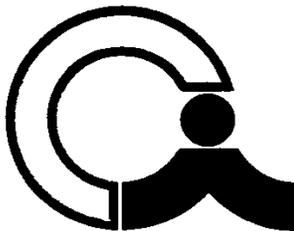


CITY OF INDUSTRY

CITY COUNCIL
REGULAR MEETING AGENDA

DECEMBER 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.*

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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 for registers dated November 22, 2012 and December 13, 2012.

RECOMMENDED ACTION: Receive and file.

- 5.3 Consideration of the minutes of the September 27, 2012 and October 11, 2012 regular meetings.

RECOMMENDED ACTION: Approve as submitted.

- 5.4 Consideration of a budget increase requested by Kleinfelder West, Inc. for geotechnical and material observation and testing services in the amount of \$39,473.00 to Consultant Contract No. 1-KLEINFELDER 12-01 CITY-1396 in conjunction with Nelson Avenue Reconstruction from Puente Avenue to Unruh Avenue.

RECOMMENDED ACTION: Approve the budget increase.

- 5.5 Consideration of Contract Completion documents for Contract No. CITY-1408, Valley Boulevard, Russell Street, Stephens Street, Robin Way, Phoenix Drive, Glendora Avenue and Hurley Street Resurfacing: Hardy & Harper, Inc., in the amount of \$767,600.20.

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

- 5.6 Consideration to cancel regular meeting scheduled for Thursday, December 27, 2102.

RECOMMENDED ACTION: Cancel the meeting.

6. **PUBLIC HEARING**

- 6.1 Consideration of Zone Amendment application No. 12-1 to amend Chapter 15.32 (Sign Regulations) of the Industry Municipal Code to permit electronic message board signs and to establish corresponding development procedures and standards.

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. (FIRST READING)

RECOMMENDED ACTION: Approve the Negative Declaration, and introduce Ordinance No. 775.

7. **CITY MANAGER MATTERS**

- 7.1 Consideration of Resolution No. 2012-34 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY DIRECTING THE REMITTANCE TO THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY OF A PORTION OF A PROPERTY TAX OVERRIDE SUBJECT TO EXISTING AGENCY BOND PLEDGES.

RECOMMENDED ACTION: Adopt Resolution No. CC 2012-34.

8. **CITY ATTORNEY MATTERS**

- 8.1 Consideration of Ordinance No. 774 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADDING A NEW CHAPTER 17.18 TO TITLE 17 (ZONING) OF THE INDUSTRY MUNICIPAL CODE ESTABLISHING AN INSTITUTIONAL ZONING DISTRICT IN THE CITY AND DEVELOPMENT STANDARDS FOR SUCH INSTITUTIONAL USES AND MAKING OTHER CONFORMING CHANGES TO TITLE 17 TO REFLECT THIS NEW ZONING DISTRICT. (SECOND READING)

RECOMMENDED ACTION: Adopt Ordinance No. 774.

- 8.2 Consideration of Resolution No. CC 2012-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, CALLING FOR THE HOLDING OF AN ALL MAIL BALLOT GENERAL MUNICIPAL ELECTION FOR THE ELECTION OF CERTAIN CITY COUNCIL MEMBERS TO BE HELD ON TUESDAY, JUNE 4, 2013.

RECOMMENDED ACTION: Adopt Resolution No. CC 2012-32.

- 8.3 Consideration of Resolution No. CC 2012-33 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, JUNE 4, 2013.

RECOMMENDED ACTION: Adopt Resolution No. CC 2012-33.

9. **CITY ENGINEER MATTERS**

- 9.1 Consideration of an Agreement for Consultant Services between the City of Industry and Applied Metering Technologies, Inc. to perform electric meter installation and repair services for a budget amount of \$60,000.00 for a two year period.

RECOMMENDED ACTION: Approve the Agreement for Consultant Services.

- 9.2 Consideration of an Agreement for Consultant Services between the City of Industry and ENCO Utility Services to perform electric metering reading services for a budget amount of \$30,000.00 for a one year period.

RECOMMENDED ACTION: Approve the Agreement for Consultant Services.

10. **PLANNING MATTERS**

- 10.1 Consideration of Development Plan application 12-3 submitted by Hassan Chevron Fueling Station for the installation of a new fuel dispensing island, canopy, and gas tank at a gas station located at 221 Hacienda Boulevard.

RECOMMENDED ACTION: Approve the Negative Declaration, and approve Development Plan 12-3 submitted by Hassan Chevron Fueling Station based on the findings and Standard Requirements and Conditions.

- 10.2 Consideration of Development Plan application 12-8 submitted by OMP Don Julian LLC to develop a vacant property located at the northeast corner of 9th Avenue and Don Julian Road with two new industrial buildings comprising of 40,789 square feet and 40,548 square feet.

RECOMMENDED ACTION: Approve the Mitigated Negative Declaration, and approve Development Plan 12-8 submitted by OMP Don Julian LLC based on the findings and Standard Requirements and Conditions.

- 10.3 Consideration of Development Plan application 12-11 submitted by Ming Hong International Inc. to add 21,450 square feet to an existing industrial building located at 14730 Don Julian Road.

RECOMMENDED ACTION: Approve the Negative Declaration, and approve Development Plan 12-11 submitted by the Ming Hong International Inc. based on the findings and Standard Requirements and Conditions.

- 10.4 Consideration of the Initial Study examining the environmental impacts associated with the interim improvements to the intersection of Fairway Drive and Walnut Drive North.

RECOMMENDED ACTION: Approve the Mitigated Negative Declaration for the interim improvements to the intersection of Fairway Drive and Walnut Drive North.

11. **CLOSED SESSION**

- 11.1 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
- 11.2 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
- 11.3 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
- 11.4 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
- 11.5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(c):
Two Cases.

11.6 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9(b)(3)(A): Three Cases.

12. Adjournment. If item 5.6 is approved, the next regular City Council meeting will be
Thursday, January 10, 2013 at 9:00 a.m.