

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.montereypark.ca.gov



City Council

Mitchell Ing
Teresa Real Sebastian
Stephen Lam
Hans Liang
Peter Chan

City Clerk

Vincent D. Chang

City Treasurer

Joseph Leon

November 22, 2016

Lori Glasgow, Executive Director
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 383
Los Angeles, California 90012

RE: Ballot Measure

Dear Ms. Glasgow:

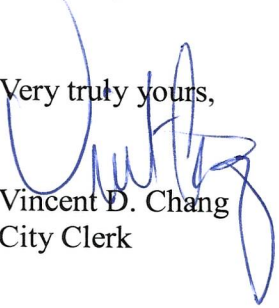
On November 16, 2016, the City Council placed the enclosed proposition onto the ballot for the previously called March 7, 2017 regular election. As you know, the Board of Supervisors approved consolidation of that election with Los Angeles County.

Resolution No. 11877, which places the library tax proposition on the ballot, includes the ballot question (*see* Section 3) and the vote requirement (*see* Sections 6 and 7). We highlighted the applicable sections for your convenience.

The City Council previously adopted Resolution No. 11869 on October 19, 2016 which sets forth the City's commitment to reimburse the County for election costs. Another copy is included for your reference.

Please let me know if you have any questions. Thank you in advance for your help.

Very truly yours,


Vincent D. Chang
City Clerk

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

65 December 20, 2016



LORI GLASGOW
EXECUTIVE OFFICER

CITY OF MONTEREY PARK

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

I, Vincent D. Chang, City Clerk of the City of Monterey Park and Ex-Officio Clerk of the City Council of said City do hereby certify that the foregoing is a full, true and correct copy of the original document of the city.

CITY OF MONTEREY PARK

RESOLUTION NO. 11877 – A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED MARCH 7, 2017, REGULAR MUNICIPAL ELECTION PURSUANT TO ELECTIONS CODE § 9222 (LIBRARY TAX)

on file in my office, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Monterey Park, this 22th day of November, 2016.



City Clerk and Ex-Officio Clerk of the City
Council of the City of Monterey Park, California

CITY OF MONTEREY PARK

RESOLUTION NO. 11877

A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED MARCH 7, 2017, REGULAR MUNICIPAL ELECTION PURSUANT TO ELECTIONS CODE § 9222

THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to Elections Code § 9222, the City Council places a proposition on the ballot for the regular municipal election scheduled for Tuesday, March 7, 2017, as previously established and implemented by City Council Resolution Nos. 11869 adopted on October 19, 2016.

SECTION 2. A copy of the proposition to be considered by the voters is attached as Exhibit "A," and incorporated by reference.

SECTION 3. Pursuant to Elections Code §§ 9222, 9603 and 13119, the exact form of the question to be voted on at the election as it should appear on the ballot is as follows:


LIBRARY TAX	YES
Shall the proposition renewing a special parcel tax for library services at the Monterey Park Bruggemeyer Library be adopted?	NO

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

SECTION 5. The Mayor, or presiding officer, is hereby authorized to affix a signature to this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or her duly appointed deputy, is directed to attest thereto.

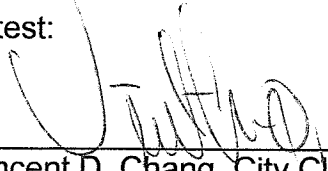
SECTION 6. This Resolution will become effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS 16TH DAY OF NOVEMBER, 2016.



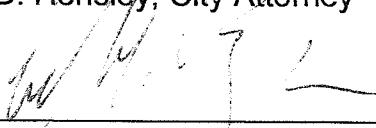
Mitchell Ing, Mayor

Attest:



Vincent D. Chang, City Clerk

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



Karl H. Berger, Assistant City Attorney

Attachment:

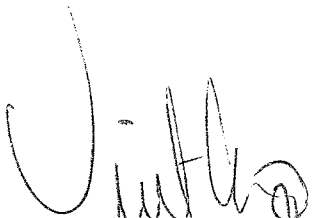
Exhibit A – Full Text of the Ballot Measure

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. 11877 was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the 16th day of November, 2016, by the following vote:

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

Dated this 16th day of November, 2016.



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

ORDINANCE NO. _____

A PROPOSITION ELIMINATING PENSION AND MEDICAL BENEFITS FOR PERSONS ELECTED TO OFFICE WITHIN THE CITY OF MONTEREY PARK AFTER JANUARY 1, 2016.

The People of the City of Monterey Park do hereby ordain as follows:

SECTION 1: The People of the City of Monterey Park find as follows:

- A. On July 15, 2015, the City Council determined that future elected officials, including the City Clerk and City Treasurer, are not eligible for lifetime retired medical contributions from the City and provided that such future elected officials could not participate in the California Public Employment Retirement System ("CalPERS") retirement pension system.
- B. On November 18, 2015, the City Council adopted Resolution No. 11806 that reaffirmed its actions in 2008, 2011, and 2015 which eliminated the City's contribution towards the City Retired Medical Plans for Elected Officials.
- C. On January 1, 2016, the City opted into the CalPERS Medical Health Plan Program. CalPERS retired medical plans are eligible for any elected official who:
 1. Is eligible to enroll in CalPERS health benefits at separation/retirement;
 2. Retires within 120 days of separation with CalPERS; or
 3. Receives a monthly pension check (warrant).
- D. The People recognize that California law including, without limitation, *Melton v. City of San Pablo* (1967) 252 Cal.App.2d 794 and *In re Cindy B. v. Eugene B.* (1987) 192 Cal.App.3d 771, allows legislation to be retroactively applied when the legislative intent for such retroactivity is clear.

SECTION 2: *Prohibition.* Notwithstanding anything to the contrary, persons elected to the City Council, as the City Clerk, or as the City Treasurer after January 1, 2016 cannot enroll in a CalPERS pension plan or retired medical plan. In accordance with applicable law, this prohibition is specifically intended to be retroactive to January 1, 2016.

SECTION 3: *Environmental Analysis.* This Proposition is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, *et seq.*, “CEQA”) and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to implement government funding mechanisms; 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 Proposition does not constitute a “project” that requires environmental review (*see specifically* 14 CCR § 15378(b)(4-5)).

SECTION 4: *Interpretation.* This Proposition must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Proposition is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Proposition. The voters declare that this Proposition, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Proposition is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Proposition that can be given effect without the invalid application.

SECTION 5: *Severability.* If any portion of this Proposition is held by a court of competent jurisdiction to be invalid, the remainder of the Proposition and the application of such provision to other persons or circumstances will not be affected thereby. We the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Proposition by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Proposition, and then adopting or reenacting such portion as necessary or desirable to allow imposition of the tax.

SECTION 6: *Construction.* This Proposition must be broadly construed in order to achieve the purposes stated in this Proposition. It is the intent of the voters that the provisions of this Proposition be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Proposition.

SECTION 7: *Effective Date.* This Proposition will be submitted to a general election on March 7, 2017 for voter approval. If a majority of voters vote in favor of this Proposition, it will become valid and binding ten days after the date that the City Council certifies the election results in accordance with Elections Code § 9217.

SECTION 8: *Effective Date.* The Mayor will sign this Proposition and the City Clerk will attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City’s general election on March 7, 2017 approve the Proposition.

PASSED AND ADOPTED this ____ day of _____, 2017.

XX, Mayor

ATTEST:

Vincent D. Chang, City Clerk

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

By: _____
Karl H. Berger, Assistant City Attorney

RESOLUTION NO. 11869

A RESOLUTION CALLING A GENERAL MUNICIPAL ELECTION ON MARCH 7, 2017 PURSUANT TO ELECTIONS CODE §§ 1301 AND 10403

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code §§ 1301 and 10403, the City Council calls for a general municipal election to be held in the City of Monterey Park on Tuesday, March 7, 2017, for the purpose of electing two members of the City Council to four year term, one City Clerk to a four year term, and one City Treasurer to a four year term.

SECTION 2: The exact form of the question to be voted on at the election for City Council as it should appear on the ballot is as follows:

"FOR MEMBER OF THE CITY COUNCIL – Vote for no more than two"

SECTION 3: The exact form of the question to be voted on at the election for City Clerk as it should appear on the ballot is as follows:

"FOR CITY CLERK - Vote for one"

SECTION 4: The exact form of the question to be voted on at the election for City Treasurer as it should appear on the ballot is as follows:

"FOR CITY TREASURER - Vote for one"

SECTION 5: Pursuant to Elections Code § 320, the City Clerk is the Elections Official and is authorized to take all legal actions to administer the election.

SECTION 6: The City Council authorizes the City Clerk to administer said election and the City will pay all reasonable and actual election expenses upon presentation of a properly submitted invoice.

SECTION 7: The polls for the election will open at seven o'clock a.m. on the day of the election and continuously remain open from that time until eight o'clock p.m. of the same day when the polls will close pursuant to Election Code § 14212, except as provided in Elections Code § 14401.

SECTION 8: Pursuant to Elections Code § 12310, a precinct board member will be paid a one-time stipend of \$100.00 and a precinct inspector will be paid a one-time stipend of \$125.00. In addition, the sum of \$25.00 will be given to each precinct board member/inspector for attending a training class, and a stipend of \$25.00 for each board

member/inspector with the ability to speak a second language. Precinct board inspectors will be required to attend the training class. The rental charge for each polling place, where a charge is made, is \$ 40.00. When required, the compensation of the custodian of a building is \$35.00 for the election.

SECTION 9: Notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10: In all particulars not specifically recited in this Resolution, the election will be held and conducted as provided by law for holding municipal elections.

SECTION 11: The City Clerk is directed to certify the passage and adoption of this Resolution and enter it into the book of original Resolutions.

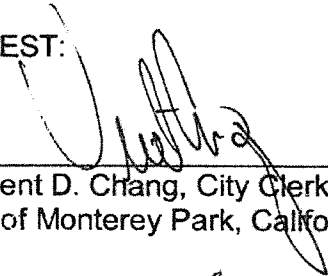
SECTION 12: This Resolution will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED this 19th day of October, 2016.



Mitchell Ing, Mayor

ATTEST:



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

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

By:



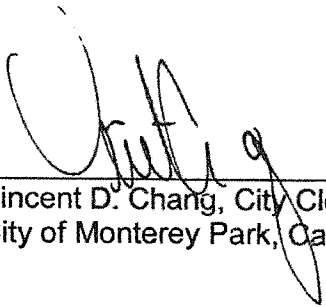
Karl H. Berger
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONTEREY PARK)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 11869 was duly adopted by the City Council of the City of Monterey Park at a regular Meeting held on the 19th day of October, 2016, by the following vote:

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

Dated this 19th day of October, 2016.



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