendment to the FY 2019 Annual Action Plan. Subsequent to City Council approval, the Substantial Amendment will be submitted to the U.S. Department of Housing and Urban Development. *Insert comments if received.*

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City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-A

TO: The Honorable Mayor and City Council
FROM: Martha Garcia, Director of Management Services
SUBJECT: Consideration of an Ordinance amending Monterey Park Municipal Code § 14.12.185 and a Resolution Setting the Discount Rate for the Lifeline Program, Established by Monterey Park Municipal Code § 14.12.185

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waiving first reading of an ordinance amending MPMC § 14.12.185 to establish the discount rate and eligibility criteria for participation in the City's Lifeline program;
2. Adopting a resolution setting the discount rate for the Lifeline program; and/or
3. Taking such additional, related, action that may be desirable.

CEQA:

The Ordinance and Resolution are exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because they establish rules and procedures in compliance with recently-enacted State law; do not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitute an administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, the Ordinance and Resolution do not constitute a "project" that require environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5)).

EXECUTIVE SUMMARY:

Monterey Park Municipal Code § 14.12.185 authorizes the City Council to establish by resolution a Lifeline water rate for domestic water customers who meet certain income eligibility criteria. MPMC § 14.12.185, however, does not provide a formula for calculating either the eligible ceiling, income threshold or the discount rate; the proposed Ordinance would do all three.

The City's Lifeline water rate was last reviewed in 2014 and currently provides Program participants with a 45% discount for water meter, sewer and solid waste charges. It is unclear, however, how the City calculated this discount, how individuals qualified for it, or how the City paid for it.

The attached Resolution proposes to apply the discount rate as a flat dollar amount, which will be subtracted from the monthly bill. Criteria for calculating the flat dollar amount include consideration of the interest revenue anticipated by the City budget for the City's water operating fund; the number of customers qualified to participate in the Lifeline program; and the current residential water rates and charges.

BACKGROUND:

Domestic water customers residing in single-family dwellings whose assets (such as stocks, bonds, savings account), or personal property (excluding the occupied structure and one vehicle) do not exceed \$20,000 and who meet the income guidelines established for eligibility (see City Council Resolution No. 10201) are currently eligible to participate in the City's Lifeline program. At present, there are 449 utility customers who meet established income guidelines and participate in the current Lifeline rate program. The City's Lifeline water rate went into effect August 2014 and currently provides program participants with a 45% discount for water meter, sewer and solid waste charges (see City Council Resolution No. 11668). Program participants save, on average, \$26.66 per month, at a cost of \$143,644 per year to the City.

The attached Ordinance proposes criteria for both eligibility in the Lifeline program as well for determination of the appropriate discount. To become eligible to participate in the Lifeline program under the proposed Ordinance, a customer must either: be at least 62 years old; be disabled; be designated as a "very low income" household, per criteria established by the Department of Housing and Urban Development; or be a qualified participant in the California Alternate Rates for Energy ("CARE") program or the California Universal Telephone Service ("California LifeLine") program. The Ordinance proposes that eligible customers pay a discounted rate equal to the monthly rates/charges minus a flat dollar amount determined by City Council resolution. To arrive at the "flat dollar amount," it is recommended that the Council consider (1) the interest revenue anticipated by the City budget for the City's water operating fund; (2) the number of customers qualified to pay the discounted rate established by § 14.12.185; and (3) the residential water rates and charges established by Chapter 14.12. Both the eligibility criteria and the formula for determining the annual discount are subject to the discretion of the Council.

The attached Resolution proposes updating the discount applied to participants in the Lifeline program by calculating the flat dollar amount as follows:

Interest Revenue Anticipated by the City Budget for the City's Water Operating Fund	\$65,000
Current Number of Customers Qualified to Pay the Discounted Rate	449
Residential Water Rates/Charges for 2020-21 FY	\$31.66
Flat Dollar Amount	\$12.06
Lifeline Rate¹	\$19.60

Please note that the City cannot shift the burden of providing services from one class of ratepayers (e.g., low-income households) to another (e.g., all other ratepayers).² Consequently, the utility enterprise funds themselves cannot subsidize a discounted rate for low-income households; a subsidy must be funded from a different, unrestricted, source, e.g., late fees associated with the utility services; interest generated from monies deposited in utility enterprise funds; or general funds revenue. About \$80,000 in interest earnings and \$58,000 in late fees collected annually are proposed to be used to subsidize the Lifeline program. This Program must be evaluated annually and the discount rate offered to participants cannot exceed the total unrestricted revenues available.

FISCAL IMPACT:

The Lifeline rate will cost the City approximately \$105,604 for the 2020-2021 fiscal year.

Respectfully submitted and prepared by:



Martha Garcia
 Director of Management Services

¹ Calculated by dividing the revenue anticipated by the number of qualified persons, per a 12-month period; this total becomes the flat dollar amount, which is then subtracted from the current rates/charges to arrive at the Lifeline rate.

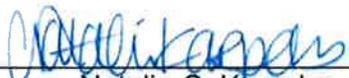
² *Howard Jarvis Taxpayers Assn. v. City of Fresno* (2005) 127 Cal.App.4th 914; *Howard Jarvis Taxpayers Assn. v. City of Roseville* (2002) 97 Cal.App.4th 637.

Approved by:



Ron Bow
City Manager

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

Attachment(s)

1. Resolution No. 10201
2. Resolution No. 11668
3. Draft Ordinance
4. Draft Resolution

Attachment 1

Resolution No. 10201

RESOLUTION NO. 10201

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MONTEREY PARK, CALIFORNIA
PERTAINING TO CHARGES FOR WATER SERVICE**

THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES RESOLVE,
MODIFY AND AMEND RESOLUTION 9725 AS FOLLOWS:

SECTION 1. Section 2 and Section 4 of Resolution 9725 pertaining to rates and charges for metered water sold for all uses shall be as follows:

<u>Size of Meter and Service</u>	<u>Minimum 100 Cu. Ft. Per Month</u>	<u>Minimum Charge Per Month</u>	<u>Monthly Charge per 100 Cu. Ft. \$0.89</u>	<u>Monthly Charge per 100 Cu. Ft. \$1.18</u>
5/8 or 3/4 inch	6	8.26	over 6 - 20	above 20
1 inch	0	8.93	0 - 20	above 20
1-1/4 inch	0	11.99	0 - 20	above 20
1-1/2 inch	0	14.08	0 - 20	above 20
2 inch	0	18.12	0 - 20	above 20
3 inch	0	36.25	0 - 20	above 20
4 inch	0	59.95	0 - 20	above 20
6 inch	0	183.09	0 - 20	above 20
8 inch	0	457.92	0 - 20	above 20
10 inch	0	967.75	0 - 20	above 20

SECTION 2. Section 8 of Resolution 9725 pertaining to lifeline water rates shall be amended as follows:

A. Residential water customers that meet the following criteria will be eligible for the water lifeline rates:

<u>Household Size</u>	<u>Maximum Annual Household Income</u>
1	\$15,250
2-3	18,500
4 or more	23,500

Household assets, such as stocks, bonds, savings accounts, rental or personal property, excluding the occupied structure and one vehicle, do not exceed \$20,000.

B. Lifeline water rates shall be as follows:

<u>Size of Meter and Service</u>	<u>Minimum 100 Cu. Ft. Per Month</u>	<u>Minimum Charge Per Month</u>	<u>Monthly Charge per 100 Cu. Ft. \$0.89</u>	<u>Monthly Charge per 100 Cu. Ft. \$1.18</u>
5/8 or 3/4 inch	6	4.13	over 6 - 20	above 20

SECTION 3. Section 9 of Resolution 9725 pertaining to property damage shall be amended as follows:

Property damage to fire hydrants, meters, pipes, or other fixtures which causes a loss of water, the charge for this loss shall be at the rate of \$1.18 per 100 Cu. Ft.

SECTION 4. The charges listed in this resolution shall be adjusted every October 1, beginning with October 1, 1998 by the increase or decrease in Consumer Price Index for the proceeding 12-month period (July-June) plus 1% for capital improvement. Adjustment exceeding 5% increase/decrease in any given year shall be approved by the City Council, prior to being effective.

SECTION 5. This Resolution shall become effective October 1, 1997.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES HEREBY RESOLVE, DECLARE, AND DETERMINE AS FOLLOWS:

PASSED, APPROVED AND ADOPTED this 1st day of October, 1997.



Marie T. Purvis, Mayor
City of Monterey Park
California

Attest:



David M. Barron
City of Monterey Park
California

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

I, DAVID M. BARRON, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 10201 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 1st day of October, 1997, by the following vote:

AYES: COUNCILMEMBERS: BALDERRAMA, VALENZUELA, CHU, ALONSO
NAES: COUNCILMEMBERS: PURVIS
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

Dated this 1st day of October, 1997



David M. Barron, City Clerk
City of Monterey Park
California

Attachment 2

Resolution No. 11668

RESOLUTION NO. 11668

A RESOLUTION SETTING THE DISCOUNT RATE FOR THE LIFELINE RATE ESTABLISHED BY MONTEREY PARK MUNICIPAL CODE § 14.12.185.

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

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

- A. The City Council recognizes that the City must improve various water, wastewater and solid waste operations and infrastructure facilities over the next several years. As a result, water, wastewater and solid waste rates will be increased to pay for such operations and improvement projects within the City's service area;
- B. According to reports filed by Southern California Edison ("SCE") with the California Public Utilities Commission ("CPUC") for April 2014, more than 1.4 million people were enrolled in the California Alternate Rates for Energy ("CARE") within the urbanized areas of Los Angeles County;
- C. Information from the City's Finance Department shows that there are 10,430 residential utility customers. While the City does not track demographic data regarding such customers, public comment during the City's public meetings demonstrate that at least some of these customers live in low-income households;
- D. It is in the public interest for the City to assist persons who already struggle to pay for the cost of living and, in making this determination, the City Council takes particular note of *Koire v. Metro Car Wash* (1985) 40 Cal.3d 24 and *Starkman v. Mann Theatres Corp.* (1991) 227 Cal.App.3d 1491. Accordingly, based upon the findings set forth above, the City Council believes that it has a substantial public interest in adopting this Resolution to give some relief to low-income households;
- E. The City Council has reviewed the proposed final Operating Budget ("Budget") for fiscal years 2014-2015. A review of the Budget shows that the water, wastewater and solid waste enterprise funds project interest revenues of \$81,000 and late fee income of \$58,000 for FY 2014-2015.
- F. Based upon the projected interest and late fee revenues and the number of persons who may be qualified to receive a discount, it appears that a lifeline rate, offering a 45% discount to the water meter charge for domestic water customers residing in single family dwelling, single family wastewater customers and residential solid waste customers is reasonable. It is estimated that this lifeline rate discount would result in a cost of \$125,000 per year which is an amount within the total available (i.e., non-rate payer) revenue projected for the water enterprise fund.

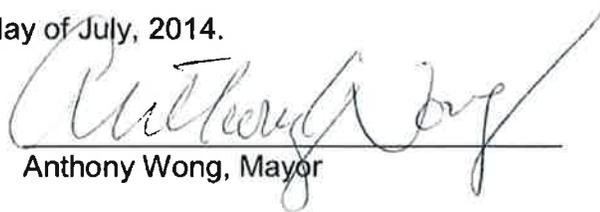
- G. On an annual basis, the City Council may determine by resolution whether to make a lifeline rate available to persons who qualify for such a discounted rate pursuant to this section. Nothing in this section creates, or is intended to create, a property right for qualified persons to a lifeline rate as described by this section. Rather, establishing a lifeline rate is a discretionary determination made by the City Council annually that is dependent, among other things, on projected interest and late fee revenues derived from the city's water, wastewater and solid waste enterprise funds.
- H. The water, wastewater and solid waste rates are established by City ordinance. The most current rates will be utilized to determine the feasibility and discount amount for the lifeline rate.

SECTION 2: ADOPTION. Pursuant to MPMC § 14.12.185, the City Council sets the lifeline rate at 45% discount to the meter charge for domestic water customers residing in single family dwellings, 45% discount to the single family wastewater rate and 45% discount to the residential solid waste rate.

SECTION 3: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City's original resolutions; and make a minute of the adoption of the Resolution in the City Council's records and the minutes of this meeting.

SECTION 4: This Resolution will take effect concurrently with ordinances setting water, wastewater and solid waste rates for 2014, and will remain effective until repealed or superseded.

PASSED AND ADOPTED 2nd day of July, 2014.

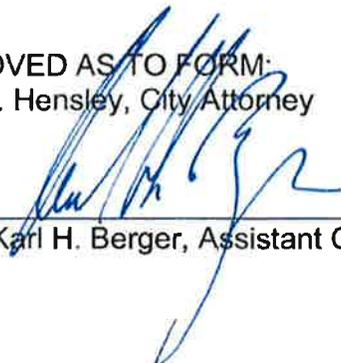


Anthony Wong, Mayor

ATTEST: 

Vincent D. Chang, City Clerk

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

By: 

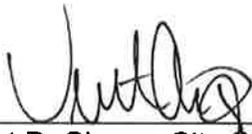
Karl H. Berger, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF MONTEREY PARK)

I, VINCENT D. CHANG, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 11668 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 2nd day of July, 2014 by the following vote:

AYES: Council Members: Real Sebastian, Chan, Liang, Wong
NOES: Council Members: Ing
ABSTAIN: Council Members: None
ABSENT: Council Members: None

Dated this 2nd day of July, 2014.



Vincent D. Chang, City Clerk
Monterey Park, California

Attachment 3

Draft Ordinance

ORDINANCE NO. ____

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE § 14.12.185 TO ESTABLISH THE DISCOUNT RATE AND ELIGIBILITY CRITERIA FOR PARTICIPATION IN THE CITY'S LIFELINE PROGRAM.

The City Council does ordain as follows:

SECTION 1: Monterey Park Municipal Code § 14.12.185 is amended to read as follows:

"14.12.185 Lifeline water rate.

- (A) On an annual basis, the City Council may determine by resolution whether to make lifeline rates available to domestic water customers who qualify for such a discounted rate pursuant to this section. Nothing in this section creates, or is intended to create, a property right for qualified persons to a lifeline rate as described by this section. Rather, establishing a lifeline rate is a discretionary determination made by the City Council annually that is dependent, among other things, on projected interest revenue derived from the City's water operating fund.
- (B) Customers meeting the qualifications in this section may, but are not required to, pay a discounted rate equal to the monthly residential rates and charges established by this chapter minus a flat dollar amount determined by City Council resolution. In adopting a resolution determining the flat dollar amount, the City Council should consider the following:
 - (1) The interest revenue anticipated by the city budget for the city's water operating fund;
 - (2) The number of customers qualified to pay the discounted rate established by this section; and
 - (3) The residential water rates and charges established by this chapter.
- (C) To qualify, domestic residential water customers must meet the following criteria:
 - (1) Be at least 62 years old;
 - (2) Establish that they are disabled, such that the customer is unable to engage in any substantial gainful activity by reason

of any medically determinable physical or mental impairment, which can be expected to result in death, or to be of long-continued and indefinite duration;

- (3) Establish that the combined adjusted gross income (as used for purposes of the California Personal Income Tax Law) of all members of the household in which the customer resided was less than the figure in effect on the preceding first day of April as the "very low income" limitation for a family of two persons in the City of Monterey Park under the Section 8 housing programs of the United States Housing Act of 1937, as amended, as published by the United States Department of Housing and Urban Development. For each fiscal year, the Director of Management Services, or designee, is directed to determine, and utilize as the prior calendar year's adjusted gross income limitation, the figure in effect on the preceding first day of April as the "very low income" limitation for a family of two persons in the City of Monterey Park under the Section 8 housing programs of the United States Housing Act of 1937, as amended, as published by the United States Department of Housing and Urban Development; or
 - (4) Be a qualified participant in the California Alternate Rates for Energy ("CARE") program established by Public Utilities Code §§ 739.1 and 739.2 as determined by the most recent California Public Utility Commission decisions; or California Universal Telephone Service program ("LifeLine") established in compliance with Public Utilities Code §§ 871, *et seq.*
- (D) Applications for the lifeline rate must be filed with the Management Services Director, or designee. The Management Services Director may require such additional evidence as it deems necessary or appropriate in processing the claim. Only one person from each household is permitted. The City, at any time, may require a person to provide proof of continuing eligibility.
- (E) The lifeline rate will first appear on the next full billing cycle after the date of approval."

SECTION 2: *Construction.* This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 3: *Enforceability.* Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's

effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

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

SECTION 5: *Reliance on Record.* Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: *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 7: *Recording.* The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 8: *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 9: *Effective Date.* This Ordinance becomes effective on the 30th day following its passage and adoption.

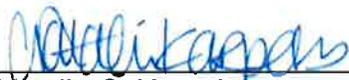
PASSED AND ADOPTED this ____ day of _____, 2020.

Hans Liang
Mayor

ATTEST:

Vincent D. Chang,
City Clerk

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

By: 

Natalie C. Karpeles,
Deputy City Attorney

Attachment 4

Draft Resolution

RESOLUTION NO. _____

A RESOLUTION SETTING THE DISCOUNT RATE FOR PARTICIPATION IN THE CITY'S LIFELINE PROGRAM.

The City Council does resolve as follows:

SECTION 1: The City Council finds as follows:

- A. According to Southern California Edison's 2019 Annual report for 2018 Low Income Programs with the California Public Utilities Commission, more than 500,000 people are enrolled in the California Alternate Rates for Energy program within the urbanized areas of Los Angeles County;
- B. Information from the City's Finance Department shows that there are 449 residential utility customers who qualify for the City's Lifeline program;
- C. It is in the public interest for the City to assist persons who already struggle to pay for the cost of living and, in making this determination, the City Council takes particular note of *Koire v. Metro Car Wash* (1985) 40 Cal.3d 24 and *Starkman v. Mann Theaters Corp.* (1991) 227 Cal.App.3d 1491. Accordingly, based upon the findings set forth above, the City Council believes that it has a substantial public interest in adopting this Resolution to give some relief to low-income households;
- D. The draft Budget anticipates that the water, wastewater and solid waste enterprise funds projected interest revenues to be \$65,000 and late fee income to be \$58,000 for fiscal year 2020-2021;
- E. Based upon the interest revenue anticipated by the City budget for the City's water operating fund, the number of customers qualified under the City's Lifeline program, and the residential water rates established by this chapter, a \$12.06 discount to the water meter charge for domestic water customers residing in single family dwelling, single family wastewater customers and residential solid waste customers, is reasonable. It is estimated that this discount would result in a cost of \$105,604 per year which is an amount within the total available (*i.e.*, non-rate payer) revenue projected for the water enterprise fund;
- F. On an annual basis, the City Council may determine by resolution whether to make a discount available to persons who qualify for such pursuant to MPMC § 14.12.185. Nothing MPMC § 14.12.185

creates, or is intended to create, a proprietary right for qualified persons to a discount rate as described by this section. Rather, establishing a discount rate is a discretionary determination made by the City Council annually that is dependent, among other things, on projected interest and late fee revenues derived from the City's water wastewater and solid enterprise funds; and

- G. The water, wastewater and solid waste rates are established by City ordinance. The most current rates will be utilized to determine the feasibility and discount amount for the discount rate pursuant to MPMC §14.12.185.

SECTION 2: Adoption. Pursuant to MPMC § 14.12.185, the City Council sets the flat dollar amount at \$12.06 for participants in the City's Lifeline program.

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

SECTION 4: The City Clerk is directed to certify the passage and adoption of this Resolution; cause it to be entered into the City of Monterey Park's book of original resolutions; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Resolutions, cause it to be published or posted in accordance with California law.

SECTION 5: This Resolution will become effective on the same date as Ordinance No. _____.

PASSED AND ADOPTED this ____ day of _____, 2020.

Hans Liang
Mayor

ATTEST:

Vincent D. Chang,
City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney

By: 

Natalie C. Karpeles,
Deputy City Attorney



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-B

TO: The Honorable Mayor and City Council
FROM: Martha Garcia, Director of Management Services
SUBJECT: Consideration and Introduction of an Ordinance Amending the Monterey Park Municipal Code Relating to Delinquent Water Bills and Creating a Policy on the Discontinuation of Residential Water Service for Nonpayment in Compliance with the Water Shutoff Protection Act (Health & Safety Code §§ 116900-116926)

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting an ordinance amending the Monterey Park Municipal Code in compliance with Health & Safety Code §§ 116900-116926 regarding residential potable water shutoff procedures; and/or
2. Taking such additional, related, action that may be desirable.

CEQA:

The proposed Ordinance is exempt from the requirements of the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.; "CEQA") and CEQA Guidelines (California Code Regulations Title 14, §§ 15000, et seq.) because it does not constitute a "Project" under CEQA § 15378.

EXECUTIVE SUMMARY:

On September 28, 2018, the Governor signed Senate Bill 998 adding §§ 116900-116926 of the Health and Safety Code. These sections require the City to create and implement a written policy regarding, among other things, termination of residential water service for nonpayment. To effectively carryout this requirement, staff is proposing to amend the Monterey Park Municipal Code ("MPMC") to create the required discontinuation policy and otherwise comply with state law.

BACKGROUND:

On September 28, 2018, the Governor approved Senate Bill 998 (SB 998). SB 998 requires an "urban and community water system" to have a written policy on discontinuation of residential water service for nonpayment, provide that policy in multiple

languages, and provide the policy electronically (on the City's website) and in hardcopy (to any person requesting a copy in writing).

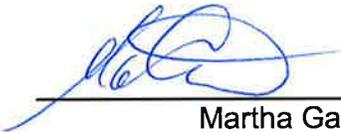
In short, SB 998 prohibits the City from discontinuing residential water service for nonpayment when (1) a customer has been delinquent for a period less than 60 days, and/or (2) the customer can demonstrate that discontinuation of residential water service will be life threatening, they are unable to make the necessary payments during the City's normal billing cycle, and they are willing to enter into a repayment schedule for all delinquent charges. Notably, the City is not precluded from discontinuing residential water service due to any unauthorized action of a customer.

MPMC Chapter 14.12 sets forth the water rates and charges for customers of the City's Water System. The attached Ordinance amends certain sections of Chapter 14.12 to comply with state law; these changes are denoted via strikethrough and double underline.

FISCAL IMPACT:

The financial impact is not clear at this time. Costs associated with printing notices and translation will be absorbed in the operating budget. Additional staff time will be required to implement the policy; however, the impact would be minimal.

Respectfully submitted and prepared by:



Martha Garcia
Director of Management Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Natalie C. Karpeles
Deputy City Attorney

Attachment(s)

1. SB 998
2. Ordinance

ATTACHMENT 1

SB 998



SB-998 Discontinuation of residential water service: urban and community water systems. (2017-2018)

SHARE THIS:  

Date Published: 09/28/2018 09:00 PM

Senate Bill No. 998

CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with Secretary of State September 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on,

a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.
- (d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.
- (e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.
- (f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. Discontinuation of Residential Water Service

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

116902. For the purposes of this chapter, the following definitions apply:

- (a) "Board" means the State Water Resources Control Board.
- (b) "Public water system" has the same meaning as defined in Section 116275.
- (c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.
- (d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.
- (e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.

116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:

(1) A plan for deferred or reduced payments.

(2) Alternative payment schedules.

(3) A formal mechanism for a customer to contest or appeal a bill.

(4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585 and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.

116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.

(B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:

(i) The customer's name and address.

(ii) The amount of the delinquency.

(iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.

(iv) A description of the process to apply for an extension of time to pay the delinquent charges.

(v) A description of the procedure to petition for bill review and appeal.

(vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.

(2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

116914. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:

(1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(2) Waive interest charges on delinquent bills once every 12 months.

(b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

116918. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.

116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

(b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.

116926. This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.

ATTACHMENT 2

Ordinance

ORDINANCE NO. ____

AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE (“MPMC”) IN COMPLIANCE WITH HEALTH AND SAFETY CODE §§ 116900-116926 REGARDING RESIDENTIAL POTABLE WATER SHUTOFF PROCEDURES.

The City Council does ordain as follows:

SECTION 1: The City Council finds as follows:

- A. On September 28, 2018, the Governor signed Senate Bill 998 adding §§ 116900-116926 of the Health and Safety Code. These sections require a public water system to create and implement a written policy regarding, among other things, termination of residential water service for nonpayment; and
- B. The most appropriate method of implementing such policies and practices is to adopt this Ordinance amending the Monterey Park Municipal Code.

SECTION 2: Monterey Park Municipal Code (“MPMC”) § 14.12.100 is amended to read as follows:

“14.12.030 Metered water – Within city.

- (a) Rates and charges for metered water sold within the city limits for all uses shall be as set by city council resolution. When calculating the charges for water, the city will not charge for water use that is less than 100 cubic feet per billing period. Water meters will ordinarily be checked approximately every 30 days except for holidays and weekends. Meter readings may also be taken for any reasonable purpose, as determined by the director or designee including, without limitation, change of customer or changes of meter size. If a meter cannot be read or if a meter has not registered or has registered incorrectly, the quantity of water used will be estimated based on the average consumption at the property or substantially similar property during a like period of time.
- (b) Where the period of service is less than one full month, the charge shall be prorated based upon a daily basis, or on the monthly basis set by city council resolution, whichever is lower. Computations of the flat rate portion of any monthly service charges for less than a full billing cycle is based on a daily rate. The daily rate will be determined by taking the monthly rate and dividing it by 30. The daily rate is carried to four decimal places. If a customer discontinues service and closes the customer’s account, service charges will be computed at the applicable daily rate from the last billing

date to the account closing date. Service charges for a new customer will commence on the account opening date. No proration will be made on short term utility service where such service is required for total periods of less than two months. These customers will be charged for two months service."

SECTION 3: MPMC § 14.12.210 is amended to read as follows:

"14.12.210 Rate disputes – investigation by director.

- (a) The director of management services shall have the power, in his discretion, to ~~may~~ adjust complaints, and in the event of any dispute as to the water rates to be paid by any customer consumer, the director will shall determine the same, subject to the approval of the city council.
- (b) The director will review the accounts of customers who dispute charges within 30 days after receiving a bill or request. For purposes of this section, a bill will be deemed received by a customer five days after mailing. A timely contest or request for investigation will be reviewed by the director, or designee, who will provide a written determination to the customer.
- (c) If an error is found after such review, the city will promptly correct the error and, if required and at the city's sole discretion, either credit the customer's account or give the customer a refund, unless other arrangements are requested by the customer and proved by the director, or designee. The maximum period for retroactive adjustments is 12 months before the date that the city is first notified in writing, in the form and manner prescribed by the director, or designee, of the error.
- (d) Any customer whose timely request for an investigation pursuant to this section has resulted in an adverse determination may appeal to the city manager by filing a written notice of appeal with the city clerk within 10 days of the city's mailing of its determination. The decision of the city manager will be final."

SECTION 4: MPMC § 14.12.240 is amended to read as follows:

"14.12.240 Billing—Delinquency—Water shutoff.

- (a) The water department will shall render bills monthly or bimonthly for all charges hereunder. Such bills may be rendered in conjunction with bills for solid waste collection as provided in Section 6.08.040 of this code.
- (b) Rendered bills are due and payable at the city hall on the date they are rendered, and any amount billed which is not paid within thirty days after of the billing date are shall be delinquent. If payment is received after the delinquent date, the sum of ten dollars or ten percent of the first delinquent

bill, whichever is less, must be paid in addition to the bill(s) amount, unless the customer has entered into a repayment schedule authorized by the director, or designee.

(c) ~~Where a bill is delinquent, notice of the delinquency and a copy of this chapter must shall be given to the customer(s) named on the account in accordance with the notice and service requirements outlined by this chapter. person or persons responsible for payment who shall be notified that water service may be discontinued unless, within ten days of such notification, the amount due plus any penalty is paid or proof is presented to the director of management services or his designee that the amount due is an overcharge for water or is a charge for water services not rendered. Service may be discontinued without further notice where no such payment or proof is submitted within the ten days specified.~~

(d) ~~Service will be discontinued if after 60 days of the billing date payment has not been received and arrangements have not been made to pay the delinquent bill because of financial need. If payment is not made within the specified time as identified above or for any other reason relating to nonpayment of an outstanding bill or charge including, without limitation, checks returned for insufficient funds, credit card denial or other similar type of payment problem, a service charge, in an amount determined by the city council, will be charged, due and payable with research to each time service is discontinued. No utility service will be discontinued by the city, be reason of delinquency, on any Saturday, Sunday, legal holiday or at any time during which the business offices of the city are not open to the public. In cases where such proof is submitted, the director or his designee shall determine, on the basis of the proof submitted, whether the amount of the billing is correct or whether the billed amount is an overcharge for water or for services that were not rendered, in which case he shall adjust the bill to reflect the correct amount due. The director shall notify the person or persons responsible for payment of the amount due pursuant to his determination, and such notification shall include a date when service shall be discontinued if payment is not made on or before that date.~~

(e) ~~If payment is not made by the date specified, service may be discontinued without further notice. Except as provided in Public Utilities Code § 10009, where utility service is shut off, service will not be restored until all required payments (including, without limitation, arrearage, penalties, deposits and service charges) are paid in full. Service will be reinstated only during regular working hours and only after payment has been received or special payment arrangements were made with the director, or designee. A charge, determined by city council resolution, may shall be made for any reconnection, together with all bills overdue, and a special deposit may be required to guarantee payment of bills in the future.~~

~~(f) The city will report the number of annual discontinuations of residential water service for inability to pay on its website and to the California Water Resources Control Board. Any notification required in this section shall be placed at the door of any building on the premises. The charge for reconnection shall be as set by resolution of the city council.~~

~~(g) Where water service is has been discontinued for nonpayment of bills, if service is turned on or permitted to be turned on by any person the owner or consumer, the meter will be locked off and there will shall be a special charge for reconnection charge, in addition to the regular reconnection fee and the overdue bill, in an amount established by city council resolution, in addition to the overdue bill of the city council. If the lock is broken and service is turned on or permitted to be turned on by any person the owner or consumer, the meter will be removed and a reinstallation and reconnection charge, in amounts established by city council resolution, will be imposed before water service is reinstated. Such amounts are in addition to the overdue bill there shall be a special charge for reinstallation and reconnection, in addition to the regular connection fee and the overdue bill, in an amount established by resolution of the city council.”~~

SECTION 5: MPMC § 14.12.250 is amended in its entirety to read as follows:

“14.12.250 Discontinuation for nonpayment prohibited – conditions Reconnection fee.

- (a) The city cannot discontinue service for nonpayment of a delinquent account under any of the following situations:
- (1) During the pendency of a request for extension of the period for the payment of a bill or contestation of charges by the customer; or
 - (2) When a customer has been granted an extension of the period for payment of a bill, provided the customer keeps the account current as charges accrue in each subsequent billing period.
- (b) Any service wrongfully discontinued must be restored without charge for the restoration of service and a notation of such restoration must be mailed to the customer at his or her billing address.”

~~Where a service has been discontinued for nonpayment of bills, and the owner or consumer has turned the water on again or permitted the same to be turned at the service, the meter shall be removed or locked off and a charge, as established by city council resolution, shall be made for reconnection.~~

SECTION 6: MPMC § 14.12.260 is amended to read as follows:

“14.12.260 Complying with conditions.

On failure to comply with the rules and regulations established as a condition of the use of water, water may be shut off on any and all services where the consumer is being supplied with water, following compliance with the following notice procedures. Notice of failure to comply with a specified rule(s) and/or regulation(s) established as a condition of the use of water ~~must~~ shall be given to the person or persons responsible for payment who ~~will~~ shall be notified that water service may be discontinued unless, within ~~ten~~ 10 days of such notification, each and every specified failure to comply is corrected. Water service may be discontinued without further notice where any specified failure to comply is not so corrected. Where service is discontinued, the responsible person or persons ~~will~~ shall be subject to a special charge for reconnection, in addition to the regular reconnection fee, in an amount established by resolution of the city council. If the lock is broken and service is turned on or permitted to be turned on by the owner or consumer, the meter will be removed and there will be a special charge for reinstallment and reconnection, in addition to the regular connection fee, in an amount established by resolution of the city council. ~~reconnection charges as provided in Section 14.12.240.”~~

SECTION 7: MPMC § 14.12.270 is amended to read as follows:

“14.12.270 Liability for delinquent charges.

(a) In addition to any other remedy provided herein for the enforcement and collection of any water rate, charge or account, all unpaid charges provided for in this chapter are against the property to which water is being furnished, or the customer named on the account ~~shall be a charge against:~~

~~—(1) The property to which water is furnished; and~~

~~—(2) Either:~~

~~—(A) The owner thereof, or~~

~~—(B) The occupant-user applicant therefor.~~

(b) If, ~~for any cause,~~ any sums owing for water imposed pursuant to this chapter become delinquent, the customer named on the account is responsible ~~property owner and/or occupant shall be responsible to the city in an action brought by the city in any court of competent jurisdiction for the amount as may be due and unpaid, together with all penalties provided herein and costs. For purposes of this section only, sums owing for water service are delinquent when the~~ customer ~~responsible property owner or occupant has~~

failed to pay such sums in full within thirty days of the billing date and has not entered into repayment plan with the city.

- (c) On June 1st of each calendar year, the city manager, or designee, will prepare a complete list of delinquent charges applicable to the service connection where the property owner is the customer for the period ending on April 30th of each calendar year.
- (d) The city will give at least 45 days' notice before the public hearing of such delinquencies to the customer to which each such delinquency relates.
- (e) The city council will schedule a noticed public hearing for its second meeting in June of each calendar year at which time delinquent charges together with penalties, will be placed on the equalized assessment roll for the fiscal year commencing on the July 1st following the conduct of such hearing for collection. Notice of the public hearing will be made in accordance with Government Code § 6066.
- (f) Thereafter, the delinquent charges, together with penalties, will be collected in the same manner, by the same persons, and at the same time as, together and not separately from, general taxes collected on behalf of the city and other taxing authorities. The provisions of this subsection will only be applicable to delinquent charges where the customer is the landowner or has executed a Lien Authorization Agreement.
- (g) Civil Debt. All charges and penalties imposed pursuant to this chapter are civil debts owed to the city by the customer as to the account to which such charges and penalties apply.”

SECTION 8: MPMC § 14.12.290 is added to read as follows:

“14.12.290 Low-income customer – defined.

For the purposes of this chapter, a “low-income” customer means:

- (a) A current recipient of:
 - (1) California’s Work Opportunity and Responsibility to Kids program benefits (CalWORKs) as identified in Welfare & Institutions Code §§ 11200-11526.5;
 - (2) CalFresh, as identified in Welfare & Institutions Code §§ 18900-18928;
 - (3) General Assistance program benefits, as identified in Welfare & Institutions Code §§ 17000-17030;
 - (4) Medi-Cal program benefits, as identified in Welfare & Institutions Code §§ 14131, *et seq.*;

- (5) Supplemental Security Income/State Supplementary Payment Program benefits, as identified in Welfare & Institutions Code §§ 12000, *et seq.*; or
 - (6) California Special Supplemental Nutrition Program for Women, Infants and Children program benefits, as identified in Health & Safety Code §§ 123275-123355; or
- (b) An occupant of a household where the household's annual income is less than 200 percent of the federal poverty level."

SECTION 9: MPMC § 14.12.300 is added to read as follows:

"14.12.300 Notice.

- (a) *Notice of Delinquent Payment.* The city will not discontinue service for nonpayment of a delinquent account unless the city first gives notice of the delinquency and impending discontinuance to a competent adult person residing at the premises of the utility customer either verbally or in writing. The city will allow every customer at least 30 days from the date a bill was mailed to pay for utility services. A Notice of Delinquent Payment must contain the following:
- (1) The customer's name and address;
 - (2) The amount of the delinquent payment;
 - (3) The date by which payment or arrangement for payment is required to avoid discontinuation of utility service;
 - (4) The period and manner in which the customer may apply for an extension of time to pay the delinquent charges;
 - (5) The period and manner in which the customer may contest the bill;
 - (6) The period and manner in which the customer may request a repayment plan for the delinquent utility service charges;
 - (7) The period and manner in which the customer may apply for the city's lifeline and utility user's exemption plan; and
 - (8) Information on how to restore utility service, if disconnected by the City.
- (b) *Final Notice of Termination.* Whenever the city determines that a customer has failed to comply with the terms and conditions of a repayment agreement, or has otherwise violated this chapter, the city will serve a written "Final Notice of Termination" on the customer(s) by posting such notice in a prominent and conspicuous location at the property. The city will not discontinue service without giving notice to the customer at least five days before discontinuance. This notice does not entitle the customer to further investigation by the city.
- (c) Issuing a notice under this section does not obligate the city to discontinue residential water service.

- (d) Notices under this section will be provided in English, Spanish, Chinese, Tagalog, Vietnamese, Korean and any other language spoken by at least 10 percent of the people residing in its service area.”

SECTION 10: MPMC § 14.12.310 is added to read as follows:

“14.12.310 Service of Notice.

- (a) Any notice required by this chapter may be served by personal delivery or by first class mail, not less than seven business days before city’s discontinuation of the utility service for nonpayment. Alternatively, the city may make a reasonable attempt to contact a competent adult person residing at the premises of the utility customer by telephone or personal contact regarding, discontinuance of service, at least seven days before discontinuance.
- (b) If the customer’s address is not the address of the property where the utility service is being provided, the notice must also be sent to the location of the utility service, addressed to “Occupant.”
- (c) If any written notice is returned as undeliverable, or the city is otherwise unable to make telephonic contact with the customer or a competent adult occupying the residence, the city must post on the property where the utility service is being provided, in a conspicuous location, a copy of the notice and this chapter.
- (d) The city will make available to its customers who are 65 years of age or older, or who are dependent adults as defined in Welfare and Institutions Code § 15610(b)(1), a third-party notification service as specified in Public Utilities Code § 10010.1(c). Should such customers designate a third-party, the city will attempt to notify a person designated by the customer to receive any notification subject to this chapter. The residential customer must make a written request for third-party notification on a form provided by the city and include the written consent of the designated third party. The third-party notification does not obligate the third-party to pay the overdue charges nor prevent or delay service termination.”

SECTION 11: MPMC § 14.12.320 is added to read as follows:

“14.12.320 Right of Appeal from a Notice of Delinquent Payment.

- (a) A customer may contest a notice of delinquent payment by filing a written request for an appeal with the city clerk within 10 calendar days of service of the notice of delinquent payment. A written request for appeal must contain the following information:
- (1) Name, address and telephone number of each customer who

- is appealing the notice of delinquent payment;
- (2) Address of the property where the utility service is being provided;
- (3) Date of the notice being appealed;
- (4) Grounds for appeal in sufficient detail to enable the director to understand the nature of the controversy; and
- (5) The signature of at least one appellant.

(b) Failure of the city clerk to receive a timely appeal constitutes a waiver of the right to contest a notice of delinquent payment. In this event, the notice of delinquent payment is final and binding.”

SECTION 12: MPMC § 14.12.330 is added to read as follows:

“14.12.330 Extensions and Other Alternative Repayment Arrangements.

(a) If a customer is unable to pay a bill during the normal payment period, the customer may request an extension or other alternative payment arrangement described in this section if the customer, or tenant of the customer: (i) submits to the city the certification of a primary care provider (as that term is defined in Welfare and Institutions Code § 14088(b)(1)(A)) which substantially states that discontinuation of water services will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where the water service is being provided; and (ii) demonstrates that they are unable to facilitate payment of water services in accordance with the city’s normal billing cycle because a resident of the premises is low income. Such a request must be submitted before the date and time of discontinuance of service as stated on the Notice of Discontinuation. The request will be reviewed by the director, or designee. The director must review the request and consider the customer’s ability to pay, past payment history, and the amount due, and may approve an extension or alternative repayment schedule, not to exceed 12 months. Determinations made pursuant to this section will be set forth in writing and provided to the customer, in English, Spanish, Chinese, Tagalog, Vietnamese, Korean and any other language spoken by at least 10 percent of the people residing in its service area. Any customer whose request has resulted in an adverse determination by the director may appeal the determination within five days to the city manager, or designee. The decision of the city manager will be final.

(b) *Extension.* If approved by the director, a customer’s repayment of an unpaid balance may be temporarily extended for a period not to exceed six months after the balance was originally due. The director, or designee, will determine the duration of the extension provided to the customer. The customer will pay the full unpaid balance by the date set by the director and must remain current on all water service charges accruing during any

subsequent billing periods.

- (c) *Amortization.* If approved by the director, a customer's repayment of an unpaid balance may be amortized over a period not to exceed 12 months, as determined by the director or designee. If amortization is approved, the unpaid balance will be divided by the number of months in the amortization period, and that amount will be added to the customer's monthly bills for water service until fully paid. During the amortization period, the customer must remain current on all water service charges accruing during any subsequent billing periods.
- (d) *Alternative Repayment Schedule.* If approved by the director, a customer may repay an unpaid balance pursuant to an alternative payment schedule that will not exceed 12 months, as determined by the director or designee. If approved, the alternative payment schedule may allow periodic lump-sum payments that do not coincide with the city's established payment date or may provide for payments made more or less frequently than the city's regular payment date. During the period of the alternative payment schedule, the customer must remain current on all water service charges accruing during any subsequent billing periods.
- (e) *Payment Reduction.* At the discretion of the director, a customer may receive a reduction of the unpaid balance owed by the customer for any water service. The director will determine whether to grant a reduced payment.
- (f) *Failure to Comply.* If a customer fails to comply with a payment arrangement approved by the director under this section or fails to pay his or her current charges for water service, and the original amount due is more than 60 days delinquent, the city may discontinue water service. The city will post a Final Notice of Termination in a prominent and conspicuous location at the service address at least five days before discontinuation of service. This notice will not entitle the customer to any investigation or review by the city.

SECTION 13: MPMC § 14.12.340 is added to read as follows:

“14.12.340 Low-Income Customers.

For all low-income customers identified within this chapter, the city must comply with Health and Safety Code § 116914.

SECTION 14: MPMC § 14.12.350 is added to read as follows:

“14.12.350 Additional Customer Rights – Rental Customers.

The following provisions apply when there is a landlord-tenant relationship between the residential occupants and the owner, manager or operator of the property where the utility service is being provided.

- (a) When the city furnishes service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobile home park, or permanent residential structures in a labor camp, as defined in Health & Safety § 17008, where the owner, manager or operator is listed by the city as the customer of record, the city will make a good faith effort to give written notice to the residential occupants at least 10 days before utility service termination regarding the utility account delinquency and utility service termination date. The notice will further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
- (b) The city will make service available to the actual residential occupants if each occupant agrees to the terms and conditions of service and meets the requirements of the city’s rules and regulations. Notwithstanding, if one or more of the occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the city, or if there is a physical means, legally available to the city, of selectively discontinuing service to those occupants who have not met the requirements of the city’s rules and regulations, the city will make service available to those occupants who have met the requirements.
- (c) Any occupant who becomes a customer of the city and whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the city for those services during the preceding payment period.
- (d) In the case of a detached single-family dwelling, the city may either:
 - (1) Give Final Notice of Termination at least seven days before the proposed discontinuance; or
 - (2) Require an occupant who becomes a water customer of the city to verify that the delinquent account customer of record is or was the landlord, manager or agent of the dwelling in order for the amount due on the delinquent account to be waived. Verification may be accomplished with evidence satisfactory to the director

demonstrating the occupant's tenancy.”

SECTION 15: MPMC § 14.12.360 is added to read as follows:

“14.12.360 Creditworthiness.

To avoid paying a security deposit, persons seeking to establish a utility service account must establish credit, which may be established upon qualifying under any one of the following criteria:

- (a) The applicant is a current utility customer with the city and has paid all bills for service without having been temporarily or permanently discontinued for nonpayment during a period of 12 consecutive months immediately before applying for a new utility account;
- (b) The applicant was a utility customer with the city in the past two years and during the last 12 consecutive months that service was provided paid for all bills for such service without having been temporarily or permanently discontinued for nonpayment;
- (c) The applicant owns the premises upon which the city is requested to furnish utility service; or is the owner of other local real estate. If the applicant is seeking to open a commercial account, the real estate must be owned by the business to which service would be provided;
- (d) The applicant for residential service was continuously employed by the applicant's present employer (including military) for a period of two years or more, or is retired on pension;
- (e) The applicant furnishes a guarantor in a form satisfactory to the city attorney to secure payment of utility service bills; or
- (f) The applicant otherwise establishes credit to the city's reasonable satisfaction.”

SECTION 16: MPMC § 14.12.370 is added to read as follows:

“14.12.370 Security Deposits.

- (a) The city may require a customer to deposit a sum of money with the city to guarantee payment of all utility charges.
- (b) The director, or designee, may set the amount of the deposit up to three times the amount of the historic average monthly bill for the property served or for substantially similar property. The city must credit the amount of the deposit, without an interest payment, to the customer's account upon the

discontinuance of any service and after applying the deposit to any outstanding customer utility bill(s). Any balance of the deposit then remaining with the city will be returned to the person making such deposit, without interest.

- (c) Any applicant who is the property owner of record, or any applicant who has the written approval of the property owner of record, may choose to enter into a Lien Authorization Agreement, in the form and manner prescribed by the director, or designee, in lieu of a cash deposit. By doing so, the applicant and/or the property owner of record agree that, pursuant to applicable government, Health and Safety codes, and upon the direction of the city council, the city is authorized to collect and annually transfer to the County Auditor for inclusion on the next year's tax bill of the respective property owner any delinquent fee or charge imposed by the provisions of this chapter, including interest and penalties. Alternatively, an action in the name of the city may be commenced in any court of competent jurisdiction for the amount of any delinquent fees or charges and if legal action is brought by the city or its assignee to enforce collection of any amount charged and due under this chapter, any judgment rendered in favor of the city will include costs of suit incurred by the city or its assignee including reasonable attorney's fees."

SECTION 17: *Creation of Policy.* Chapter 14.12 will otherwise be known as the City's "Residential Water Shutoff Protection Policy" and will be posted on the City's website in English, Spanish, Chinese, Tagalog, Vietnamese, Korean and any other language spoken by 10 percent of the people residing within the City's residential water service area.

SECTION 18: *Environmental Review.* This 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 procedures 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. Accordingly, this Ordinance does not constitute a "project" that requires environmental review (*see specifically 14 CCR § 15378(b)(2, 5)*).

SECTION 19: *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 20: *Enforceability.* Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution

and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 21: *Validity of Previous Code Sections.* If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 22: *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 23: *Publication.* The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 24: *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 25: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2020.

Hans Liang
Mayor

ATTEST:

Vincent D. Chang,
City Clerk

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

By: _____
Natalie C. Karpeles,
Deputy City Attorney



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-C

TO: Honorable Mayor and Members of the City Council
FROM: Matt Hallock, Fire Chief
SUBJECT: Consideration and possible action to waive first reading and introduce an Ordinance amending the Monterey Park Municipal Code governing hotel/motel guest registries

RECOMMENDATION:

It is recommended that the City Council consider:

1. Waive first reading and introduce a draft Ordinance amending the Monterey Park Municipal Code ("MPMC") regulating guest registries; or
2. Alternatively, discussing and taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The proposed amendments to the MPMC (specifically those regulating the inspection of guest registers) are intended to address an issue identified by the federal court in *Patel v. City of Long Beach* (DC No. 2:08-cv-02806-ABC-VBK) and *Patel v. City of Los Angeles* (9th Cir., 2013) 738 F.3d 1058.

DISCUSSION:

The MPMC requires that hotel owners collect and record information about guests, including their name, address, arrival/departure information, method of payment and valid identification (see existing MPMC § 21.04.481). Currently, the MPMC requires these records to be made available to any police officer for inspection upon demand. Failure to comply with an officer's demand is punishable as a misdemeanor.

Motel owners challenged similar code sections in Long Beach¹ and Los Angeles² based upon Fourth Amendment protections from warrantless searches. The Ninth Circuit Court of Appeals found that a police officer's inspection of business records, without the business owner's consent, constituted a Fourth Amendment search and that the ordinances in question did not contain a procedural safeguard: the opportunity for judicial review before disclosure. In order to comply with the Fourth Amendment, law enforcement

¹ *Patel v. City of Long Beach* (DC No. 2:08-cv-02806-ABC-VBK).

² *Patel v. City of Los Angeles* (9th Cir., 2013) 738 F.3d 1058.

must seek voluntarily compliance; obtain an inspection or search warrant; obtain a legislative subpoena; or otherwise give hotel operators the opportunity to challenge the reasonableness of an officer's demand for inspection. Accordingly, a new Chapter is proposed (Chapter 5.88 "Hotel Registries") for the MPMC to clarify that, in cases where consent is refused or cannot be obtained, a warrant or subpoena is required.

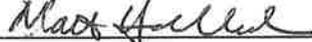
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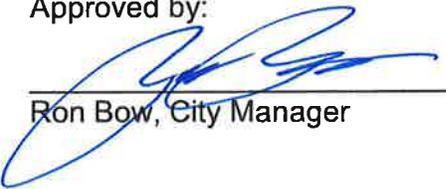
None.

ATTACHMENTS:

1. Draft Ordinance

Respectfully submitted:

By:  _____
Matt Hallock,
Fire Chief

Approved by:
 _____
Ron Bow, City Manager

Reviewed by:
 _____
Natalie C. Karpeles, Deputy City
Attorney

ATTACHMENT 1
Draft Ordinance

ORDINANCE NO.

AN ORDINANCE ADDING CHAPTER 5.88 TO THE MONTEREY PARK MUNICIPAL CODE TO CLARIFY WHEN HOTEL OPERATORS MUST DISCLOSE GUEST REGISTRIES TO LAW ENFORCEMENT OFFICIALS

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. A new Chapter 5.88 is added to the Monterey Park Municipal Code (“MPMC”) to read as follows:

“CHAPTER 5.88

HOTEL REGISTRIES

5.88.010 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Chapter.

“Guest” means any person or persons seeking to rent or let a hotel room or suite within the city’s jurisdiction.

“Hotel” means any building or portion of any building with access provided through a common entrance, lobby or hallway to one or more guest rooms which are designed, occupied, used or intended to be used, rented or hired out as temporary or overnight accommodations for guests.

“Official identification card” means a driver’s license or other official picture identification card issued by a government entity.

“Responsible person” means any owner, manager, or proprietor of a hotel.

5.88.020 Guest Register Required; Time to Retain.

Every responsible person will keep a guest register for registering guests. The guest register will be preserved for at least two years and will be subject to inspection by any law enforcement officer in accordance with this chapter. A responsible person may not let, rent, or furnish any hotel room to any guest who fails to register in the guest register as required by this chapter.

5.88.030 Contents of Guest Register – Verification.

- A. Each guest register must contain:
1. The name, address, and date when a guest registered;

2. The hour that the guest arrived and the time the guest departed or, if the exact time of departure is unknown, the date and time that the responsible owner ascertained the guest departed.
 3. The number of the room or suite assigned to the guest;
 4. If the guest has a motor vehicle, the vehicle license number, the name of the state issuing such license, the year, make, and model of the vehicle; and
 5. The guest's signature.
- B. The responsible person must verify that the information entered in the guest register corresponds with the guest's official identification card.
- C. No person may erase or alter any entry on a guest registry or allow erasure or alternation to occur.

5.88.040 Registration by Fictitious Name.

It is unlawful for a guest to provide false information, register under a fictitious name, or show or use a forged, altered, or counterfeit official identification card when renting a room.

5.88.050 Limitation on Hotel Stay.

Except for residential hotels, no guest may stay at a hotel for more than 30 days of any 90-day period. Any hotel guests must re-register before 30 days elapse.

5.88.060 Registry Inspection.

A sworn law enforcement official may request to review hotel registries at any time. The responsible person may either voluntarily provide such information to a sworn law enforcement official or refuse. Except under exigent circumstances, as defined by applicable law, upon refusal, the sworn law enforcement official may, in addition to any other lawful means of obtaining such information including a legislative subpoena, seek a search warrant issued by a court of competent jurisdiction.”

SECTION 2. MPMC § 21.04.481 is amended to read as follows:

“21.04.481 Hotel.

“Hotel” means any building or portion of any building with access provided through a common entrance, lobby or hallway to one or more guest rooms which are designed, occupied, used or intended to be used, rented or hired out as temporary or overnight accommodations for guests. Hotel facilities include banquet and meeting rooms, restaurant, coffee shops, retail uses, and lobby and entertainment bars. ~~No person(s) shall inhabit or shall be permitted to inhabit any unit or any combination of guest units of~~

~~such facility for more than thirty (30) days of any ninety (90) day period. The owner and/or operator shall allow authorized representatives of the City to inspect the books and records of the hotel during reasonable business hours for the purpose of determining compliance with the provisions of this title.~~

~~The owner and/or operator of each hotel shall maintain a written record which indicates the date and time each and every customer checks into and out of the hotel. The owner and/or operator shall allow authorized representatives of the City to inspect such record during reasonable business hours for the purpose of determining compliance with the provisions of this chapter."~~

SECTION 3. Construction. This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 4. Enforceability. Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5. Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 6. Reliance on Record. Each and every one of the findings and determinations in this Ordinance are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 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. 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 9. Recording. The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 10. *Effective Date.* This Ordinance becomes effective on the 30th day following its passage and adoption.

PASSED, APPROVED, AND ADOPTED May ____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Natalie C. Karpeles, Deputy City Attorney



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-D

TO: The Honorable Mayor and City Council
FROM: Mark A. McAvoy, Director of Public Works/City Engineer
SUBJECT: Consideration of an Ordinance amending Monterey Park Municipal Code ("MPMC") by adding Chapter 16.37 entitled "Permit Process for Electric Vehicle Charging Stations"

RECOMMENDATION:

It is recommended that the City Council consider:

1. Introducing and waiving first reading of an ordinance adding Chapter 16.37 entitled "Permit Process for Electric Vehicle Charging Stations"; and/or
2. Taking such additional, related, action that may be desirable.

CEQA:

The proposed Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA" and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures in compliance with recently-enacted State law; 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. Accordingly, the Ordinance does not constitute a "project" that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

EXECUTIVE SUMMARY:

If adopted, the Ordinance would add regulations to the Monterey Park Municipal Code ("MPMC") establishing a streamlined permitting process for electric vehicle charging stations to be consistent with California law.

DISCUSSION:

Government Code § 65850.7 requires the City to adopt regulations to establish an expedited review process for "Electric Vehicle Charging Stations." The draft ordinance implements the requirements in state law by amending the MPMC to establish a ministerial review process for electric vehicle charging station applications and limits the review of these applications to the Building Official.

FISCAL IMPACT:

The City's costs in reviewing will be recovered through an application fee based upon the City's adopted Master Fee Schedule.

Respectfully submitted and prepared by:


for Mark McAvoy
Director of Public Works/City
Engineer

Approved by:


Ron Bow
City Manager

Reviewed by:


Karl H. Berger
Assistant City Attorney

Attachment(s)

1. Ordinance

ORDINANCE NO. XXXX

AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE (“MPMC”) BY ADDING CHAPTER 16.37 ENTITLED “PERMIT PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS.”

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. In enacting this ordinance, the Monterey Park City Council makes the following findings:

1. Government Code § 65850.7 provides that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern.
2. California law requires cities with populations of less than 200,000 to adopt an expedited, streamlined electric vehicle charging station permitting process that complies with Government Code § 65850.7.
3. The City Council desires to increase the statewide deployment of electric vehicle charging stations, remove obstacles to and minimize the costs of permitting for electric vehicle charging stations, improve the state and City’s ability to reach its clean energy goals, and generate jobs, while protecting public health and safety.

SECTION 2. A new chapter 16.37 entitled “Permit Process for Electric Vehicle Charging Stations,” consisting of § 16.37.010 – § 16.37.070, is added to the MPMC to read as follows:

“CHAPTER 16.37: PERMIT PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS

16.37.010. Purpose.

16.37.020. Definitions.

16.37.030. Applicability.

16.37.040. Electric Vehicle Charging Station Requirements.

16.37.050. Application and Documents.

16.37.060. Permit Review Requirements; Appeals.

16.37.070. Fees.

16.37.010 Purpose.

This Chapter is adopted to provide an expedited, streamlined permitting process for electric vehicle charging stations that will encourage the timely and cost-effective installations of electric vehicle charging stations, in compliance with Government Code § 65850.7. This Chapter is intended to achieve these goals while protecting public health and safety.

16.37.020 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this Chapter:

“Building official” or “Official” means the City’s building official or designee.

“Electric Vehicle Charging Station(s)” or “Charging Station(s)” means an electric vehicle supply equipment station, of any level, that delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle and is designed and built in compliance with 24 California Code of Regulations §§ 625.1, *et seq.*, as it reads on the effective date of this Chapter, or as it may be amended.

“Nonconforming Charging Station(s)” means any Charging Station that was lawfully established and in compliance with all applicable laws at the time it was installed, but which, due to enactment of this Chapter, no longer complies with all the applicable regulations and standards of the zone in which the property is located.

“Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the City found the Electric Vehicle Charging Station application complete.

16.37.030 Applicability.

- A. Except for Charging Station located on publicly owned property, this Chapter applies to the permitting of all Charging Stations in the City.
- B. Unless modified after the effective date of this Chapter, Nonconforming Charging Station(s) exempt from this Chapter, or routine operation and maintenance do not require a permit.

16.37.040 Electric Vehicle Charging Station Requirements.

- A. All Electric Vehicle Charging Stations must meet all applicable health and safety standards and requirements, as set forth in federal and state regulations, county municipal codes and regulations.
- B. Electric Vehicle Charging stations must meet all applicable safety and performance standards established by applicable law including, without limitation, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as the Occupational Safety and Health Administration’s Nationally Recognized Testing Laboratory (NRTL) and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

16.37.050 Application and Documents.

- A. All documents required for the submission of a Charging Station application will be made available on the City's website and at the City Clerk's office.
- B. Applicants may submit the required permit application and documents by submitting them either via electronic mail or the Internet or by delivering them to the Public Works Director, or designee. An applicant's electronic signature will be accepted on all forms, applications, and other documents in lieu of a wet signature.
- C. The building official, or designee, will adopt a checklist of all requirements with which the Charging Stations must comply to be eligible for expedited review. The electric vehicle permit process, standard(s) and checklist(s) must substantially conform to recommendations for permitting of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Office of Planning and Research, including the checklist and standards contained in the "Plug-In Electric Vehicle Infrastructure Permitting Checklist."
- D. If an application is submitted to the City and the building official deems the application incomplete, a written correction notice detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance must be sent to the applicant for resubmission. The correction notice must be sent within 29 days after submission of the application.

16.37.060 Permit Review Requirements; Appeals.

- A. Review of an Electric Vehicle Charging Station Permit application is limited to whether the application meets local, state, and federal health and safety requirements. If the application meets the requirements of the approved checklist and standards, and the proposed Charging Station does not pose any specific, adverse impact upon public health or safety, the building official must approve the application.
- B. If the building official determines, based on the application, that the proposed Charging Station could have a specific, adverse impact upon the public health and safety, the building official may require an "Electric Vehicle Charging Station Permit." The permit may include conditions designed to mitigate the specific, adverse impact upon health and safety at the lowest possible cost.
- C. The building official must notify an applicant whether the application has been approved, or, alternatively, whether the applicant must obtain an Electric Vehicle Charging Station Permit, within 30 days after the submission of a complete application.

- D. An application for an Electric Vehicle Charging Station Permit can only be denied if the building official finds that (1) the proposed installation would have a specific, adverse impact upon public health or safety, and (2) there is no feasible method to satisfactorily mitigate or avoid the adverse impact. These findings must be presented in writing, must include the basis for the rejection of the potential feasible alternative for preventing the adverse impact, and must be based upon substantial evidence in the record.
- E. A feasible method to satisfactorily mitigate or avoid the specific, adverse impact may include, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on a prior successful application for an Electric Vehicle Charging Station Permit, where the proposed Charging Station is similarly situated to the Charging Station in that prior successful application.
- F. Any decision by the building official made pursuant to this Chapter may be appealed to the planning commission in accordance with the procedure set forth in Chapter 1.10 of this Code.

16.37.070 Fees.

The City Council may establish by resolution the fees for permits issued under this Chapter.”

SECTION 3. Environmental Review. The Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures in compliance with recently-enacted State law; 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. Accordingly, the Ordinance does not constitute a “project” that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

SECTION 4. 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 5. Enforceability. Repeal or supersession of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed or superseded part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6. Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other ordinance by this Ordinance will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 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. 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 9. The City Clerk, or his duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 10. This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL ON _____, 2020.

Hans Liang, Mayor

Attest:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney



City Council Staff Report

DATE: May 20, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-E.

TO: The Honorable Mayor and City Council
FROM: Ron Bow, City Manager
Inez Alvarez, Director of Recreation and Community Services
SUBJECT: Social Media Policy; Electronic Communication Retention and Purging Policy

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt a Resolution establishing a Social Media Policy and a Resolution amending the City's retention policy as to electronic communications;
2. Authorize the City Manager to execute an agreement with a social media archiving service vendor, in a form approved by the City Attorney; and
3. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Staff believes it prudent for the City Council to adopt a Social Media Policy to help ensure compliance with applicable law and allow for the establishment of official City accounts to improve communication with the public.

Additionally, following a decision made by the California Supreme Court in 2017, the City Clerk's office worked with the City Attorney's office to draft proposed amendment to the City's existing electronic communications policy. Staff recommends City Council adopt a Social Media Policy and amend the City's retention policy as to electronic communications.

BACKGROUND:

On March 2, 2017, the California Supreme Court rendered a decision in *City of San Jose v. Superior Court (Smith)* (the "San Jose case"). That decision prompted the City Clerk's office to seek advice from the City Attorney's office regarding the City's current retention policies as to electronic communications. Following that consultation, staff recommends that the City Council adopt the two draft resolutions: one dealing with the retention of electronic communications, including social media; the other establishing policies for the use of social media.

- Electronic Communications - Retention Policies

On November 2, 2011, the City Council adopted Resolution No. 11443 which constitutes the City's existing retention policy for electronic communications. Among other things, that retention policy provides direction for the routine, automatic, deletion of electronic mail and voicemail on a minimum 90-day basis. In March 2017, however, the *San Jose* case prompted a reexamination of the City's policies in light of the Supreme Court's decision. At the December 6, 2017 City Council meeting, the Council adopted Resolution No. 11977 changing the retention period to a minimum of two years. The draft Resolution seeks to provide more insight in regards to the direction provided by the *San Jose* case.

The *San Jose* case extended the reach of the California Public Records Act to private accounts owned by public officials. Electronic communications prepared by public officials and employees - whether using public or private accounts - are now subject to the PRA and (unless otherwise exempted) must be disclosed upon request. The Supreme Court determined that the City constructively retains these records even when they are stored in private accounts.

Note that "electronic communications" is more than just email. That term includes virtually every recorded form of communication that includes, without limitation, Facebook comments; tweets; Instagram; texts; voicemails; and Snapchat. Accordingly, it is important for all officials to be cognizant of their private communications; they may also constitute a "public record" that is subject not only to disclosure and retention requirements, but may have additional import (e.g., evidence during public hearings).

The draft Resolution regulates those electronic communications that are used in the course of the City's business, or that constitute a "final draft" of a business decision. Examples of such records include, without limitation, existing service contracts and agreements, historical records, and other such items expressly required to be retained by law.

- Social Media Policy

Postings to social media sites also constitute public records under the Public Records Act. While the *San Jose* case did not explicitly address social media, that decision did prompt the City Clerk's office to recommend that the City Council adopt a social media policy.

If adopted, the draft Resolution would establish the means by which the City itself could use social media. It would also, however, help ensure that the City - and its officials - avoid any potential (and inadvertent) violation of the Brown Act; due

process rights; constitutionally protected speech; or other legal requirement.

Electronic communications made via City-hosted social media sites are City records and should be preserved in accordance with applicable law, for a minimum of two years. Staff recommends City Council authorize the City Manager to execute an agreement with a social media archive service vendor, in a form approved by the City Attorney.

Social media archiving services will capture and store all social media posts and staff will have the ability to search these records in the event of an applicable Public Records Act request, as well as set retention periods to these records as appropriate.

FISCAL IMPACT:

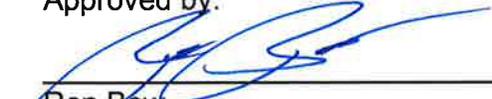
Social media archiving annual service fee not to exceed \$5,000.

Respectfully submitted and prepared by:



Inez Alvarez
Director of Recreation and Community Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENTS:

1. Draft Resolution - Social Media Policy
2. Draft Resolution - Electronic Records

ATTACHMENT 1
Draft Resolution – Social Media Policy

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR UTILIZING SOCIAL MEDIA (THE “SOCIAL MEDIA POLICY”).

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

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

- A. The City of Monterey Park (“City”) hosts several Social Media accounts and seeks to expand its Social Media use for purposes of promoting business growth in the City and providing useful information to its residents and businesses.
- B. The City’s participation with Social Media is an effort to engage the Monterey Park community in open, interactive communications while effectively disseminating accurate information to a unique target market. With the advent and widespread use of Social Media, the City desires to capitalize on the potential value of and increasing opportunities presented by Social Media.
- C. The City has an overriding interest and expectation in protecting the information posted on its Social Media and the content that is attributed to the City and its officials.
- D. This policy is designed to guide the City’s involvement in Social Media websites and address certain challenges presented by the City’s Social Media usage. It establishes certain procedures and conduct for creating and posting on City Social Media, outlines acceptable site content, discusses privacy issues and how the City’s Social Media related to the City’s retention schedule, and provides other pertinent standards.
- E. It is in the public interest for the City to establish policies and procedures to identify which Commercial Communications and sponsorships are acceptable.

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

- A. “Designated Social Media” means personal property, including communication media, owned, managed or otherwise controlled by the City.
- B. “Commercial Communication” means any Communication other than a Government Communication that is placed on Designated Social Media

and has as its primary purpose the promotion or solicitation of a commercial transaction, such as the sale of real or personal property, services, or entertainment.

- C. “Communication” means any visual message that consists of words, numbers, or images and is placed on Social Media for the purpose of communicating with the public.
- D. “Director” means the City Manager, or designee.
- E. “Effective Date” means the date this Resolution becomes effective.
- F. “Government Communication” means a Communication that is:
 - 1. Related to City services, programs, or events;
 - 2. Related to events co-sponsored by the City; or
 - 3. Is a Public Service Announcement.
- G. “Person” means any individual, firm, association, organization, partnership, business trust, corporation or company.
- H. “Political campaign speech” means speech that
 - 1. Supports or opposes or appears to support or oppose a ballot measure, initiative, or referendum; or
 - 2. Supports or opposes or appears to support or oppose any candidate for public office.
- I. “Public Service Announcement” means a Communication directed to the general public or a significant segment of the general public and relates to:
 - 1. Prevention or treatment of illnesses;
 - 2. Promotion of safety or personal well-being;
 - 3. Providing children and family services;
 - 4. Soliciting by broad-based employee contribution campaigns which provide funds to multiple charitable organizations (e.g., United Way); or
 - 5. Providing services and programs that support low income citizens and citizens with disabilities.

- J. "Social Media" means forms of electronic communication through which users create online communities to share information, ideas, personal messages, and other content. Current examples of Social Media include, without limitation, Facebook, Twitter, Instagram, Snapchat, and YouTube. When utilizing Social Media, the City acts in its proprietary capacity.
- K. "Sponsor" means a person who provides City with cash and/or an in-kind contribution to support a City project, event, facility, or activity, and which expects recognition in return.
- L. "Sponsorship" means support for a City project, event, facility, or activity by providing money or other support that may be quantified in money. The sponsorship is typically provided in return for the City providing more than nominal recognition of the sponsor's support.
- M. "Sponsorship Agreement" means an agreement, in a form approved by the City Attorney, between the City and a Sponsor. The sponsorship agreement will provide for sponsor recognition as determined by this Resolution.

SECTION 3: *Personal Social Media.* Any elected or appointed public official; City employee; City contractor; or City volunteer utilizing Social Media for personal uses is prohibited from:

- A. Utilizing any indicia of public office in their Social Media including, without limitation, the City's logo; City letterhead; title of public office; or any other, similar, suggestion that the use of Social Media is in a capacity other than a private citizen;
- B. Soliciting comments regarding matters within their subject-matter jurisdiction as a public official, City employee, or other capacity with the City; or
- C. Utilizing Social Media that is "closed," "private," or otherwise restricts its membership in order to circumvent the restrictions within this Resolution.

SECTION 4: *Limited Public Forum Status.*

- A. The City's acceptance of Commercial Communications in accordance with this Social Media Policy does not provide or create a general public forum for expressive activities. In keeping with its proprietary functions, the City does not intend its acceptance of Commercial Communications to convert its Designated Social Media into open public forums for public discourse and debate. Rather, the City's fundamental purpose and intent is to accept Commercial Communications as an additional means of generating

revenue to supplement the City's General Fund. In furtherance of that focused and limited objective, the City retains plenary control over the nature of the Communications accepted for posting on Designated Social Media; its Social Media is intended to be, and is, a limited public forum.

- B. The City Council adopts this Resolution with reference to well-established law supporting the City's ability to restrict Commercial Communications and sponsorships when acting in its proprietary capacity. Such cases include, without limitation, *Reed v. Town of Gilbert* (2015) 576 U.S. 155 ("on public property, the [City] may go a long way toward entirely forbidding the posting of signs, so long as it does so in an evenhanded, content-neutral manner"); *Heffron v. ISKCON* (1981) 452 U.S. 640; *Lehman v. Shaker Heights* (1977) 418 U.S. 298; *Children of the Rosary v. Phoenix* (9th Cir. 1998) 154 F.3d 972; *Page v. Lexington County School Dist. One* (4th Cir. 2008) 531 F.3d 275.

SECTION 5: Name and Purpose.

- A. *Name.* This Resolution may be referred to as the City's "Social Media Policy."
- B. *Public Purpose.* The City's primary purpose in adopting this Social Media Policy is to provide guidance to public officials and employees as to the use of Social Media and avoiding any potential City endorsement of the content or viewpoint of Communications.
- C. *Not a Public Forum.* In adopting this Resolution, the City is acting as a proprietor not as a regulator. The City does not intend to permit, and will not permit, any Communication that individually or in combination with other Communications would cause any Designated Social Media to become a traditional or designated public forum.
- D. *Revenue Enhancement.* To help promote economic development, and to ensure the City's continued success in providing public services, the City Council identified Commercial Communications and sponsorship revenue as a source of income for the City.
- E. This Social Media Policy is intended to provide clear guidance as to the types of Communications that will allow the City to generate revenue and provide public services including, without limitation, Public Service Announcements by:
 - 1. Preventing the appearance of favoritism by the City;
 - 2. Preventing the risk of imposing views on a captive audience;

3. Maintaining a position of neutrality on controversial issues;
4. Preserving the marketing potential of the Social Media by avoiding content that the community could view as offensive, inappropriate or harmful to the public generally or to minors in particular; and
5. Preventing any harm or abuse that may result from running controversial or offensive Communications.

SECTION 6: Application of Policy.

- A. This Social Media Policy applies to the posting of all new Communications on Designated Social Media on or after the Effective Date.
- B. Pre-existing agreements for Communications, if any, on Designated Social Media cannot be extended or renewed unless amended to comply with this Resolution.

SECTION 7: Policies.

- A. The City may accept or reject any and all Communications in accordance with this Resolution.
- B. Decisions to accept or reject proposed Communications or Communications sponsorships will not be made on the basis of the sex, race, color, religion, ancestry, national origin, disability, medical condition, marital status, or sexual orientation of the person proposing the Communication.
- C. By accepting a Communication, the City does not waive or restrict its ability to accept any other Communications.
- D. Advertisers and sponsors will not receive extraordinary consideration relating to the City's procurement processes, regulatory activities, or other City business by providing a Commercial Communication.
- E. City may terminate any Communication should the Communication conflict with this Resolution. The City Manager is authorized to make a final determination regarding termination.
- F. Absent specific City Council approval, as evidenced by minute order or written resolution, the City's name and logo cannot be used as part of any official endorsement of a person's product, service, or company.
- G. The names and images of elected officials are prohibited on Designated Social Media.

SECTION 8: Creation, Maintenance and Termination of Designated Social Media.

The City generally utilizes commercially available Social Media for Communications. Creation, maintenance and termination of Designated Social Media must comply with the following:

- A. The Director must approve the Designated Social Media in writing before any City official or employee can open an account on the City's behalf.
- B. All Designated Social Media must utilize authorized City contact information for account set-up, monitoring and access. Such contact information must be provided to the City's Information Technology division. The use of personal email accounts or phone numbers by any City employee is not allowed for the purpose of setting-up, monitoring or accessing Designated Social Media.
- C. Each department director, where applicable, must appoint a specific staff member to maintain and monitor Designated Social Media for purposes of that department. Department directors are responsible for ensuring their employees follow this policy. If an employee assigned to maintain and monitor Designated Social Media separates from City employment, the department director must ensure that any password(s) to the Designated Social Media are revised and that another employee is assigned.
- D. The settings for Designated Social Media must be set to "no comments," or a substantially similar setting, if such setting is available so that unsolicited feedback cannot be received from Social Media.
- E. Employees administering Designated Social Media must understand its current terms of service. Designated Social Media must comply with usage rules and regulations required by the site provider, including privacy policies.
- F. All account information, including passwords and setting information, for all Designated Social Media must be provided to the City Manager, or designee. The City's use of any Designated Social Media may be terminated by the City Manager in his or her discretion at any time without notice. The City Manager, or designee, may remove content that is inappropriate or inconsistent with this policy.

SECTION 9: Authorized Communications. Upon the effective date of this Resolution, no Communication may be placed on Designated Social Media unless all of the following are satisfied:

- A. The Communication consists of a Commercial Communication, Government Communication, or Public Service Announcement.

- B. Commercial Communications cannot be placed on Designated Social Media until the third party and the City enter into a written agreement that is consistent with this Resolution and approved as to form by the City Attorney.
- C. Government Communications, other than those related to City services, programs, or events, may not be placed on Designated Social Media until the City Manager, or designee, authorizes the placement in writing.
- D. The sponsor of a Public Service Announcement must be a government entity or a nonprofit corporation that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.¹
- E. A Public Service Announcement cannot include a message that is commercial or retail in nature or related to a festival, show, sporting event, concert, lecture or event for which an admission fee is charged.
- F. The Communication is not otherwise prohibited by this Resolution.
- G. The City's official website will be maintained as the primary source of information for the City; Designated Social Media will contain supplemental information only. Designated Social Media cannot replace the City's required notices and traditional methods of communication.
- H. All Designated Social Media will display a prominent link to the City's official website and will direct site traffic to the City's official website, www.MontereyPark.ca.gov
- I. Designated Social Media will display a prominent official logo or identifying marker for the City and will include Communications noting that the page is maintained by the City.
- J. Designated Social Media will link back to the City's official website, when such feature is available, for forms, documents, online services, and other information necessary to conduct business with the City. The following content guidelines will be posted on all Designated Social Media or made available by hyperlink: "The content you see on this site is provided for informational purposes only. To conduct business with the City of

¹ 26 USC § 501(c)(3): "Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation ... and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office."

Monterey Park you must visit City Hall in person, phone the City at (626) 307-1458, or use the services available on the City's website at www.MontereyPark.ca.gov.

- K. The City's Social Media Policy must be displayed to users or made available by hyperlink on both the social media sites and the official City website www.MontereyPark.ca.gov or any other domain owned by the City.
- L. Information posted to Designated Social Media becomes public information and there should be no expectation of privacy in regards to the information posted on Designated Social Media.

SECTION 10: *Viewpoint Neutral Limitations*. Communications are not permitted on Designated Social Media if it or information contained in it falls within one or more of the following categories:

- A. The Communication proposes a commercial transaction and is false, misleading, or deceptive.
- B. The Communication promotes or encourages, or reasonably appears to promote or encourage, the use or possession of unlawful or illegal goods or services.
- C. The Communication promotes, depicts, or encourages, or reasonably appears to promote, depict, or encourage, unlawful or illegal behavior or activities.
- D. The Communication implies or declares the City's endorsement of any service, product, or point of view without the City Manager's prior written authorization.
- E. The Communication contains obscene matter or any other matter that is prohibited under Penal Code §§ 311, *et seq.*, as amended.
- F. The Communication is profane or vulgar, or presents a clear-and-present danger of causing a riot, disorder, or other imminent threat to public safety, peace, or order.
- G. The Communication is so objectionable under contemporary community standards that it is reasonably foreseeable that it will harm, disrupt, or interfere with the City's services, programs, or events.
- H. The Communication holds up an individual or group to public ridicule, derision, or embarrassment; or is libelous; or is an infringement of a copyright, trademark, or registered mark. Advertisers and Commercial

Communications agencies assume all responsibility for any unauthorized use of names, photographs, devices, and words protected by copyright, trademark, or registered trademark.

- I. The Communication promotes or depicts the sale or use of tobacco or cannabis, or tobacco-related or marijuana-related products, except products that counteract symptoms of tobacco habituation.
- J. The Communication promotes or depicts the sale or consumption of wine, liquor, beer, or distilled spirits.
- K. The Communication directly or indirectly promotes the sale or use of a firearm.
- L. The Communication contains political campaign speech.
- M. The Communication advocates or opposes a religion or religious belief or a philosophy or philosophical belief.
- N. The Communication contains an image or description of graphic violence or the results of graphic violence including, without limitation, unless part of a law enforcement case and approval of the City Manager, to
 - 1. The depiction of human or animal bodies or body parts, or fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement; and
 - 2. The depiction of weapons or other implements or devices associated in the Communication with an act or acts of violence or harm on a person or animal.
- O. The Communication promotes or encourages, or appears to promote or encourage, a transaction that is related to, or uses brand names, trademarks, slogans, or other materials that are identifiable with, any of the following: films rated "X" or "NC-17" by the Motion Picture Association of America; video games rated "A" or "M" by the Entertainment Software Rating Board; adult book stores or adult video stores; nude or topless clubs and other adult-entertainment establishments; adult telephone services or adult Internet sites; or escort services.
- P. The Communication advertises any good, service, or entertainment that competes with goods, services, or entertainment offered by the City.
- Q. The Communication directs viewers to a website or telephone number that provides access to material that violates this Social Media Policy. In addition, the website address or phone number itself may not violate this

Social Media Policy.

- R. The Communication, if communicated individually or in combination with other Communications, would cause the Social Media to become a public forum.
- S. The Communication fails to contain any disclaimer or attribution required by this Resolution.
- T. Commercial Communications that promotes or solicits the sale, rental, distribution or availability of firearms or firearms-related products.
- U. Any Commercial Communications that is intended to be (or reasonably could be interpreted as being) disparaging, disreputable, or disrespectful to persons, groups, businesses or organizations, including Commercial Communications that portrays individuals as inferior, evil or contemptible because of their race, color, creed, sex, pregnancy, age, religion, ancestry, national origin, marital status, disability, sexual orientation or any other characteristic protected under federal, state or local law.
- V. Any material directed at a person or group that is so insulting, degrading or offensive as to be reasonably foreseeable that it will incite or produce lawless action in the form of retaliation, vandalism or other breach of public safety, peace and order.

SECTION 11: ***Disclaimer.*** The City may, in all circumstances, require that a Communication on Designated Social Media include a disclaimer stating that the Communication is not sponsored by, and does not necessarily reflect the views of, the City. The disclaimer must read substantially as set forth in attached Exhibit "A," which is incorporated by reference.

SECTION 12: ***Commercial Communications; Applications.*** Applications for Commercial Communications or sponsorships must be filed on forms provided by the City. Applications made on the required forms will be considered on a first come first serve basis as indicated by date received and accepted.

SECTION 13: ***Commercial Communications; Approvals.***

- A. The Director may approve all Communications with a value of less than \$25,000. All other Communications must be approved by the City Council.
- B. All sponsorship agreements must be memorialized in a written agreement between the City and the sponsor. The City Manager is authorized to execute any written agreement for a donation or sponsorship where the value of the donation or sponsorship is less than \$25,000. No written donation or sponsorship agreements will be valid unless approved as to

form by the City Attorney.

SECTION 14: ***Commercial Communications; Attribution.*** All Communications on Designated Social Media must clearly and unambiguously identify the person or entity that has sponsored or paid for the Communication or it to be placed on the Designated Social Media. Website addresses or phone numbers by themselves are insufficient to satisfy this section.

SECTION 15: ***Commercial Communications; Procedures.***

- A. All proposed Commercial Communications must be submitted to the Director for initial compliance review. The Director will perform a preliminary evaluation of the submission to assess its compliance with this policy. If, during its preliminary review of a proposed Communication, the Director is unable to make a compliance determination, the Director will forward the submission to the City Manager, or designee, for further evaluation.

- B. The Director may at any time discuss with the entity proposing the Communication one or more revisions to a Communication, which, if undertaken, would bring the Communication into conformity with this Social Media Policy. The Director will immediately remove any Communication that violates this Policy.

- C. The Director will review the proposed Communication for compliance with the guidelines set forth in this policy and will direct as to whether the proposed Communication will be accepted.

- D. The City Manager, or designee, will conduct a final review of proposed Commercial Communications at the Director's request. The City Manager's, or designee's, decision to approve or reject any proposed Commercial Communications is final.

SECTION 16: ***Moratorium.*** At the discretion of the City Manager, and subject to any contractual obligations, the City may declare a complete ban or moratorium on all Communications on Designated Social Media and direct that no Communications of any kind, other than Government Communications, be accepted for display and posting.

SECTION 17: ***Disputes.*** Any dispute concerning complying with this Resolution may be appealed to the City Manager within 15 days of the circumstances giving rise to the dispute. The City Manager must act upon the appeal within 30 days. The City Manager may refuse to allow, or may order the removal of, any Communication that does not comply with this Resolution. The City Manager may, but is not required to, bring the appeal to the City Council for a decision. Unless considered by the City Council, the City Manager's decision is the City's final decision without the ability for a City Council appeal.

SECTION 18: *Revenue.* Monies received by the City from Communications must be deposited in a separate account identified by the City Manager. Unless otherwise provided by a sponsorship agreement, funds in the separate account may be used for general purposes as determined by the City Manager.

SECTION 19: *Ralph M. Brown Act.* As noted in Section 7, Designated Social Media can only be utilized when the “comment” option is turned off. This is intended to reduce the potential for unintentional violations of applicable law including, without limitation, the Ralph M. Brown Act. To help ensure full compliance with the Ralph M. Brown Act, elected and appointed officials must comply with the following:

- A. All elected and appointed officials must avoid using Social Media to blog, discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the legislative body. This includes, without limitation, posting comments on Social Media.
- B. If Social Media, including Designated Social Media, will significantly influence the views or opinions of an elected or appointed official acting in an adjudicatory or quasi-judicial matter, the official must disclose the Social Media and the content thereof as an *ex parte* contact.
- C. Elected and appointed officials are prohibited from excluding or blocking persons from Social Media, including Designated Social Media, for any purpose.

SECTION 20: *Public Records Act.* The content of Designated Social Media constitutes a “public record” under the Public Records Act and must be retained in accordance with the City’s retention schedule.

SECTION 21: *Violations.* Violations of this policy may result in the termination of the City’s participation with Designated Social Media and may cause disciplinary action to be taken as determined in accordance with the City’s Personnel Rules and Regulations, Memoranda of Understanding, and other applicable policies and regulations.

SECTION 22: *Authority.* The City Manager is authorized to implement this Resolution in accordance with applicable administrative policies and procedures that may be promulgated by the City Manager.

SECTION 23: *Amendment and Interpretation.* The City may amend this Resolution unilaterally at any time. The City Council has the sole and final authority to interpret and apply this Resolution.

SECTION 24: *Effectiveness.* This Resolution will become effective immediately upon adoption and will remain effective unless superseded or repealed.

PASSED AND ADOPTED this ___ day of _____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

EXHIBIT A

CITY OF MONTEREY PARK SOCIAL MEDIA POLICY DISCLAIMER

The City of Monterey Park participates in social media pages in an effort to engage members of the community in open, interactive communications while effectively disseminating accurate information to target markets. The following disclaimer applies to all City of Monterey Park-maintained social media pages.

This page is monitored infrequently and only during regular business hours. DO NOT post emergency information; if you are experiencing an emergency, call 911.

Privacy Statement

This is an official social media page for the City of Monterey Park. In accordance with the City's Social Media Policy, the settings for this site do not allow for comments. However, anything you post here including comments, deleted posts, messages, and chat sessions, is subject to the California Public Records Act.

Notice to City

Communications made through this website do not constitute legal or official notice to the City, its elected or appointed officials, employees, representatives, or agents.

Materials and information on this City social media site are provided as a public service and intended to afford general guidelines on matters of public interest. Except for the third party materials described below, the materials and information on this site were generated, compiled, or assembled at public expense and are freely available for non-commercial, non-profit making use, provided the user keeps intact all associated copyright, trademark, and other proprietary notices. The materials and information on this site cannot be copied, reproduced, republished, uploaded, posted, transmitted, distributed, or "mirrored" on another server without the written permission of the City.

Copyright Notice

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If a copyright is indicated on a photo, graphic, or any other material, permission to copy these materials must be obtained from the original source.

Using or modifying this site's materials and information for commercial or profit making purposes is prohibited and may violate the copyrights and/or other proprietary rights of

the City or third parties.

By participating on this site you agree to grant a non-exclusive, irrevocable, royalty-free license to any information posted, abide by intellectual property standards and limit content to that which is rightfully posted.

Prohibited Content

Comments containing any kind of inappropriate content including, without limitation, the following, are not permitted on City of Monterey Park social media pages and will be removed: (1) profane, obscene, or pornographic content and/or language; (2) content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, physical or mental disability, sexual orientation, national origin, as well as any other category protected by federal, state or local laws; (3) threats of physical harm to any person, property or organization; (4) comments related to or in support of, or in opposition to, any political campaigns or ballot measures except to announce election dates and voter registration locations; (5) conduct violating any law.

If you feel your comments have been unfairly deleted or would like to report inappropriate content, contact the City of Monterey Park at www.montereypark.ca.gov.

Disclaimer of Endorsement

A comment posted by a member of the public on any City of Monterey Park social media page is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Monterey Park, nor do such comments necessarily reflect the opinions or policies of the City of Monterey Park. Likewise, City social media sites may contain content including, without limitation, advertisements or hyperlinks over which the City has no control. The City does not endorse any hyperlink or advertisement placed on City social media sites by the social media site's owners, vendors or partners. By using the City's Web site, the user acknowledges and accepts that the City is not responsible for any materials stored on other Internet sites, nor it is liable for any inaccurate, defamatory, offensive, or illegal materials found on other Internet sites, and that the risk of injury from viewing, hearing, downloading, or storing such materials rests entirely with the user.

Contacting the City of Monterey Park

To interact with the City of Monterey Park please visit the official City of Monterey Park webpage at www.MontereyPark.ca.gov, email MPCLerk@montereypark.ca.gov or call (626) 307-1359.

Disclaimer of Liability

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Disclaimer of Warranties / Accuracy and Use of Information

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CHANGES ARE MADE PERIODICALLY TO MANY CITY DOCUMENTS, INCLUDING MUNICIPAL CODES, CHARTER SECTIONS, REGULATIONS, GUIDELINES, AND SCHEDULES, AND THESE CHANGES MAY OR MAY NOT BE REFLECTED IN THE MATERIALS OR INFORMATION PRESENT ON THE CITY OF MONTEREY PARK'S WEB SITE. ADDITIONALLY, BECAUSE THE SITE IS FREQUENTLY UNDER DEVELOPMENT, MATERIALS AND INFORMATION MAY BE DELETED, MODIFIED OR MOVED TO A DIFFERENT PART OF THE SITE WITHOUT ADVANCE NOTICE.

IF YOU DO NOT AGREE TO OR UNDERSTAND ANY OR ALL OF THESE TERMS, PLEASE DO NOT USE THIS WEBSITE.

ATTACHMENT 2
Draft Resolution – Electronic Records

RESOLUTION NO. _____

A RESOLUTION REGARDING RETAINING AND PURGING PUBLIC RECORDS IN ELECTRONIC FORM.

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1: The City Council finds as follows:

- A. In 2017, the California Supreme Court rendered a decision in *City of San Jose et al. v. Superior Court of Santa Clara County (Smith)* (2017) 2 Cal.5th 608 (“*San Jose*”).
- B. The *San Jose* case, among other things, extended the reach of the Public Records Act (Government Code §§ 6250-6276.48; the “PRA”) to “public records” stored in the personal devices and accounts of public officials and employees.
- C. The definition of “public records” under the PRA extends to virtually every recorded form of communication including, without limitation, Facebook comments; tweets; Instagram; texts; voicemails; and Snapchat.
- D. The *San Jose* case makes it plain that it is in the public interest for the City Council to amend its previous policies regulating public officials’ and employees’ use of electronic communications and identify the circumstances when electronic communications must be preserved.

SECTION 2: Purpose. This Resolution is adopted to establish policies that help ensure the City’s compliance with applicable law including, without limitation, the California Public Records Act; protect the public welfare; and facilitate City business practices. Nothing contained in this Resolution is intended to hinder City officials’, officers’, or employees’ use of electronic communications.

SECTION 3: Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this Resolution:

- A. “Account” means either a City-owned or commercial service which provides users the ability to send, receive, or store electronic communications.
- B. “Archival form” means either:
 - 1. Transcribing or printing electronic communications in a legible hard copy form; or

2. Transmitting, converting, or recording an electronic communication into an electronic format by which the informational content of the electronic communication is permanently or indefinitely preserved and such information may be retrieved in readable or audible and comprehensible form. Examples of such storage include, without limitation, optical disk storage; microfiche; and digital photography that is incapable of deletion or alteration.
- C. “Electronic communication” or “communication” means
1. Any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system; and
 2. That occurs to, from, between or among any City official(s) or employee(s) by using an account for City business purposes.
 3. Electronic communications include, without limitation, E-mail and Social Media.
- D. “Record” means a thing which constitutes an objective lasting indication of a writing, event or other information, which is in the custody of a user and is kept either
1. Because a law requires it to be kept; or
 2. Because it is necessary or convenient to the discharge of the user’s duties and was made or retained for the purpose of preserving its informational content for future reference.
 3. A record does not include “personal records.” A personal record is a communication that is primarily personal, containing not more than incidental mention of City business. Whether a communication is a “personal” record depends on several factors such as the content itself; the context in, or purpose for which, it was written; the audience to whom it was directed; and whether the writing was prepared by a user acting in his or her employment. For example, while a user’s email to a spouse complaining about a coworker would likely not be a public record, an email to a superior reporting the coworker’s mismanagement of a City project might be.
- E. “Social Media” means forms of electronic communication through which users create online communities to share information, ideas, personal messages, and other content. Current examples of Social Media include, without limitation, Facebook, Twitter, Instagram, Snapchat, and YouTube.
- F. “Storage” means

1. Any temporary, intermediate, or long-term storage of an electronic communication; and
 2. Any storage of electronic communication in an account for purposes of backup protection of such electronic communication.
- G. "User" means City elected and appointed officials, officers, employees (regular, extra-help and temporary), contractors, volunteers, and other individuals who
1. Utilize electronic communications; and
 2. Are authorized to use a City account.

SECTION 4: Applicability. This policy applies to users. Third parties should only be provided access to City accounts as necessary for their business purpose with the City and only if they agree to abide by all applicable rules.

SECTION 5: Preservation of Electronic Communications that Constitute Records. Electronic communications that constitute records should be converted into archival form and must be retained for the period prescribed by the City's retention schedule.

SECTION 6: Preservation and Routine Deletion of Electronic Communications.

- A. Electronic communications that are not "records" should be routinely deleted from accounts by the user without preserving any portion of the informational content of the communication.
- B. All user communications should utilize City accounts.
 1. Users who are City employees are required to use their City-owned accounts for electronic communications. In the unlikely event an employee cannot access his or her City account and instead must use his or her personal account, the employee must send a copy of the communication to the City account.
 2. Users who are elected or appointed City officials are encouraged to only use their City-owned accounts for electronic communications. Should an elected or appointed City official not have a City owned account, or chooses to use his or her personal account for electronic communications, the user must be prepared to search his or her personal account should the City receive a request for records.

SECTION 7: Personal Accounts.

- A. If the City receives a request seeking public records held in a user's

personal account, the City will communicate the request to the user. The user is responsible for reviewing their personal account and providing the City with any responsive record. In doing so, the user must complete an affidavit in a form approved by the City Attorney certifying the good faith efforts undertaken to identify any responsive record.

- B. Records stored in personal accounts must also comply with the two-year retention period set forth in this Resolution.

SECTION 8: Special Rules Applicable to E-mail Records.

- A. The City's accounts should not be used for storing records. As with other forms of electronic communication, emails and email attachments that constitute records should be converted into archival form and retained in accordance with the applicable retention period.
- B. Email and Email attachments that contain or may contain embedded metadata must be archived in a manner that ensures the metadata component is preserved as required by law.
- C. To guard against the inadvertent deletion of records, emails and email attachments will be retained in within the City's account for a period of two years, after which time they may be automatically purged from the email system.

SECTION 9: Archives Preserved pursuant to Retention Schedule. Once in archival form, electronic communications will be preserved pursuant to the City's approved retention period for the file or record series in which such communication is placed, or to which it relates. Retention provisions of this section will not be deemed to impose any legal requirement or obligation on the City or any of its officers and employees not otherwise required or established by any other provision of law. After consulting with the City Attorney, the City Clerk, or designee, will determine whether such communications should be permanently preserved, disclosed, produced, or destroyed in accordance with the City's retention schedule.

SECTION 10: Compliance with law. Immediately upon receiving a public records request, subpoena, or court order which identifies an electronic communication, users must use their best efforts, and use all reasonable means practicable, to preserve such electronic communications.

SECTION 11: Administrative Policies and Procedures. The City Manager will establish policies and procedures as necessary to carry out this policy.

SECTION 12: Previous Policies. To the extent that any other resolution pertaining to policies regulating the retention and destruction of public records in electronic form is incorporated into this Resolution, it is superseded in its entirety.

SECTION 13: Construction. This Resolution must be broadly construed to achieve the purposes stated in the Resolution. It is the City Council's intent that the provisions of this Resolution are interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Resolution and applicable law including, without limitation, the Public Records Act.

SECTION 14: Enforceability. Repeal or supersession of any previous resolution or policy does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Resolution 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 Resolution.

SECTION 15: If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Resolution are severable.

SECTION 16: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this ____ day of _____, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, Assistant City Attorney

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK DECLARING THE MONTH OF MAY 2020
AS ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE
MONTH AND CONDEMNING ANTI-ASIAN RACISM AND
XENOPHOBIA RESULTING FROM THE COVID-19 PANDEMIC**

The City Council does resolve as follows:

SECTION 1. The City Council finds and declares that:

- A. Each May, we recount the ways Asian Americans and Pacific Islanders helped shaped our country. During Asian American and Pacific Islander Heritage Month, we celebrate the remarkable accomplishments of Americans of Asian and Pacific Islander Heritage that have enriched our country and helped define our history.
- B. We remember a time over 175 years ago when Japanese immigrants first set foot on American shores and opened a path for millions more. We remember 1869 when Chinese workers laid the final ties of the transcontinental railroad after years of backbreaking labor. We remember Asian Americans and Pacific Islanders who have made our country more significant and brighter, from Native Hawaiians to the generations of striving immigrants who have shaped our history.
- C. Asian and Pacific Americans strengthen our economy as entrepreneurs, business owners, and employees who initiate and expand opportunities for their families, communities, and country. Their languages, art, cuisine, and other cultural elements have enriched the American experience, and many have fearlessly responded to the call of duty to defend our freedom as members of our Armed Forces.
- D. This month, we honor the more than 20 million Asian Americans and Pacific Islanders who call America home. We recognize the achievements of Americans of Asian American and Pacific Islander heritage in education, business, science, the arts, government, and the Armed Forces, which have strengthened our Nation. We celebrate their story as a unique part of the American story.
- E. The COVID-19 pandemic has created unprecedented challenges in our country. Some have used this devastating virus to instill hate, hostility and increase prejudice and bigotry against Asians and Asian-Americans. The President of the United States called the virus a “China virus”, and some in his administration referred to it as the “Wuhan virus.”

- F. Asians and Asian Americans are being blamed for the virus and are experiencing harassment, attacks and assaults online and, in their communities.
- G. We must all condemn anti-Asian racism and xenophobia and blame no persons or racial group for the causes of the COVID-19 pandemic.
- H. We must stand up against hate and come together to raise awareness and empower and build unity regardless of race, ethnicity, gender or sexual orientation to overcome this disease, defeat racism and rebuild our communities to become stronger and better than before.
- I. We can stand together in solidarity against anti-Asian racism and xenophobia resulting from the COVID-19 pandemic.
- J. The City Council of Monterey Park declares the month of May 2020 to be the Asian American and Pacific Islander Heritage month and condemning anti-Asian racism and xenophobia resulting from the COVID-19 pandemic.

SECTION 2. The Mayor, or presiding officer, is hereby authorized to affix his signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or his duly appointed deputy, is directed to attest thereto.

SECTION 3. This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS 20TH DAY OF MAY 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

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 20th day of May 2020, by the following vote:

Ayes:	Council Members:
Noes:	Council Members:
Absent:	Council Members:
Abstain:	Council Members:

Dated this 20th day of May, 2020.

Vincent D. Chang, City Clerk
Monterey Park, California

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK DECLARING MAY 2020, MENTAL HEALTH
AWARENESS MONTH IN MONTEREY PARK**

The City Council does resolve as follows:

SECTION 1. The City Council finds and declares that:

- A. Mental Health Awareness Month began in the United States in 1949 by the Mental Health America Organization (then known as the National Association for Mental Health). We are enlisting your support in the form of a resolution to bring awareness of mental health to our community and employees.
- B. The purpose of the Mental Health Awareness Month is to bring awareness of the importance of mental health and wellness to the lives of Americans and to celebrate recovery from mental illness. 1 in 5 Americans will have mental illness sometime in their life.
- C. Behavioral health disorders, including major depression, schizophrenia, panic disorders, and obsessive-compulsive disorders, affect many individuals every year, indiscriminate of age, gender, race, ethnicity, religion, or economic status.
- D. The Mental Health Awareness Month also aims to draw attention to suicide, and it's relation to mental health.
- E. Each police department, city, elected official, business, government agency, health-care provider, organization and citizen shares the burden of mental health issues and has a responsibility to promote mental wellness and support prevention efforts.

SECTION 2. The City Council further declares:

- A. The month of May as Mental Health Awareness Month in Monterey Park to educate and raise awareness about mental health.

SECTION 3. This Resolution takes effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS 20TH DAY OF MAY 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

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 20th day of May 2020, by the following vote:

Ayes:	Council Members:
Noes:	Council Members:
Absent:	Council Members:
Abstain:	Council Members:

Dated this 20th day of May, 2020.

Vincent D. Chang, City Clerk
Monterey Park, California

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK DECLARING THE MONTH OF MAY AS
NATIONAL BIKE AND NATIONAL BICYCLE SAFETY MONTH**

The City Council does resolve as follows:

SECTION 1. The City Council finds and declares that:

- A. May has been declared National Bike Month for the last 62 years.
- B. Bicycling is a low-cost and healthy transportation option that provides economic and livable benefits to communities; it alleviates congestion, minimizes greenhouse gas emissions, and helps extend and improve the quality of people's lives as well as an excellent form of recreation.
- C. The League of American Bicyclists, BikeSGV, bicycle clubs, schools, and other groups and Cities across the State of California will promote the benefits of bicycling during National Bike Month.
- D. Bicycling has vast potential to have a positive impact on the local economy and tourism industry and to stimulate economic development by making the region attractive to businesses and residents who enjoy the outdoors and healthy lifestyles.

SECTION 2. The City Council further declares:

- A. The month of May as National Bike Month and Bicycle Safety Month.
- B. Urges all who support bicycling to participate in the events planned and urges all road users to share the road safely with bicyclists.

SECTION 3. This Resolution takes effect immediately upon its adoption.

**PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK ON THIS 20TH DAY OF MAY 2020.**

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

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 20th day of May 2020, by the following vote:

Ayes: Council Members:
Noes: Council Members:
Absent: Council Members:
Abstain: Council Members:

Dated this 20th day of May, 2020.

Vincent D. Chang, City Clerk
Monterey Park, California