

From: [Jon Chavira](#)
To: [MPClerk](#)
Subject: "Make Parks: Live Better"
Date: Friday, July 1, 2022 4:46:03 PM

[EXTERNAL EMAIL]

This is a request and critique for the proposed 3-F resolution of July's, "Parks Make Life Better" declaration.

The City of Monterey Park and majority of all Los Angeles City Parks have a disheartening commonality with the political climate we currently suffer within: there are no female trees: Fruit bearing trees have silently become unwanted.

This is so as to not to invite the problems that comes with food: homeless, bugs, rot, theft, and accident prone lawyers who look for falling apples. This results in the abundance of male trees populating, releasing an excess of pollen with no fruit trees to home, hoarding into the hyper allergen nasal passages of every citizen on a regular basis, and worse still, putting the cost of repopulation onto the city's future budgets.

Much like our current political Patriarchal climate, our women's wombs are in danger. This correlation is important to address for two reasons. The first is to immediately address our solidarity and support with all women. That the core of our collective humanity's well being is directly related to the rights and liberties of a woman's fundamental anatomical and human rights. That safe space is something we do not simply appreciate, but choose to create on a civil and moral basis. In doing so, we begin to address how the ability to create life is required to be reflected upon on a daily basis in our spaces of harmony: our city parks. Right now, the promotion of gardens and public resources as provided naturally must return to our common senses. The return of natural fruit bearing trees to our city parks stand as a icon of our commitment to feeding our city, teaching our citizens how to care for the life cycle, and best yet to honor the mothers before us who gave us the opportunity to honor life.

This is the first request of this letter:
Bring Fruit Trees to City Parks.
Make Parks Alive Again.

The second request/critique is to consider the slogan, "Parks Make Life Better", and how a declaration must be a call to action.

The gesture towards recognizing our city parks on the council's docket had incredible heart and good intention, and it had inspired me to write this letter. Each choice we make has the potential to inspire great action. This is my hope in turn towards writing today. For that, I'm thankful for the opportunity to speak towards this topic I am passionate for and hopeful towards being understood.

There are many people right now who do not feel heard or understood in the slightest, worse still, to no direct fault of any one entity. I can easily say patriarchy, white supremacy, oligarchy, hierarchy, racism, sexism, and demand that the listener immediately address all of these grievances by call of my focused anger and frustration. But the truth is, the sociological complexities cannot be solved overnight or by any one action. But people are still angry. Still

hungry. Still without shelter, safety, or even have the breath left to believe in the hope of solidarity. In these moments, when sharing your hopes to build what you hope to be a shared home, you ask.

"Can you help me build our home?"

A declaration is a call for action. One that asks for those who's heart's hope for focus and clarity to believe in their own future again. A fruit tree, for as small a gesture as it may seem, can become a beacon of hope for many who believe in the tomorrow they seek. Not just for our community, but especially for our trees.

Nature has existed long before our city ever shaped our lives around them, and the trees let us in. From when the indigenous Tongva shared the soil with the trees sisters, to the world destroying the California mountains in hopes of gold, to the wooden beams you now rest within, the trees have always been with us. Our purpose within our city parks is to coexist, for as little as we can, within nature. Within the safe spaces and shaded canopies. Within the sunlight running freely with our friends and families. Our city parks are not just another event space like a mall or a parking lot. They are and have been truly alive.

The second request of this letter:
Declare your hope for our collective future.
"Make Parks Alive Again".

Imagine volunteer communities caring for trees, educating children, feeding locally, less pollen, walkable gardens... All beginning because of a simple declaration.

Thank you for reading and the consideration. If it doesn't bring Fruit trees to our parks, I hope it brings a fruit sapling to your home soon.

Be well and wonderful,
Jon Chavira

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July 1, 2022

Karl H. Berger,
City Attorney
Monterey Park City Attorney's Office
320 West Newmark Ave
Monterey Park, CA 91754

RE: Objection to Proposed Ballot Question (July 6, 2022 City Council Agenda)

Dear Mr. Berger:

This firm represents the California Hospital Association, the Hospital Association of Southern California and others opposed to the initiative measure that has qualified for the Monterey Park City ballot imposing a new minimum wage requirement for some, but not all, healthcare workers in the City. In the July 6, 2022 City Council Meeting Agenda your office proposes a ballot question for the initiative that is false and misleading under the Elections Code. By this letter, we ask that you accept modest edits to the proposed language to correct this error and urge the City Council to adopt a Resolution with the corrected language.

The Proposed Ballot Question

Shall an initiative requiring persons employing part-time and full-time healthcare workers including, without limitation, clinicians, nurses, certified nursing assistants, aides, technicians, maintenance workers, janitorial or housekeeping staff persons, groundskeepers, guards, food service workers, laundry workers, pharmacists, nonmanagerial administrative workers, and business clerical workers (but not managers or supervisors) to pay a minimum hourly wage of \$25 to be increased on an annual basis, be adopted?

This proposed ballot question uses 65 of the possible 75 words allowed by law.

False and Misleading Error in the Proposed Question

The initiative only applies to *certain* workers at “covered healthcare facilities.” A “covered healthcare facility” would include privately owned facilities such as a hospital, a psychiatric hospital, a clinic of hospital or psychiatric hospital, dialysis clinics, physicians’ group, a health care service plan, Medicare foundation clinic, or other facility or clinic, if it is affiliated or has a contractual relationship with a hospital. But the initiative *excludes* workers at all other healthcare facilities in the City, including public hospitals and clinics, community clinics, Federally Qualified Health Clinics (FQHCs), urgent care centers, nursing homes, physician’s offices and outpatient care facilities not affiliated with private hospitals.

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The error in the ballot question is that it simply states that the initiative applies to “persons employing part-time and full-time healthcare workers,” giving the false impression that the measure includes *all* persons (or healthcare facilities) and *all* workers. As indicated more fully below, that error is significant and will mislead voters as to the scope and effect of the proposed initiative. In fact, according to an analysis using publicly-available data by the Hospital Association of Southern California, the initiative only applies to workers at 25% of healthcare facilities in the City of Monterey Park, and excludes workers at the remaining 75% of health care facilities in the City.

The term “persons” as used in the ballot question is extremely broad and over-inclusive as used here. The initiative is significantly more limited in scope. Monterey Park is home to multiple “persons” (or facilities) employing part-time and full-time healthcare workers.

Again, using data from State resources, we estimate that around 75% of hospitals and healthcare facilities operating in the City are not covered by the initiative, meaning that the healthcare workers working in such facilities will not obtain the higher wage promised by the proposed initiative.

Most voters only engage with an initiative once—when they read the ballot question during voting. Therefore, a clear and precise ballot question is critical to a voter’s understanding of an ordinance that they will be voting on. The proposed ballot question provides clarity regarding the type of “healthcare workers” covered by the initiative but offers no clarity regarding the type of “persons” (or healthcare facilities) covered. This absence, when juxtaposed with the clarity voters are provided about the workers will necessarily lead a voter to assume the initiative applies to *all* workers and *all* healthcare facilities.

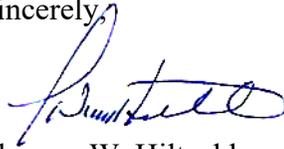
We understand that the ballot question is limited to just 75 words. However, with the addition of just two words to the proposed ballot question, you can eliminate the false and misleading aspect of the proposed ballot question and still comply with the word limit. Thus, we ask that you amend the proposed ballot question as follows:

Shall an initiative requiring **certain** persons employing **certain** part-time and full-time healthcare workers including, without limitation, clinicians, nurses, certified nursing assistants, aides, technicians, maintenance workers, janitorial or housekeeping staff persons, groundskeepers, guards, food service workers, laundry workers, pharmacists, nonmanagerial administrative workers, and business clerical workers (but not managers or supervisors) to pay a minimum hourly wage of \$25 to be increased on an annual basis, be adopted?

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Thank you for your consideration of this modest request. We believe that it necessary to comply with the requirements of the Elections Code and is a benefit to the voters. Please contact me at the above number if you would like to discuss this matter further.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas W. Hiltachk", written in a cursive style.

Thomas W. Hiltachk