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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 8, 2015  
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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  
John P. Ferrero, Council Member  
Pat Marcellin, Council Member

STAFF PRESENT: Kevin Radecki, City Manger; Michele Vadon, City Attorney; Jodi L. Scrivens, City Clerk; John Ballas, City Engineer; and Brian James, Planning Director.

**PUBLIC COMMENTS**

Mayor Spohn presented a proclamation to Mr. Rick Mesa recognizing Mr. Mesa's more than 20 years of service with the Edison Company, and his years of involvement with the Industry Manufacturers Council. Mayor Spohn congratulated Mr. Mesa on his retirement.

**CONSENT CALENDAR**

MOTION BY COUNCIL MEMBER FERRERO, AND SECOND BY MAYOR PRO TEM PARRIOTT THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE FOLLOWING ITEMS LISTED ON THE CONSENT CALENDAR. MOTION CARRIED 5-0.

- 1. REVIEW OF ACTIONS FOR CITY GOODS AND SERVICES FOR REGISTERS DATED DECEMBER 25, 2014 AND JANUARY 8, 2015**

RECEIVED AND FILED.

- 2. CONSIDERATION OF THE MINUTES OF THE NOVEMBER 13, 2014 REGULAR MEETING; NOVEMBER 13, 2014 SPECIAL MEETING; AND NOVEMBER 20, 2014 SPECIAL MEETING**

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APPROVED AS SUBMITTED.

**3. CONSIDERATION OF STATEMENT OF INVESTMENT POLICY**

APPROVED AS SUBMITTED.

**4. CONSIDERATION OF THE CONFLICT OF INTEREST CODE FOR THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY**

APPROVED, RECEIVED AND FILED.

**5. CONSIDERATION OF THE CONFLICT OF INTEREST CODE FOR THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY**

APPROVED, RECEIVED AND FILED.

**6. CONSIDERATION OF THE CONFLICT OF INTEREST CODE FOR THE INDUSTRY PUBLIC FACILITIES AUTHORITY**

APPROVED, RECEIVED AND FILED.

**7. CONSIDERATION OF THE CONFLICT OF INTEREST CODE FOR THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY**

APPROVED, RECEIVED AND FILED.

**PUBLIC HEARING REGARDING ZONE AMENDMENT 14-1 TO AMENDMENT TO THE MUNICIPAL CODE TO INCLUDE EMERGENCY HOMELESS SHELTERS, RESIDENTIAL CARE FACILITIES, AND SUPPORTIVE AND TRANSITIONAL HOUSING**

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER FERRERO TO OPEN THE PUBLIC HEARING. MOTION CARRIED 5-0.

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

Mayor Spohn asked if anyone wanted to be heard on the matter. There were no comments.

MOTION BY COUNCIL MEMBER FERRERO, AND SECOND BY COUNCIL MEMBER HABER TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 5-0.

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**CONSIDERATION OF ORDINANCE NO. 787 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING CHAPTERS 17.08 (DEFINITIONS) AND 17.18 (INSTITUTIONAL ZONE) OF TITLE 17 (ZONING) OF THE INDUSTRY MUNICIPAL CODE RELATING TO EMERGENCY HOMELESS SHELTERS, RESIDENTIAL CARE FACILITIES, AND SUPPORTIVE AND TRANSITIONAL HOUSING. (FIRST READING)**

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO WAIVE FURTHER READING, AND INTRODUCE ORDINANCE NO. 787. MOTION CARRIED 5-0.

**PUBLIC HEARING REGARDING ZONE AMENDMENT 14-3 TO INCORPORATE THE RECREATION AND OPEN SPACE ZONE INTO THE MUNICIPAL CODE AND ZONING MAP**

Council Member Haber and Mayor Pro Tem Parriott abstained from any discussion or vote on this matter because they have a potential conflict of interest in that they lease a home in one of these zones.

Council Member Haber and Mayor Pro Tem Parriott left the Council Chamber at 9:10 a.m.

MOTION BY COUNCIL MEMBER FERRERO, AND SECOND BY COUNCIL MEMBER MARCELLIN TO OPEN THE PUBLIC HEARING. MOTION CARRIED 3-0.

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

Mayor Spohn asked if anyone wanted to be heard on the matter. There were no comments.

MOTION BY COUNCIL MEMBER MARCELLIN, AND SECOND BY COUNCIL MEMBER FERRERO TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 3-0, WITH COUNCIL MEMBER HABER AND MAYOR PRO TEM PARRIOTT ABSTAINING.

**CONSIDERATION OF ORDINANCE NO. 786 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADDING A NEW CHAPTER 17.26 TO THE INDUSTRY MUNICIPAL CODE PERTAINING TO THE ESTABLISHMENT AND APPLICABLE DEVELOPMENT REGULATIONS FOR THE RECREATION AND OPEN SPACE ZONE. (FIRST READING)**

MOTION BY COUNCIL MEMBER FERRERO, AND SECOND BY COUNCIL MEMBER MARCELLIN TO WAIVE FURTHER READING, AND INTRODUCE ORDINANCE NO. 787.

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MOTION CARRIED 3-0, WITH COUNCIL MEMBER HABER AND MAYOR PRO TEM PARRIOTT ABSTAINING.

Council Member Haber and Mayor Pro Tem Parriott returned to the Council Chamber at 9:13 a.m.

**CONSIDERATION OF A MESSAGE BOARD LEASE AGREEMENT BETWEEN THE CITY OF INDUSTRY, PUENTE HILLS IMPORTS, DBA PUENTE HILLS TOYOTA AND SCION, AND PUENTE HILLS AUTO CENTER ASSOCIATION (WEST) FOR THE REFURBISHMENT OF AN AUTO MESSAGE BOARD SIGN LOCATED AT 17070 EAST GALE AVENUE**

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO APPROVE THE AGREEMENT. MOTION CARRIED 5-0.

**CONSIDERATION OF AN INDEMNIFICATION AGREEMENT BETWEEN THE CITY OF INDUSTRY AND WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA FOR THE INSTALLATION OF A GROUNDWATER MONITORING WELL AT CAPITOL AVENUE, SOUTH OF MISSION MILL ROAD**

MOTION BY COUNCIL MEMBER FERRERO, AND SECOND BY MAYOR SPOHN TO APPROVE THE AGREEMENT. MOTION CARRIED 5-0.

**CLOSED SESSION**

City Clerk Scrivens 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: Rowland Unified School District and Hacienda La Puente Unified School District v. City of Industry  
Los Angeles Superior Court Central District  
Case No. BC489109

Council Member Ferrero abstained from the vote and discussion for item A because he has a potential financial conflict of interest in that he has a business relationship with one

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or more people that are a subject of the discussion on these items.

Council Member Haber abstained from the discussion and vote for item B because he has a potential financial conflict of interest in that he is employed by the Hacienda La Puente Unified School District.

There were no public comments on the Closed Session items.

City Attorney Vadon stated that Closed Session item B would be discussed first, followed by Closed Session item A.

Council Member Haber left the Council Chamber at 9:15 a.m.

Mayor Spohn recessed the meeting into Closed Session at 9:15 a.m.

Council Member Ferrero left the Council Chamber at 9:25 a.m.

Council Member Haber returned to the Council Chamber at 9:25 a.m.

#### **RECONVENE CITY COUNCIL MEETING**

Mayor Spohn reconvened the meeting at 10:40 a.m. All members of the City Council were present, except for Council Member Ferrero, who was absent.

City Attorney Vadon stated that with regard to Closed Session item A, there was no reportable action.

City Attorney Vadon stated that with regard to Closed Session item B, the matter had been settled in the amount of \$42,500,000.00, and that the terms of the settlement were on file with the City Clerk.

#### **ADJOURNMENT**


There being no further business, the City Council adjourned.

  
TIM SPOHN, MAYOR

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A handwritten signature in black ink, appearing to read "Cecelia Dunlap", written over a horizontal line.

CECELIA DUNLAP,  
DEPUTY CITY CLERK