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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
APRIL 9, 2015  
PAGE 1

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**CALL TO ORDER**

The Regular Meeting of the City Council of the City of Industry, California, was called to order by Mayor Tim Spohn at 9:00 a.m. in the City of Industry Council Chamber, 15651 East Stafford Street, California.

**FLAG SALUTE**

The flag salute was led by Mayor Tim Spohn.

**ROLL CALL**

PRESENT: Tim Spohn, Mayor  
Jeff Parriott, Mayor Pro Tem  
Roy Haber, Council Member  
Pat Marcellin, Council Member

ABSENT: John P. Ferrero, Council Member

STAFF PRESENT: Kevin Radecki, City Manager; Michele Vadon, City Attorney; Cecelia Dunlap, Deputy City Clerk; John Ballas, City Engineer; and Brian James, Planning Director.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO GRANT COUNCIL MEMBER FERRERO AN EXCUSED ABSENCE. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**PUBLIC COMMENTS**

There were no public comments.

**CONSENT CALENDAR**

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**1. REVIEW OF ACTIONS FOR CITY GOODS AND SERVICES**

RECEIVED AND FILED.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
APRIL 9, 2015  
PAGE 2

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**CONSIDERATION OF ORDINANCE NO. 788 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CHAPTERS 2.08 (CITY MANAGER) AND 2.12 (CITY CLERK AND CITY TREASURER-BONDS) OF TITLE 2 OF THE INDUSTRY MUNICIPAL CODE, AND ADDING CHAPTER 2.14 (CITY ATTORNEY) TO TITLE 2 OF THE INDUSTRY MUNICIPAL CODE (FIRST READING)**

City Manager Radecki presented a staff report to the City Council.

MOTION BY MAYOR PRO TEM PARRIOTT, AND SECOND BY COUNCIL MEMBER HABER TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 788. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-04 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING A CITY MANAGER POLICY REGARDING TERMINATION OF MANAGEMENT-LEVEL CITY OFFICIALS OR EMPLOYEES FOLLOWING A MUNICIPAL ELECTION**

City Manager Radecki presented a staff report to the City Council.

MOTION BY COUNCIL MEMBER MARCELLIN, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT RESOLUTION NO. CC 2015-04. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF ORDINANCE NO. 789 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 2.08.070 OF THE INDUSTRY MUNICIPAL CODE PERTAINING TO THE POWERS AND DUTIES OF THE CITY MANAGER (FIRST READING)**

City Attorney Vadon presented a staff report to the City Council.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRO TEM PARRIOTT TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 789. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF DEVELOPMENT PLAN APPLICATION NO. 14-10 SUBMITTED BY OC ENGINEERING, ON BEHALF OF GREAT DRAGON LLC TO ALLOW CONSTRUCTION OF A 107,000 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 18639 RAILROAD STREET**

Planning Director James presented a staff report to the City Council.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
APRIL 9, 2015  
PAGE 3

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**CONSIDERATION OF RESOLUTION NO. CC 2015-05 - 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. 14-10 TO ALLOW THE CONSTRUCTION OF A 107,000 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 18639 RAILROAD STREET IN THE CITY OF INDUSTRY, WITHIN THE "M"-INDUSTRIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF**

MOTION BY MAYOR PRO TEM PARRIOTT, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT RESOLUTION NO. CC 2015-05. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-06 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING DEVELOPMENT PLAN NO. 14-10 TO ALLOW THE CONSTRUCTION OF A 107,000 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 18639 RAILROAD STREET IN THE CITY OF INDUSTRY, WITHIN THE "M"-INDUSTRIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF**

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN HABER TO ADOPT RESOLUTION NO. CC 2015-06. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF AN INVOICE SUBMITTED BY THE ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY (ACE) FOR ADDITIONAL WORK NEEDED FOR CITY-REQUESTED IMPROVEMENTS TO RELOCATE THE VERIZON FACILITIES IN CONJUNCTION WITH THE NOGALES STREET GRADE SEPARATION PROJECT AT THE UNION PACIFIC RAILROAD LOS ANGELES SUBDIVISION PER THE BETTERMENT AGREEMENT WITH THE ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY, IN THE AMOUNT OF \$77,545.36**

City Engineer Ballas provided a staff report to the City Council.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRO TEM PARRIOTT TO APPROVE THE PAYMENT. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF A PROPOSAL SUBMITTED BY R.F. DICKSON COMPANY, INC. FOR CONTRACT NO. CITY-1423, CITY OF INDUSTRY STREET AND PARKING LOT**

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
APRIL 9, 2015  
PAGE 4

---

**SWEEPING, IN THE AMOUNT OF \$1,007,736.00 FOR A FIVE-YEAR PERIOD**

City Engineer Ballas provided a staff report to the City Council.

MOTION BY MAYOR PRO TEM PARRIOTT, AND SECOND BY COUNCIL MEMBER HABER TO APPROVE THE PROPOSAL SUBMITTED BY R.F. DICKSON COMPANY, INC. IN THE AMOUNT OF \$1,007,736.00. MOTION CARRIED 4-0, WITH COUNCIL MEMBER FERRERO ABSENT.

**CLOSED SESSION**

Deputy City Clerk Dunlap announced there was a need for Closed Session as follows:

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Two Potential Cases
  
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(d)(1)  
Case: 8 Net, Inc. v. City of Industry et al.  
Los Angeles Superior Court Central District  
Case No. BC554379

There were no public comments on the Closed Session item.

Mayor Spohn recessed the meeting into Closed Session at 9:12 a.m.

**RECONVENE CITY COUNCIL MEETING**

Mayor Spohn reconvened the meeting at 10:20 a.m. All members of the City Council were present, except for Council Member Ferrero, who was absent.

With regard to Closed Session item A, Case One, by a 3-0 vote, with one abstention, the City Council agreed to waive the attorney-client privilege with regard to the KPMG Report Contract for General Maintenance and Miscellaneous Services, of invoices review.

With regard to Closed Session item A, Case Two, by a 4-0 vote, the City Council agreed to waive attorney-client privilege with regard to the PKF Report on the Industry Hills Expo Center.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
APRIL 9, 2015  
PAGE 5

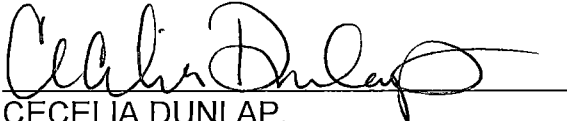
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The City Council took no reportable action with regard to Closed Session item B.

**ADJOURNMENT**

There being no further business, the City Council adjourned.

  
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JEFF PARRIOTT, MAYOR PRO TEM

  
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CECELIA DUNLAP,  
DEPUTY CITY CLERK