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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 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  
Roy Haber, Council Member  
Pat Marcellin, Council Member

ABSENT : Jeff Parriott, Mayor Pro Tem  
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 MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO AN EXCUSED ABSENCE. MOTION 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**PUBLIC COMMENTS**

Mr. Steve Baric, an elections attorney, inquired with the City Council about a recently filed referendum and questioned why it was not on the May 28, 2015 City Council Agenda. City Attorney Vadon advised Mr. Baric that the City Attorney's office was not handling the matter and the referendum was being handled by the law firm of Richards, Watson and Gershon.

Los Angeles County Sheriff Jim McDonnell introduced himself to the City Council and indicated he is looking forward to working with the City of Industry.

**CONSENT CALENDAR**

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 2

---

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 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**1. CONSIDERATION OF REGISTER OF DEMANDS**

APPROVED THE REGISTER OF DEMANDS AND AUTHORIZED THE APPROPRIATE CITY OFFICIALS TO PAY THE BILLS.

**2. CONSIDERATION OF ANNUAL BUDGET SUBMITTED BY THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY FOR FISCAL YEAR 2015-2016**

APPROVED, RECEIVED AND FILED.

**3. CONSIDERATION OF ANNUAL BUDGET SUBMITTED BY THE INDUSTRY PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2015-2016**

APPROVED, RECEIVED AND FILED.

**4. CONSIDERATION OF ANNUAL BUDGET SUBMITTED BY THE INDUSTRY PUBLIC FACILITIES AUTHORITY FOR FISCAL YEAR 2015-2016**

APPROVED, RECEIVED AND FILED.

**5. CONSIDERATION TO AUTHORIZE THE PURCHASE OF MATERIALS FOR THE RELOCATION OF A 16-INCH WATERLINE IN CONJUNCTION WITH PHASE 1 OF THE PUENTE GRADE SEPARATION PROJECT, IN THE AMOUNT OF \$20,158.25**

AUTHORIZED LA PUENTE VALLEY COUNTY WATER DISTRICT TO PURCHASE THE MATERIALS IN ACCORDANCE WITH THE MANAGEMENT AGREEMENT.

**6. CONSIDERATION TO SOLICIT PROPOSALS FOR DESIGN SERVICES FOR THE REPAINTING OF THE AZUSA AVENUE BRIDGE OVER VALLEY BOULEVARD AND THE UNION PACIFIC RAILROAD WITH \$289,493.00 IN FEDERAL HIGHWAY ADMINISTRATION (FHWA) FUNDS**

APPROVED THE SOLICITATION OF PROPOSALS.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 3

---

7. **CONSIDERATION OF RESOLUTION NO. CC 2015-17 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, DELEGATING AUTHORITY TO THE CITY TREASURER AND ACTING CITY TREASURER TO INVEST CITY FUNDS.**

ADOPTED RESOLUTION NO. CC 2015-17.

8. **CONSIDERATION TO AUTHORIZE THE SALE OF SAFE AND SANE FIREWORKS TO THE FOLLOWING APPLICANTS:**

**FRIENDS OF INDUSTRY SHERIFF'S STATION, WORKMAN HIGH SCHOOL ATHLETIC BOOSTERS, BASSETT HIGH SCHOOL OLYMPIAN BOOSTER, WILSON HIGH SCHOOL ATHLETICS BOOSTERS, ROWLAND HIGH SCHOOL HUDDLE CLUB, LA PUENTE HIGH SCHOOL ATHLETICS, NOGALES HIGH SCHOOL REGIMENT BOOSTERS, LOS ALTOS HIGH SCHOOL QUARTERBACK CLUB, BISHOP AMAT MEMORIAL HIGH SCHOOL, LYLE OLSEN MEMORIAL FOUNDATION, WEST COVINA YOUTH PONY BASEBALL, SOUTHLAND CHRISTIAN HIGH SCHOOL, CORY LIDLE FOUNDATION, KNIGHTS OF COLUMBUS #6028, BASSET EDUCATION FOUNDATION, NORTH VIEW VIKINGS BASEBALL, PRAISE CHAPEL, LA PUENTE, A PLACE OF HOPE, KIWANIS CLUB OF HACIENDA HEIGHTS, SAN GABRIEL VALLEY YMCA.**

AUTHORIZED THE SALE OF SAFE AND SANE FIREWORKS SUBJECT TO THE REGULATIONS SET FORTH IN THE INDUSTRY MUNICIPAL CODE SECTION 15.28.

**PUBLIC HEARING REGARDING EMERGENCY WATER SHORTAGE CONDITIONS AND TO SET MANDATORY CONSERVATION MEASURES FOR THE CITY OF INDUSTRY WATERWORKS SYSTEM**

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

Mr. Greg Galindo, General Manager of the La Puente Valley Water District, presented a report to the City Council.

Mayor Spohn inquired if anyone wished to be heard on the matter. There were no comments.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 4

---

MARCELLIN TO CLOSE THE PUBLIC HEARING. MOTION 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-09 - A RESOLUTION OF CITY COUNCIL OF THE CITY OF INDUSTRY DECLARING EMERGENCY WATER SHORTAGE CONDITIONS AND ADOPTING MANDATORY WATER CONSERVATION MEASURES CONSISTENT WITH THOSE IMPOSED BY THE STATE WATER RESOURCES CONTROL BOARD ON THE DELIVERY AND CONSUMPTION OF WATER FOR PUBLIC USE**

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO ADOPT RESOLUTION NO. CC 2015-09. MOTION 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF ANNUAL BUDGET SUBMITTED BY THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY FOR FISCAL YEAR 2015-2016.**

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

MOTION BY COUNCIL MEMBER MARCELLIN, AND SECOND BY COUNCIL MEMBER HABER TO NOT APPROVE THE BUDGET, AND DIRECTED STAFF TO WORK WITH THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY BOARD TO STUDY VIABLE OPTIONS TO REDUCE THE BUDGET DEFICIT. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-10 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ESTABLISHING THE 2015-2016 APPROPRIATIONS LIMITATION AND SELECTING THE GROWTH IN THE CALIFORNIA PER CAPITA INCOME AND COUNTY POPULATION GROWTH ADJUSTMENT FACTORS FOR THE CITY PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION**

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

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO ADOPT RESOLUTION NO. CC 2015-10. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-11 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A BUDGET FOR**

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 5

---

**THE FISCAL YEAR 2015-2016**

Mr. Dean Yamagata from Frazer LLP, the City's contracted Finance Department, presented a report to the City Council.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO ADOPT RESOLUTION NO. CC 2015-11. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-12 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING A SALARY RANGE SCHEDULE FOR CITY EMPLOYEES AND OFFICERS**

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

MOTION BY COUNCIL MEMBER MARCELLIN, AND SECOND BY HABER TO ADOPT RESOLUTION NO. CC 2015-12. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-15 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AUTHORIZING THE CREATION OF A CITY OPERATING RESERVE FUND, SPECIAL REVENUE OPERATING RESERVE, ENTERPRISE FUND OPERATING RESERVE, AND A CITY CAPITAL IMPROVEMENT RESERVE FUND AND AUTHORIZING CERTAIN APPROPRIATION TO VARIOUS FUNDS**

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

MOTION BY MARCELLIN, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT RESOLUTION CC 2015-15. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF ORDINANCE NO. 792 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING AND RESTATING MUNICIPAL CODE CHAPTER 13.16 PERTAINING TO STORMWATER RUNOFF AND URBAN RUNOFF POLLUTION CONTROL AND REPEALING CHAPTER 13.17 PERTAINING TO STANDARD URBAN STORMWATER MITIGATION PLAN IMPLEMENTATION  
(FIRST READING)**

City Engineer Ballas presented a staff report to the City Council. Mr. Josh Nelson, Senior Project Manager from CNC Engineering, also presented a report to the City Council.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 6

---

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 792. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-16 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING A GREEN STREET POLICY**

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

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO ADOPT RESOLUTION NO. CC 2015-16. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF AN AGREEMENT BETWEEN THE LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY AND THE CITY OF INDUSTRY FOR COST SHARING FOR THE INSTALLATION OF MONITORING EQUIPMENT AND MONITORING PURSUANT TO THE HARBOR TOXIC POLLUTANTS TMDL**

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

MOTION BY COUNCIL MEMBER MARCELLIN, AND SECOND BY COUNCIL MEMBER HABER TO APPROVE THE AGREEMENT. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF A TRAFFIC ANALYSIS REPORT PREPARED FOR THE ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY IDENTIFYING IMPACTS TO NOGALES STREET DURING THE CONCURRENT CLOSURE OF THE FAIRWAY DRIVE AND FULLERTON ROAD GRADE SEPARATION PROJECTS FOR THE PERIOD OF SEPTEMBER 2016 THROUGH JUNE 2018**

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

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO APPROVE THE TRAFFIC ANALYSIS AND RECOMMENDED MITIGATION MEASURES. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 7

---

**CONSIDERATION TO SOLICIT PROPOSALS FOR PROFESSIONAL SERVICES RELATED TO THE CREATION OF QUIET ZONES AT VARIOUS LOCATIONS ALONG THE UNION PACIFIC RAILROAD**

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

City Engineer Ballas indicated that the City received correspondence from Mr. Don C. Moss, Avocado Heights Community Advocate, to include working cooperatively with Los Angeles County for two additional quiet zones. The correspondence was distributed to the City Council, and a copy of the correspondence is on file with the City Clerk's office.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO APPROVE THE SOLICITATION OF PROPOSALS AND DIRECT STAFF TO CONTACT THE COUNTY OF LOS ANGELES FOR THEIR COOPERATION TO INCLUDE TWO ADDITIONAL QUIET ZONES AT VINELAND AVENUE AND TEMPLE AVENUE GRADE CROSSINGS WHICH ARE PARTIALLY LOCATED IN THE UNINCORPORATED AREA OF LOS ANGELES COUNTY. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF DEVELOPMENT PLAN APPLICATION NO. 14-9 SUBMITTED BY QUINN DEVELOPMENT, LLC TO CONSTRUCT AN 80,000 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 125 ORANGE AVENUE**

Senior Planner Helling presented a staff report to the City Council.

**CONSIDERATION OF RESOLUTION NO. CC 2015-13 - 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. 14-9 TO ALLOW THE CONSTRUCTION OF AN 80,000 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 125 ORANGE AVENUE 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 TO ADOPT RESOLUTION NO. CC 2015-13. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF RESOLUTION NO. CC 2015-14 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING DEVELOPMENT PLAN NO. 14-9 TO ALLOW THE CONSTRUCTION OF AN 80,000 SQUARE FOOT**

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 8

---

**INDUSTRIAL BUILDING LOCATED AT 125 ORANGE AVENUE IN THE CITY OF INDUSTRY, WITHIN THE "M-INDUSTRIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF**

MOTION BY COUNCIL MEMBER MARCELLIN, AND SECOND BY COUNCIL HABER TO ADOPT RESOLUTION NO. CC 2015 -14. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF DEVELOPMENT PLAN APPLICATION 15-8 SUBMITTED BY ART WEISS, INC. TO IMPROVE AN EXISTING SITE AND BUILDING LOCATED AT 15130 NELSON AVENUE**

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

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER MARCELLIN TO APPROVE DEVELOPMENT PLAN NO. 15-8 SUBMITTED BY ART WEISS, INC. BASED ON THE FINDINGS AND STANDARD REQUIREMENTS AND CONDITIONS. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

**CONSIDERATION OF ORDINANCE NO. 791 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, REPEALING CHAPTER 9.26 (ELECTRONIC GAMES AND DEVICES) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE INDUSTRY MUNICIPAL CODE (FIRST READING)**

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

MOTION BY COUNCIL MEMBER MARCELLIN, AND SECOND BY COUNCIL MEMBER HABER TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 791. MOTION CARRIED 3-0, WITH MAYOR PRO TEM PARRIOTT AND COUNCIL MEMBER FERRERO ABSENT.

Mayor Spohn indicated the City Council would take a 10 minute recess.

Mr. Stephen Larson of Arent Fox LLP, addressed the City Council, indicating a complaint had not been served against his clients, and strongly advised the City Council to reconsider serving the complaint against the Perezes.

The City Council recessed at 9:50 a.m.

Mayor Spohn reconvened the meeting at 10:00 a.m. All members of the City Council were



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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 9

---

present, except Mayor Pro Tem Parriott and Council Member Ferrero, who were 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): Five Potential Cases.
  
- B CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):  
One Case.

There were no public comments on the Closed Session items.

Mayor Spohn recessed the meeting into Closed Session at 10:01 a.m.

**RECONVENE CITY COUNCIL MEETING**

Mayor Spohn reconvened the meeting at 10:36 a.m. All members of the City Council were present, except for Mayor Pro Tem Parriott and Council Member Ferrero, who were absent.

With regard to Closed Session item A, Case One, the City Council took no reportable action.

With regard to Closed Session item A, Case Two, the City Council took no reportable action.

With regard to Closed Session item A, Case Three, the City Council took no reportable action.

With regard to Closed Session item A, Case Four, the City Council took no reportable action.

With regard to Closed Session item A, Case Five, the City Council took no reportable action.

City Attorney Vadon stated there was no discussion for Closed Session item B.

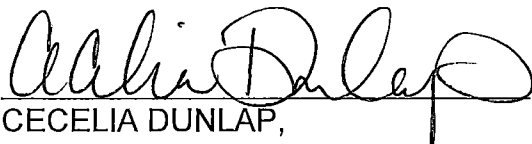
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CITY COUNCIL SPECIAL MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MAY 28, 2015  
PAGE 10

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**ADJOURNMENT**

There being no further business, the City Council adjourned.

  
CECELIA DUNLAP,  
DEPUTY CITY CLERK

  
MARK D. RADECKI, MAYOR