

# CITY OF INDUSTRY

---

CITY COUNCIL  
REGULAR MEETING AGENDA

NOVEMBER 10, 2016  
9:00 AM



---

Mayor Mark Radecki  
Mayor Pro Tem Cory Moss  
Council Member Abraham Cruz  
Council Member Roy Haber, III  
Council Member Newell Ruggles

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 Consideration of the Register of Demands for November 10, 2016

*RECOMMENDED ACTION: Approve the Register of Demands and ratify the issuance of the checks.*

6. **ACTION ITEMS**

6.1 Consideration of Change Order Numbers 5 and 6, submitted by Sully Miller Contracting Company for \$17,084.73 for items not identified in the bid proposal and final bid quantities in conjunction with Clark Avenue Sidewalk Construction, Contract No. CITY-1422.

*RECOMMENDED ACTION: Approve Change Order Numbers 5 and 6.*

7. **PUBLIC HEARING**

7.1 Public Hearing for the consideration to extend a moratorium on the cultivation, processing, manufacturing, laboratory testing, labeling, storing and wholesale and retail distribution of cannabis in the City of Industry.

a. Consideration of Urgency Ordinance No. 798 – AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY EXTENDING A CITYWIDE MORATORIUM ON THE CULTIVATION, PROCESSING, MANUFACTURING, LABORATORY TESTING, LABELING, STORING AND WHOLESALE AND RETAIL DISTRIBUTION OF CANNABIS IN THE CITY, FOR A PERIOD OF 10 MONTHS AND 15 DAYS, PURSUANT TO GOVERNMENT CODE SECTION 65858(a).

*RECOMMENDED ACTION: Adopt Urgency Ordinance No. 798.*

7.2 Public Hearing for the consideration of Tentative Parcel Map 348 to subdivide an existing 28.9 acre parcel into five parcels and Development Plan No. 15-12 to develop five new industrial warehouse buildings located on the southeast corner of Azusa Avenue and Chestnut Street in the City of Industry, and certifying a Final Environmental Impact Report, adopting a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program regarding same.

- a. Consideration of Resolution No. CC 2016-75 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CHESTNUT AVENUE WAREHOUSE PROJECT (SCH #2015101079) ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AZUSA AVENUE AND CHESTNUT STREET IN THE CITY OF INDUSTRY, WITHIN THE “I” INDUSTRIAL ZONE AND “C” COMMERCIAL ZONE.

*RECOMMENDED ACTION:* Adopt Resolution No. CC 2016-75.

- b. Consideration of Resolution No. CC 2016-76 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP 348 TO SUBDIVIDE AN EXISTING 28.9 ACRE PARCEL INTO FIVE PARCELS, AND DEVELOPMENT PLAN NO. 15-12 FOR THE CONSTRUCTION OF FIVE INDUSTRIAL WAREHOUSE BUILDINGS AT THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AZUSA AVENUE AND CHESTNUT STREET IN THE CITY OF INDUSTRY, CALIFORNIA

*RECOMMENDED ACTION:* Adopt Resolution No. CC 2016-76.

8. **CITY COUNCIL COMMITTEE REPORTS**

9. **AB 1234 REPORTS**

10. **CITY COUNCIL COMMUNICATIONS**

11. **CLOSED SESSION**

11.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1), City of Industry v. ZEREP Management Corporation, et al., Case No. BC 583096

11.2 Conference with real property negotiators pursuant to Government Code Section 54956.8

Property: 1123-1135 Hatcher Avenue  
City Negotiators: Paul J. Philips, City Manager and  
James M. Casso, City Attorney

Negotiating Party: Ryan Gaytan  
Under Negotiation: Price and Terms of Payment

11.3 Conference with real property negotiators pursuant to Government Code Section 54956.8

Property: Assessor's Parcel Number 8201-028-013  
250 Puente Avenue

City Negotiators: Paul J. Philips, City Manager and  
James M. Casso, City Attorney

Negotiating Party: New Venture Properties, LLC/Charles Tsai  
Under Negotiation: Price and Terms of Payment

12. Adjournment to Thursday, November 17, 2016 at 9:00 a.m.