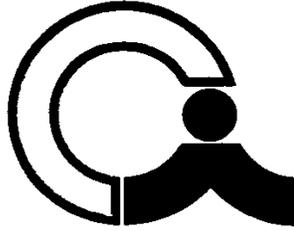


CITY OF INDUSTRY

CITY COUNCIL
REGULAR MEETING AGENDA

SEPTEMBER 13, 2012
9:00 AM



Mayor Jeff Parriott
Mayor Pro Tem Tim Spohn
Council Member Roy Haber, III
Council Member John P. Ferrero
Council Member Pat Marcellin

Location: City Council Chamber, 15651 East Stafford Street, City of Industry, California 91744

Addressing the City Council:

- ▶ **Agenda Items:** Members of the public may address the City Council on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a three-minute time limit per person for any matter listed on the Agenda. Anyone wishing to speak to the City Council is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the City Clerk prior to the Agenda item being called and prior to the individual being heard by the City Council.
- ▶ **Public Comments (Non-Agenda Items):** Anyone wishing to address the City Council on an item not on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the City Council from taking action on a specific item unless it appears on the posted Agenda. Anyone wishing to speak to the City Council is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the City Clerk prior to the Agenda item being called by the City Clerk and prior to the individual being heard by the City Council.

Americans with Disabilities Act:

- ▶ In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (626) 333-2211. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

Agendas and other writings:

- ▶ In compliance with SB 343, staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 East Stafford Street, Suite 100, City of Industry, California, at the office of the City Clerk during regular business hours, Monday through Friday 9:00 a.m. to 5:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.

-
1. Call to Order
 2. Flag Salute
 3. Roll Call
 4. Public Comments
-

5. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no separate discussion of these items unless members of the City Council, the public, or staff request specific items be removed from the Consent Calendar for separate action.

- 5.1 Motion to approve the reading by title of all ordinances and resolutions. The ordinances and resolutions, which appear on the public agenda, shall be determined to have been read by title and further reading waived.

RECOMMENDED ACTION: Waive reading of Ordinances and Resolutions.

- 5.2 Review of Actions for City Goods and Services.

RECOMMENDED ACTION: Receive and file.

- 5.3 Consideration of the minutes of the July 26, 2012 regular meeting.

RECOMMENDED ACTION: Approve as submitted.

- 5.4 Consideration of an Interim Agreement between the City of Industry and Rowland Water District for the City to grant to the utility the right to install and operate two underground water lines across the property located at 18965 San Jose Avenue.

RECOMMENDED ACTION: Approve the Interim Agreement.

- 5.5 Consideration of an Agreement for Consulting Services between the City of Industry and Sage Environmental Group to perform environmental engineering services to obtain Resource Agency approvals for the Walnut Drive South Street Widening and Storm Drain project, for a budget amount of \$38,000.00.

RECOMMENDED ACTION: Approve the Agreement for Consulting Services.

- 5.6 Request for authorization to record documents to complete Minor Lot Line Adjustment No. 76, to merge four (4) existing parcels submitted by Quinn Group, Inc. for the property located at 10006 Rose Hills Road.

RECOMMENDED ACTION: Authorize the Mayor to execute the documents for subsequent recordation.

- 5.7 Consideration of Contract Completion documents for Contract No. CITY-1405, Building Demolition at 14624, 14700 and 14710 Nelson Avenue:

Beckco, Inc., in the amount of \$272,416.71.

RECOMMENDED ACTION: Authorize the City Engineer to execute and file contract completion documents and to receive and file the final accounting.

- 5.8 Consideration of Contract Completion documents for Contract No. RW-0357, Reclaimed Water Booster Pump Station No. 1 Upgrades: Pacific Hydrotech Corporation, in the amount of \$1,620,795.82.

RECOMMENDED ACTION: Authorize the City Engineer to execute and file contract completion documents and to receive and file the final accounting.

- 5.9 Consideration of Amendment No. 1 to the Cooperative Agreement No 07-4905 between the City of Industry and the California Department of Transportation relative to the proposed Southbound Grand Avenue Slip Ramp to Westbound State Route 60, for an estimated budget increase of \$170,000.00.

RECOMMENDED ACTION: Approve Amendment No. 1.

- 5.10 Consideration of Memorandum of Understanding between the City of Industry and the City of Diamond Bar establishing responsibilities for funding the right of way acquisition activities for the Lemon Avenue Interchange Project at State Route 60 Pomona Freeway.

RECOMMENDED ACTION: Approve the Memorandum of Understanding.

6. **CITY MANAGER MATTERS**

- 6.1 Consideration of the Service Level Authorization for Fiscal Year 2012-2013 submitted by the Los Angeles County Sheriff's Department.

RECOMMENDED ACTION: Approve as submitted.

- 6.2 Consideration to fill vacancy on the City of Industry Planning Commission.

RECOMMENDED ACTION: Consider nominations and make an appointment to fill the vacancy.

7. **CITY ENGINEER MATTERS**

Freeway Projects

- 7.1 Consideration of Draft Project Study Report-Project Development Study for the Valley Boulevard Interchange at I-605 San Gabriel River Freeway which

identifies conceptual alternatives to reconfigure the existing on and off ramps and intersection improvements at Temple Avenue.

RECOMMENDED ACTION: Approve the draft report for submission to Caltrans.

- 7.2 Consideration of Amendment No. 1 to the Project Initiation Document Cooperative Agreement No. 07–4925 between the City of Industry and the California Department of Transportation for the Valley Boulevard interchange at I-605 San Gabriel River Freeway.

RECOMMENDED ACTION: Approve Amendment No. 1.

Contract Awards

- 7.3 Consideration of award of Contract No. CITY-1412, Rehabilitation of the existing Welded Steel Potable Water Reservoir at 13927 Lomitas Avenue, to Blastco Inc. in the amount of \$402,547.00.

RECOMMENDED ACTION: Award the contract to Blastco, Inc. and authorize the Mayor to execute the contract upon receipt.

- 7.4 Consideration of award of Contract No. CITY-1409R, Advanced Traffic Management Systems (ATMS) for traffic signal upgrades, installation of cameras and wireless communication systems along Valley Boulevard from Temple Avenue easterly to Grand Avenue, to Sully Miller Contracting in the amount of \$576,255.00.

RECOMMENDED ACTION: Award the contract to Sully Miller Contracting and authorize the Mayor to execute the contract upon receipt.

Change Orders

- 7.5 Consideration of Change Order No. 1 to GCI Construction, Inc., in the amount of \$4,575.67 for the removal and installation of water lines and adjusting a water vault to grade in conjunction with the Industry Hills Lake Loop Road Potable Water System Booster Pump Station, Contract No. CITY-1381.

RECOMMENDED ACTION: Approve Change Order No. 1 in the amount of \$4,575.67.

- 7.6 Consideration of Change Order No. 4 to Empyrean Plumbing in the amount of \$192,488.83 for the installation of approximately 5,000 square feet of new tile located in five separate shower rooms in conjunction with the El Encanto Convalescent Hospital Re-Piping of Domestic Water System, Contract No. CITY-1395.

RECOMMENDED ACTION: Approve Change Order No. 4 in the amount of \$192,488.83.

- 7.7 Consideration of Change Order No. 1 to All American Asphalt in the amount of \$87,117.38 to furnish materials, including a deductive cost for the deletion of right turn lanes at Fairway Drive and Lemon Avenue in conjunction with the Valley Boulevard Improvements - Azusa Way to Fairway Drive at Lemon Avenue, Contract No. VB-0320.

RECOMMENDED ACTION: Approve Change Order No. 1 in the amount of \$87,117.38.

8. **PLANNING MATTERS**

- 8.1 Consideration of Development Plan application 12-10 submitted by William Nascimento for the demolition of a damaged 1,893 square foot building and replacement with a 2,600 square foot building located at 18200 Gale Avenue.

RECOMMENDED ACTION: Approve Development Plan 12-10 submitted by William Nascimento based on the findings and Standard Requirements and Conditions.

9. **CLOSED SESSION**

- 9.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: City of Industry v. Cathay Entertainment, Inc. and Amusement Industry, Inc.
Los Angeles Superior Court
Case No. KC062828G

- 9.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: Cathay Entertainment, Inc. v. City of Industry
United States District Court for the Central District of California
Case No. CV11-10686 GHK (FFMx)

- 9.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: People of the State of California, and City of Industry v. DNA Properties, Inc., a California Corporation; Gale Avenue Hospitality Venture, Inc., a California Corporation, dba Pink's Gentlemen's Club, and Does 1 through 50, inclusive.
Los Angeles Superior Court East District
Case No. KC 061417-0

- 9.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: Gale Avenue Hospitality Venture, Inc., a California Corporation,
and DNA Properties, Inc., a California Corporation v. City of
Industry
Los Angeles Superior Court East District
Case No. KC 061417-0
- 9.5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(c):
Two Cases.
- 9.6 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9(b)(3)(A): Four Cases.
- 9.7 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: Rowland Unified School District and Hacienda La Puente Unified
School District v. City of Industry
Los Angeles Superior Court Central District
Case No. BC489109
10. Adjournment. Next regular meeting: Thursday, September 27, 2012 at 9:00 a.m.