

CITY OF INDUSTRY

CITY COUNCIL
REGULAR MEETING AGENDA

JANUARY 24, 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.

RECOMMENDED ACTION: Receive and file.

- 5.3 Consideration of the minutes of the November 15, 2012 City Council and Planning Commission Joint Study Session meeting.

RECOMMENDED ACTION: Approve as submitted, with Council Member Haber abstaining due to his absence from the meeting.

- 5.4 Consideration of an Amendment to the Conflict of Interest Code for the Successor Agency to the Industry Urban-Development Agency.

RECOMMENDED ACTION: Approve the Amended Conflict of Interest Code as submitted.

- 5.5 Consideration of Change Order No. 5 to Emphyrean Plumbing in the amount of \$36,165.76 for final close out costs in conjunction with the El Encanto Convalescent Hospital Re-Piping of Domestic Water System, Contract No. CITY-1395.

RECOMMENDED ACTION: Approve Change Order No. 5 in the amount of \$36,165.76.

6. **CITY ENGINEER MATTERS**

- 6.1 Consideration of an Agreement for receipt of a \$2,000,000.00 grant from South Coast Air Quality Management District for the Metrolink Solar facility.

RECOMMENDED ACTION: Approve the Agreement.

7. **CLOSED SESSION**

7.1 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Fillmore adv. City of Industry
California State Board of Equalization Case ID No. 56011-000-0034

7.2 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Fillmore v. California State Board of Equalization
Los Angeles Superior Court
Case No. BS 120799
Court of Appeal Case No. B219483

7.3 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
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

7.4 CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Southern California Association of Non-Profit Housing v. State
Department of Finance, et al.
Sacramento Superior Court
Case No. 34-2012-80001355

7.5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9(d)(2): One Case.

8. Adjournment. Next regular meeting: Thursday, February 14, 2013 at 9:00 a.m.