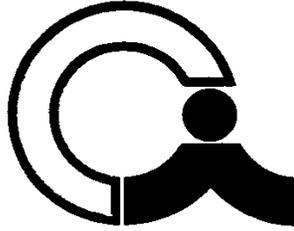


CITY OF INDUSTRY

CITY COUNCIL
REGULAR MEETING AGENDA

OCTOBER 11, 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.

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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 August 23, 2012 regular meeting.

RECOMMENDED ACTION: Approve as submitted.

- 5.4 Consideration of an expenditure, up to \$65,000.00 for maintenance and reinforcement work at 23400-23600 East Fork Road, Azusa, California to prepare for the upcoming rainy season.

RECOMMENDED ACTION: Approve the expenditure and authorize the City Manager to issue the necessary service request.

6. **CITY ATTORNEY MATTERS**

- 6.1 Consideration of Resolution No. 2012-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPOINTING MEGAN A. BURKE, CHAD W. HERRINGTON, J. LEAH CASTELLA, AMY E. HOYT, JOSEPH P. BUCHMAN, AARON G. EZROJ, AND KEVIN D. SIEGEL AS DEPUTY CITY ATTORNEYS.

RECOMMENDED ACTION: Adopt Resolution No. CC 2012-29.

- 6.2 Consideration of Resolution No. 2012-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS.

RECOMMENDED ACTION: Adopt Resolution No. CC 2012-30.

- 6.3 Consideration of Ordinance No. 773 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY REPEALING CHAPTERS 9.22,

9.48, 9.74, 9.78 AND 9.86 OF TITLE 9 OF THE INDUSTRY MUNICIPAL CODE. (FIRST READING)

RECOMMENDED ACTION: Introduce Ordinance No. 773.

7. CITY ENGINEER MATTERS

- 7.1 Consideration of leasing City of Industry water rights to Royal Vista Golf Courses Inc. for pumping water from the Puente Basin.

RECOMMENDED ACTION: Approve the lease of water rights.

- 7.2 Consideration of approval of an Easement Grant Deed from City of Industry to Southern California Edison, for an easement located along southerly side of Rowland Street, east of Lawson Street.

RECOMMENDED ACTION: Approve the easement and authorize the execution of the document.

8. PLANNING MATTERS

- 8.1 Consideration of Development Plan application 12-6 submitted by Clif Investment Group, LP, to expand and existing commercial building by 5,506 square feet and improve the landscaping, parking lot, and façade at the property located at 120 Hacienda Boulevard.

RECOMMENDED ACTION: Approve Development Plan 12-6 submitted by Clif Investment Group, LP 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 Fillmore adv. City of Industry
California State Board of Equalization Case ID No. 56011-000-0034

- 9.2 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

- 9.3 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

- 9.4 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(c):
Two Cases.
 - 9.5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9(b)(3)(A): Two Cases.
10. Adjournment. Next regular meeting: Thursday, October 25, 2012 at 9:00 a.m.