

## RESOLUTION NO. 2026-R6

### A RESOLUTION ADDING A PROPOSITION TO THE BALLOT PROHIBITING DATA CENTERS FOR THE PREVIOUSLY CALLED JUNE 2, 2026 SPECIAL ELECTION PURSUANT TO ELECTIONS CODE § 9222

#### THE CITY COUNCIL RESOLVES AS FOLLOWS:

**SECTION 1.** The City Council called a Special Election to be held on Tuesday, June 2, 2026, for the purpose of placing a proposition on the ballot for voter consideration.

**SECTION 2.** Pursuant to Elections Code § 9222, the City Council places a proposition captioned the “Community Act Prohibiting Data Centers” on the ballot for the special election scheduled for Tuesday, June 2, 2026 pursuant to Resolution No. 2026-R5, adopted March 4, 2026.

**SECTION 3.** Pursuant to the requirements of Elections Code § 10403, the Board of Supervisors of the County of Los Angeles is requested to consent and agree to the consolidation of a proposition on the ballot for the Special Municipal Election consolidated with the Primary Election on Tuesday, June 2, 2026.

**SECTION 4.** *Environmental Review.* To ensure compliance with all applicable law including, without limitation, *Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal.4th 165, the City Council finds and determines that this Proposition is not subject to further review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) for the following reasons:

- A. It will not result in a direct or reasonably foreseeable indirect physical change in the environment (14 Cal. Code Regs. § 15060(c)(2)). A prohibition on data centers means they cannot be constructed.
- B. There is no possibility that the Proposition may have a significant effect on the environment (14 Cal. Code Regs. § 15061(b)(3)). A prohibition on data centers means they cannot be constructed.
- C. This Proposition, by itself, does not constitute a “project” as defined in the CEQA Guidelines (14 Cal. Code Regs. § 15378).
- D. Additionally, CEQA Guidelines § 15168(c)(2) provides that if a project is proposed which has been the subject of a prior certified EIR, and “[i]f the [City] finds that pursuant to [14 Cal. Code of Regs.] Section 15162, no new effects could occur or new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the ... EIR, and no new environmental document would be required.” The City Council finds that it certified a Final Environmental Impact Report (“FEIR”) for the Monterey Park Land Use and Urban Design Element (as adopted by Ordinance No. 2198 and approved by

voters as Measure JJ on November 3, 2020) which was filed as State Clearing House No. 2001-01-1074. This Proposition will not result in any new environmental impact not already considered in the FEIR and no further environmental review is required.

**SECTION 5.** A copy of the Proposition to be considered by the voters is attached as Exhibit "A," and incorporated by reference.

**SECTION 6.** Pursuant to Elections Code §§ 9222 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:

<b>Proposition to Prohibit Data Centers in Monterey Park</b>  Shall the ordinance amending the City of Monterey Park General Plan to prohibit data centers citywide to protect air quality, drinking water resources and public health; prevent impacts to electricity and water rates; with the prohibition of data centers continuing until ended by voters, be adopted?	<b>YES</b>
	<b>NO</b>

**SECTION 7.** The vote requirement for the proposed ballot measure to pass is a majority (50% + 1) of the votes cast.

**SECTION 8.** The County election department is authorized to canvass the returns of the General Municipal Election. The election will be held in all respects as if there were only one election and only one form of ballot may be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide or special election.

**SECTION 9.** The Board of Supervisors is requested to issue instructions to the County election department to take all steps necessary for the holding of the consolidated election.

**SECTION 10.** The City of Monterey Park recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

**SECTION 11.** The City Clerk is directed to file a certified copy of this Resolution with the Board of Supervisors and the County election department of the County of Los Angeles.

**SECTION 12.** The City Clerk will 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 13.** 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 14.** 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 15.** 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 designee, is directed to attest thereto.

**SECTION 16.** This Resolution will become effective immediately upon adoption.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ON THIS 4<sup>TH</sup> DAY OF MARCH, 2026.

  
\_\_\_\_\_  
Elizabeth Yang, Mayor

Attest:

  
\_\_\_\_\_  
Maychelle Yee, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Karl H. Berger, City Attorney

Attachment:


Exhibit A – Full Text of the Ballot Measure

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

I, Maychelle Yee, City Clerk of the City of Monterey Park, California, hereby certify that the above foregoing Resolution No. 2026-R6 was duly and regularly adopted by the City Council of the City of Monterey Park at a regular meeting held on the 4<sup>th</sup> day of March, 2026 by the following vote:

Ayes:	Council Members: Ngo, Wong, Sanchez, Lo, Yang
Noes:	Council Members: None
Absent:	Council Members: None
Abstain:	Council Members: None
Recusal:	Council Members: None

Dated this 4<sup>th</sup> day of March, 2026.

  
\_\_\_\_\_  
Maychelle Yee, City Clerk  
Monterey Park, California

**Exhibit A: BALLOT PROPOSITION TO BE SUBMITTED DIRECTLY TO THE VOTERS**

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

SECTION 1: Adoption of Data Center Prohibition. The Monterey Park Land Use and Urban Design Element, as adopted by Ordinance No. 2198 (approved by voters as Measure JJ on November 3, 2020), is amended to add the following prohibition for all land use designations:

**“Prohibited Land Use Designations**

**Prohibited:** All data centers are prohibited throughout the City. “Data Center” means a building, dedicated space within a building, or group of structures used to house a large group of networked computer systems used for data storage and processing for off-site and on-site users, to be used for the remote storage, processing, or distribution of large amounts of data. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, back-up batteries, fire suppression systems, enhanced security features, and other associated utility infrastructure to support operations.”

SECTION 2: Implementation of this Proposition.

A. Upon the effective date of this Proposition and notwithstanding any limitation on the City Council’s authority set forth in this Proposition, the City Council is authorized and directed pursuant to Elections Code § 9217 to promptly take appropriate actions needed to implement this Proposition including, without limitation, adopting all zoning regulations needed to effectuate this Proposition by ordinance.

B. In the event another ballot measure (a “Competing Proposition”) appears on the same ballot as this Proposition that seeks to adopt, impose, or amend any limitations or restrictions, or other regulations or requirements, including, without limitation, those with respect to the actions authorized by this Proposition, that differ in any respect to or supplement, those contained in this Proposition, the voters declare their intention that, if both the Competing Proposition and this Proposition receive a majority of votes cast, the Competing Proposition and this Proposition be fully adopted except to the extent that specific provisions contained in each measure are deemed to be in direct conflict with each other on a “provision by provision” basis pursuant to *Yoshisato v. Superior Court* (1992) 2 Cal. 4th 978. With respect to any such directly conflicting provisions, the specific provisions of the Proposition receiving the greater number of votes will prevail.

SECTION 3: Interpretation. This Proposition must be interpreted 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 4: *Repeal and Supersession.* The People adopt this Proposition with the specific intent of superseding any contrary regulation, including those previously adopted by the People, or administrative policy and procedure. Consequently, all regulations that conflict with this Proposition are repealed or modified to reconcile them with this Proposition.

SECTION 5: *Construction.* This Proposition must be broadly construed to achieve the purposes stated in this Proposition. It is the People's intent 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 6: *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 Proposition'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 Proposition.

SECTION 7: *Validity of Previous Code Sections.* If this entire Proposition or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other ordinance by this Proposition will be rendered void and cause such previous MPMC provision or other the ordinance to remain in full force and effect for all purposes.

SECTION 8: *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 9: *Effective Date.* This Proposition will be submitted to a general election on June 2, 2026 for voter approval. If a majority of voters vote in favor of this Proposition, it will become valid and binding 10 days after the date that the City Council certifies the

election results in accordance with Elections Code § 9217. The Mayor will sign this Proposition, and the City Clerk will attest and certify to the passage and adoption of this Proposition.

PASSED AND ADOPTED this \_\_\_\_ day of June, 2026.

\_\_\_\_\_  
Elizabeth Yang, Mayor

ATTEST:

\_\_\_\_\_  
Maychelle Yee, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Karl H. Berger, City Attorney