

CITY OF INDUSTRY

CITY COUNCIL
REGULAR MEETING AGENDA

JANUARY 10, 2013
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.

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1. Call to Order
 2. Flag Salute
 3. Roll Call
 4. Public Comments
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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 for registers dated December 27, 2012 and January 10, 2013.

RECOMMENDED ACTION: Receive and file.

- 5.3 Consideration of the minutes of the October 25, 2012 and November 8, 2012 regular meetings.

RECOMMENDED ACTION: Approve as submitted, with Mayor Parriott abstaining from the November 8, 2012 minutes due to his absence from the meeting.

- 5.4 Consideration of Change Order No. 3 to All American Asphalt in the amount \$63,630.00 to clean out the existing drains and culverts under the Union Pacific Railroad tracks: Contract No. VB-0320 Valley Boulevard Improvements – Azusa Way to Fairway Drive at Lemon Avenue.

RECOMMENDED ACTION: Approve Change Order No. 3 in the amount of \$63,630.00.

- 5.5 Consideration of Statement of Investment Policy.

RECOMMENDED ACTION: Approve as submitted.

6. **CITY ATTORNEY MATTERS**

- 6.1 Consideration of Ordinance No. 775 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CHAPTER 15.32 (SIGN REGULATIONS) OF TITLE 15 OF THE CITY OF INDUSTRY MUNICIPAL CODE TO PERMIT THE USE OF ELECTRONIC MESSAGE BOARD SIGNS ON CERTAIN EXISTING OFF-SITE SIGNS ALONG THE 10, 60 AND 605 FREEWAYS, AND ESTABLISHING

DEVELOPMENT PROCEDURES AND STANDARDS FOR SUCH
ELECTRONIC MESSAGE BOARD SIGNS. (SECOND READING)

RECOMMENDED ACTION: Adopt Ordinance No. 775.

7. **CITY ENGINEER MATTERS**

- 7.1 Consideration of the submission of a funding application for the 2013 Metro Call for Projects for the Westbound SR-57/60 Grand Avenue Off-Ramp Project having a total project cost of \$19,490,000.00 of which \$6,846,500.00 is the local agency match, scheduled for construction in the 2014-2015 fiscal year or thereafter.

RECOMMENDED ACTION: Approve the submission of the 2013 Call for Projects application.

- 7.2 Consideration of a Right-of-Way Agreement between the City of Industry and Charter Fiberlink for the installation of fiber optic data lines along Valley Boulevard in the vicinity of Lemon Avenue and Stimson Avenue.

RECOMMENDED ACTION: Approve the Right-of-Way Agreement.

8. **CLOSED SESSION**

- 8.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: City of Alhambra, et al. v. Board of Equalization, et al.
Los Angeles Superior Court
Case No. BS 124919

- 8.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: City of Fillmore adv. City of Industry
California State Board of Equalization Case ID No. 56011-000-0034

- 8.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: City of Fillmore v. California State Board of Equalization
Los Angeles Superior Court
Case No. BS 120799
Court of Appeal Case No. B219483

- 8.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: City of Industry and City of Livermore v. City of Fillmore, et al.
Los Angeles Superior Court
Case No. BC 411865
Court of Appeal Case No. B219485

- 8.5 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case: Southern California Association of Non-Profit Housing v. State
Department of Finance, et al.
Sacramento Superior Court
Case No. 34-2012-80001355
- 8.6 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9(b)(3)(A): One Case.

9. Adjournment. Next regular meeting: Thursday, January 24, 2013 at 9:00 a.m.