

CITY OF INDUSTRY

CITY COUNCIL
REGULAR MEETING AGENDA

SEPTEMBER 26, 2013
9:00 AM



Mayor Tim Spohn
Mayor Pro Tem Jeff Parriott
Council Member John P. Ferrero
Council Member Roy Haber, III
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 Review of Actions for City Goods and Services.

RECOMMENDED ACTION: Receive and file.

5.2 Consideration of the minutes of the August 8, 2013 regular meeting.

RECOMMENDED ACTION: Approve as submitted.

5.3 Consideration of Development Plan application 13-9 submitted by Clear Channel to convert an existing billboard sign to a double-sided electronic message board sign located at 12880 Perez Place.

RECOMMENDED ACTION: Approve the Negative Declaration, and approve Development Plan 13-9 submitted by Clear Channel based on the findings and Standard Requirements and Conditions.

5.4 Consideration of Development Plan application 13-10 submitted by Clear Channel to convert an existing billboard sign to a double-sided electronic message board sign located at 12900 Perez Place.

RECOMMENDED ACTION: Approve the Negative Declaration, and approve Development Plan 13-10 submitted by Clear Channel based on the findings and Standard Requirements and Conditions.

6. **PUBLIC HEARINGS**

6.1 Consideration of Zone Amendment 13-2 to amend Chapter 17.52 of the Industry Municipal Code to prohibit unattended, small donation containers.

Consideration of Ordinance No. 779 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CHAPTER 17.52 OF TITLE 17 (ZONING) OF THE INDUSTRY MUNICIPAL CODE PERTAINING TO RECYCLING FACILITIES. (FIRST READING)

RECOMMENDED ACTION: Introduce Ordinance No. 779.

6.2 Consideration of General Plan Amendment 13-1 and Zone Amendment 13-1 to change the land use designations on 2.6-acres from Industrial to Commercial.

Consideration of Resolution No. CC 2013-20 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, TO APPROVE THE ISSUANCE OF A NEGATIVE DECLARATION AND APPROVE GENERAL PLAN AMENDMENT NO. 13-1 TO AMEND THE EXISTING GENERAL PLAN DESIGNATION FROM INDUSTRIAL – COMMERCIAL FOR THAT APPROXIMATELY 2.6 ACRES OF LAND LOCATED NORTH OF VALLEY BOULEVARD AND ADJACENT TO THE EAST AND WEST SIDES OF GIANO AVENUE , CITY OF INDUSTRY.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-20.

Consideration of Ordinance No. 780 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, TO APPROVE THE ISSUANCE OF A NEGATIVE DECLARATION AND APPROVE ZONE CHANGE NO. 13-1 TO AMEND THE EXISTING ZONE DESIGNATION FROM AN “M”- INDUSTRIAL ZONE TO A “C” – COMMERCIAL ZONE FOR THAT APPROXIMATELY 2.6 ACRES OF LAND LOCATED NORTH OF VALLEY BOULEVARD AND ADJACENT TO THE EAST AND WEST SIDES OF GIANO AVENUE , CITY OF INDUSTRY. (FIRST READING)

RECOMMENDED ACTION: Introduce Ordinance No. 780.

7. CITY ATTORNEY MATTERS

7.1 Consideration of Resolution No. CC 2013-18 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ESTABLISHING AN AUDIT COMMITTEE AND DESIGNATING ITS FUNCTIONS.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-18.

7.2 Consideration to appoint Mayor Tim Spohn and Council Member John P. Ferrero to the Audit Committee.

RECOMMENDED ACTION: Approve the appointment.

7.3 Consideration of Resolution No. CC 2013-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY APPROVING THE EXECUTION OF AN AGREEMENT FOR REIMBURSEMENT OF ROPS 13-14A PROPERTY MAINTENANCE COSTS BETWEEN THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY AND THE CITY.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-21.

7.4 Consideration of Resolution No. CC 2013-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY APPROVING THE EXECUTION OF AN AGREEMENT FOR ADVANCE AND

REIMBURSEMENT OF PROPERTY MAINTENANCE COSTS BETWEEN THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY AND THE CITY.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-22.

- 7.5 Consideration of Resolution No. CC 2013-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY MODIFYING RESOLUTION NO. CC 2012-34 REGARDING PROPERTY TAX OVERRIDE SUBJECT TO EXISTING PLEDGE FOR BONDS ISSUED BY THE FORMER INDUSTRY URBAN-DEVELOPMENT AGENCY.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-25.

8. PLANNING DIRECTOR MATTERS

- 8.1 Consideration of Resolution No. CC 2013-19 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED IN CONJUNCTION WITH DEVELOPMENT PLAN NO. 13-4 TO ALLOW THE CONSTRUCTION OF A NEW 168,000 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 13110 LOUDEN LANE.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-19.

- 8.2 Consideration of Development Plan application 13-4 submitted by CEG Construction to construct a 168,000 square foot industrial building located at 13110 Loudon Lane.

RECOMMENDED ACTION: Approve Development Plan 13-4 submitted by CEG Construction based on the findings and Standard Requirements and Conditions.

- 8.3 Consideration of Resolution No. CC 2013-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM PREPARED IN CONJUNCTION WITH TENTATIVE PARCEL MAP NO. 347 TO MERGE SIX PARCELS INTO ONE 19.86 ACRE PARCEL AND DEVELOPMENT PLAN 12-13 TO CONSTRUCT A 429,840 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 824 AJAX AVENUE.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-23.

- 8.4 Consideration of Resolution No. CC 2013-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING

TENTATIVE PARCEL MAP NO. 347 TO MERGE SIX PARCELS INTO ONE 19.86 ACRE PARCEL LOCATED AT 825 AJAX AVENUE IN THE CITY OF INDUSTRY, WITHIN AN "M" – INDUSTRIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF.

RECOMMENDED ACTION: Adopt Resolution No. CC 2013-24.

- 8.5 Consideration of Development Plan application 12-13 submitted by Robhana, Inc. to construct a 429,840 square foot industrial building located at 825 Ajax Avenue.

RECOMMENDED ACTION: Approve Development Plan 12-13 submitted by Robhana, Inc. 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(d)(1)
Case: Covan v. City of Industry, et al.
Los Angeles County Superior Court
Case No. KC065224

- 9.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54954.9
Title: City Manager

10. Adjournment. Next regular meeting: Thursday, October 10, 2013 at 9:00 a.m.