



City Council Staff Report Supplemental

DATE: January 31, 2023

AGENDA ITEM NO: 1A - SUPPLEMENTAL

TO: The Honorable Mayor and City Council
FROM: Matt Hallock, Fire Chief
SUBJECT: SUPPLEMENTAL – Local Emergency resulting from Mass Casualty Incident on January 21, 2023

EXECUTIVE SUMMARY:

This is a supplemental staff report for Item 1-A. Based upon conversations with representatives at the County of Los Angeles Office of Emergency Management (“OEM”) on January 31, 2023, it is recommended that the City Council declare a new local emergency resulting from the Mass Casualty Incident on January 21, 2023. This is in lieu of extending the local emergency already in effect for the Winter Storms of 2023. Changes reflecting this recommendation were made to the draft resolution and executive order; they accompany this Supplemental Staff Report in in redline format for easy reference.

BACKGROUND:

Agenda Item No. 1-A is a recommendation to adopt a Resolution extending a local emergency (effective January 8, 2023) to include the Mass Casualty Incident (“MCI”) that occurred on January 21, 2023. The Resolution would also authorize the City Manager to execute an Executive Order reflecting that determination.

During conversations with representatives from OEM on January 31, 2023, the OEM advised the City to declare a new local emergency regarding the MCI to ensure that the City’s costs associated with responding to that incident would be reimbursed by federal, state and county agencies. Distinguishing the MCI emergency from the one already in place would also assist the City in keeping track of such costs so that they are not comingled with those associated with the Winter 2023 Storm response.

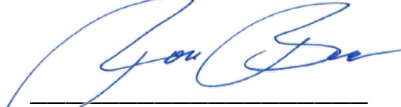
The attached draft resolution and executive order reflect the separation of the two local emergencies. Amendments are shown in redline. No changes are needed for the proposed Emergency Policies and Procedures which would govern the MPK Support Fund.

Respectfully submitted,

A handwritten signature in blue ink that reads "Matt Hallock".

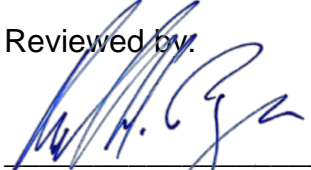
Matt Hallock,
Fire Chief

Reviewed by:



Ron Bow, City Manager

Reviewed by:



Karl H. Berger,
City Attorney

Attachments:

Attachment 1: Revised Resolution

ATTACHMENT 1

Revised Resolution and Executive Order

RESOLUTION NO. _____

A RESOLUTION ADOPTED BY THE CITY COUNCIL EXTENDING DECLARING A LOCAL EMERGENCY RESULTING FROM THE MASS MURDER ON JANUARY 21, 2023 AND RATIFYING AUTHORIZING THE CITY MANAGER'S ADMINISTRATIVE DECLARATION OF EMERGENCY AND TO EXECUTE AN EXECUTIVE ORDER DATED JANUARY 2731, 2023.

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

SECTION 1: The City Council finds as follows:

- A. On January 21, 2023, 11 people were murdered and nine were severely injured as the result of a shooting spree. This tragedy is unprecedented within the City's history and will affect our community for many years in the future.
- B. As a result of this tragic event, the City's resources have been stretched thin: it was already addressing the local emergency declared earlier in January resulting from the 2023 Winter Storm systems and it is now addressing the aftermath of a violent and traumatic event that requires extensive resources.
- C. The outpouring of support from federal, state, local and private sources has been overwhelmingly appreciated by the City Council and City administration. Additionally, persons all over the world have donated funds to assist with victims, their families, and other persons suffering as a result of the January 21st event.
- D. The City does not currently have the resources to administer the collection and distribution of donations. Based upon the amounts already received, it is anticipated that significant time and effort will be needed to ensure that these funds are fairly and expeditiously distributed to those who need them.
- E. Accordingly, the City anticipates partnering with several nonprofits including, without limitation, the Asian American Advancing Justice Southern California ("AAAJ So Cal"), to create the "Monterey Park Victim and Family Support Fund" or simply the "MPK Support Fund." The MPK Support Fund is endorsed by the City of Monterey Park as the only official fund for accepting donations.
- F. The MPK Support Fund will (a) provide a single vehicle to receive donations which immediately began pouring in from the public after January 21, 2023, and thereby avoid the misdirection of donations to fraudulent organizations; (2) provide the infrastructure to coordinate the

collection, administration and distribution of these funds in a manner consistent with the City's interest in assisting the victims of the attacks with financial and other restitution; (3) act as a central resource to allow those affected by the tragedy to find appropriate and reputable services; and (iv) maintain the infrastructure in coordination with the City Monterey Park that would allow it to respond immediately to city needs in the event of a similar tragedy, in order to lessen the burdens of government.

- G. To help administer the distribution of donations through the MPK Support Fund, the City Council nominates the persons listed in the Executive Order signed by the City Manager on January 31, 2023, and such additional persons that may be identified by the City Council concurrently with adoption of this Resolution, to an oversight board comprised in the manner outlined in the Executive Order. Additionally, the City Council appoints a Fund Administrator who will be identified by the City Council concurrently with adoption of this Resolution or by the City Manager within two weeks after adoption of this Resolution with concurrence of the Mayor.

SECTION 2: Extension of Local Emergency. The City Council reviewed the state of the community and ~~extends declares that the a~~ local emergency ~~exists commencing January 21, 2023 declared on January 8, 2023 (as ratified by Resolution No. 2023-R5, adopted January 18, 2023) to include all actions needed to react to the January 21, 2023 relating to the~~ shooting incident ~~of the same date that resulted in the murder of 11 individuals and wounding of nine others. This Resolution supplements Resolution No. 2023-R5 and confirms the ongoing local emergency~~

SECTION 3: Authorization of Executive Order. The City Council authorizes the City Manager to execute the Executive Order attached as Exhibit "A," which is incorporated by reference, including the Emergency Policies and Procedures attached to that Executive Order. The City Manager is authorized to modify the EP&P as may be required to implement the intent and direction of this Resolution.

SECTION 4: Validity. 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 5: Electronic Signatures. This Resolution may be executed with electronic signatures in accordance with Government Code §16.5 and Monterey Park Municipal Code Chapter 3.95. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 6: Effectiveness. This Resolution will take effect immediately upon adoption.

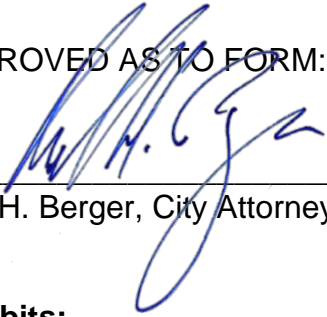
PASSED AND ADOPTED this _____ day of _____, 2023.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

Exhibits:

A – “Executive Order”



CITY OF MONTEREY PARK

EXECUTIVE ORDER JANUARY 31, 2023

The City of Monterey Park declares and orders as follows:

~~A local emergency exists within the City since January 8, 2023 in accordance with the Administrative Declaration of Emergency as ratified by Resolution No. 2023-R5, adopted January 18, 2023.~~

On January 21, 2023, the City experienced an unprecedented tragedy in the murder of 11 individuals and the severe physical injury of nine others resulting from a senseless shooting spree. This mass casualty incident ("MCI") caused physical injuries and trauma not only to the victims suffering gunshot wounds or other physical injuries, but also to the witnesses to the crime Monterey Park community as a whole.

Individuals, including residents of Monterey Park, residents of California, people throughout the country and around the world, as well as numerous businesses, exhibited extraordinary generosity in seeking to help those who were most impacted by the MCI.

The City of Monterey Park recognizes the burdens imposed on it to field inquiries for community support, collect gifts and monetary donations and ensure appropriate distribution, assist the victims in receiving both financial and other restitution, and provide a vehicle to centralize the community's efforts to assist those affected by the MCI.

In accordance with the Emergency Policies and Protocols ("EP&P"), attached as Exhibit "A," and incorporated by reference, the Monterey Park Victim and Family Support Fund at the California Community Foundation (the "MPK Support Fund"), was established concurrent with this Executive Order at the City's request. Among other things, the MPK Support Fund is intended to help distribute donations received to help pay for emergency needs of impacted individuals and families who lost loved ones.

The City of Monterey Park anticipates that all of the funds collected and pledged to date will be distributed to those individuals and families most affected by the MCI. Additionally, the City anticipates that the MPK Support Fund will receive a continuing stream of contributions thereafter to continue to provide support for those affected by the MCI.

To decrease the likelihood of people and organizations inadvertently donating funds to fraudulent charities, it was deemed prudent to direct the California

Community Foundation to operate the MPK Support Fund as the single vehicle where donations could be channeled that would address the loss suffered by victims and thereby lessen the governmental burdens. The MPK Support Fund will be used to address these concerns.

The foregoing conditions constitute the existence of conditions presenting a potential threat to the safety of persons and property within the City of Monterey Park, which conditions are likely to be beyond the control of the services, personnel, equipment and facilities of the City and require the combined forces of other political subdivisions to combat.

Accordingly, I order that:

1. The EP&P be implemented as written;
2. The MPK Support Fund be the only official fund for accepting Donations the purpose of which is to reduce the governmental burdens generally caused by the MCI by alleviating the suffering of those directly harmed by that event; and
3. That the local emergency declared January 831, 2023 by the City Council ~~be expanded to~~ include all efforts needed to address the aftermath of the MCI described above and in the EP&P.

During the existence of said local emergency the powers, functions, and duties of the emergency organization of the City of Monterey Park will be those prescribed by state law, by ordinances, and resolutions of the City of Monterey Park.

Ron Bow, City Manager

Date/Time