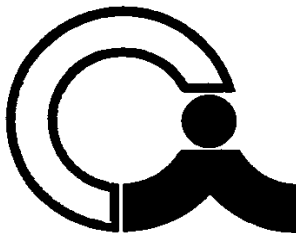


CITY OF INDUSTRY

CITY COUNCIL
REGULAR MEETING AGENDA

JANUARY 8, 2015
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.

-
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 Review of Actions for City Goods and Services for registers dated December 25, 2014 and January 8, 2015.

RECOMMENDED ACTION: Receive and file.

- 5.2 Consideration of the minutes of the November 13, 2014 regular meeting; November 13, 2014 special meeting; and November 20, 2014 special meeting.

RECOMMENDED ACTION: Approve as submitted.

- 5.3 Consideration of Statement of Investment Policy.

RECOMMENDED ACTION: Approve as submitted.

- 5.4 Consideration of the Conflict of Interest Code for the Civic-Recreational-Industrial Authority.

RECOMMENDED ACTION: Approve, receive and file.

- 5.5 Consideration of the Conflict of Interest Code for the Industry Property and Housing Management Authority.

RECOMMENDED ACTION: Approve, receive and file.

- 5.6 Consideration of the Conflict of Interest Code for the Industry Public Facilities Authority.

RECOMMENDED ACTION: Approve, receive and file.

- 5.7 Consideration of the Conflict of Interest Code for the Successor Agency to the Industry Urban-Development Agency.

RECOMMENDED ACTION: Approve, receive and file.

6. **PUBLIC HEARINGS**

- 6.1 Public Hearing regarding Zone Amendment 14-1 to amend the Municipal Code to include emergency homeless shelters, residential care facilities, and supportive and transitional housing.

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)

RECOMMENDED ACTION: Waive further reading, and introduce Ordinance No. 787.

- 6.2 Public Hearing regarding Zone Amendment 14-3 to incorporate the Recreation and Open Space Zone into the Municipal Code and Zoning Map.

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)

RECOMMENDED ACTION: Waive further reading, and introduce Ordinance No. 786.

7. **CITY MANAGER MATTERS**

- 7.1 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.

RECOMMENDED ACTION: Approve the Agreement.

8. **CITY ENGINEER MATTERS**

- 8.1 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.

RECOMMENDED ACTION: Approve the Agreement.

9. **CLOSED SESSION**

- 9.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Two Potential Cases.

9.2 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

10. Adjournment. Next regular meeting: Thursday, January 22, 2015 at 9:00 a.m.

CITY COUNCIL

ITEM NO. 5.1

CITY OF INDUSTRY
ACTIONS FOR CITY GOODS AND SERVICES
December 25, 2014

FUND RECAP:

<u>FUND</u>	<u>DESCRIPTION</u>	<u>DISBURSEMENTS</u>
100	GENERAL FUND	2,466,316.21
105	AQMD GRANT FUND	2,196.32
120	CAPITAL IMPROVEMENT FUND	113,858.42
161	IPUC - ELECTRIC	602,266.16
440	INDUSTRY PUBLIC FACILITY AUTHORITY	2,142.00
TOTAL ALL FUNDS		3,186,779.11

BANK RECAP:

<u>BANK</u>	<u>NAME</u>	<u>DISBURSEMENTS</u>
BOFA	BANK OF AMERICA - CKING ACCOUNTS	557,518.58
REF	REFUSE - CKING ACCOUNT	400,246.90
WFBK	WELLS FARGO- CKING ACCOUNT	2,229,013.63
TOTAL ALL BANKS		3,186,779.11

**CITY OF INDUSTRY
BANK OF AMERICA
December 25, 2014**

Check	Date	Payee Name	Check Amount
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CITYELEC.CHK - City Electric

1343	12/10/2014	VOIDED- PAPER JAM	\$0.00
<hr/>			
1344	12/09/2014	CITY OF INDUSTRY	\$437,518.58
	Invoice	Date	Amount
	12/9/14	12/09/2014	\$437,518.58
<hr/>			

CITYGEN.CHK - City General

24234	12/10/2014	CIVIC RECREATIONAL INDUSTRIAL	\$120,000.00
	Invoice	Date	Amount
	12/10/14	12/10/2014	\$120,000.00
		Description	
		TRANSFER FUNDS-CRIA A/P	
<hr/>			

Checks	Status	Count	Transaction Amount
	Total	3	\$557,518.58

**CITY OF INDUSTRY
WELLS FARGO REFUSE
December 25, 2014**

Check	Date		Payee Name	Check Amount
REFUSE - Refuse Account				
4124	12/04/2014		CITY OF INDUSTRY DISPOSAL CO.	\$199.36
	Invoice	Date	Description	Amount
	12/4/14	12/04/2014	REFUND ON VVS ACCT #084276	\$199.36
4125	12/04/2014		VALOR AUTO COMPANION	\$47.54
	Invoice	Date	Description	Amount
	12/4/14	12/04/2014	REFUND ON ACCT #010494	\$47.54
4126	12/04/2014		CITY OF INDUSTRY	\$400,000.00
	Invoice	Date	Description	Amount
	12/4/14	12/04/2014	INVESTMENT	\$400,000.00

Check	Status	Count	Transaction Amount
	Total	3	\$400,246.90

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date			Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo					
60460	12/05/2014			L A COUNTY TAX COLLECTOR	\$112.14
	Invoice	Date	Description	Amount	
	8709 027 271 14	12/05/2014	F/Y 14/15-EAST END	\$112.14	
60461	12/09/2014			EASYLINK SERVICES	\$56.33
	Invoice	Date	Description	Amount	
	07634191412	12/02/2014	FAX SVC-NOV 2014	\$56.33	
60462	12/09/2014			GAS COMPANY, THE	\$166.50
	Invoice	Date	Description	Amount	
	1135HATCH-DEC14	12/03/2014	10/28-12/01/14 SVC - 1135 HATCHER AVE	\$25.57	
	2015-00000688	12/03/2014	10/28-12/01/14 SVC - 710 NOGALES ST	\$16.77	
	2015-00000689	12/05/2014	10/29-12/03/14 SVC - 1 INDUSTRY HILLS PKWY	\$17.26	
	2015-00000690	12/05/2014	10/30-12/03/14 SVC - 2700 CHINO HILLS PKWY	\$64.12	
	2015-00000696	12/08/2014	11/03-12/04/14 SVC - 15633 RAUSCH RD	\$42.78	
60463	12/09/2014			SO CALIFORNIA EDISON COMPANY	\$8,042.56
	Invoice	Date	Description	Amount	
	2015-00000681	12/02/2014	11/01-12/01/14 SVC - 1 VALLEY/AZUSA	\$16.80	
	2015-00000682	12/02/2014	11/01-12/01/14 SVC - VARIOUS SITES	\$1,658.04	
	2015-00000683	12/05/2014	11/03-12/04/14 SVC - 208 S WADDINGHAM WAY CP	\$144.89	
	2015-00000684	12/06/2014	10/15-11/13/14 SVC - 1000 M ST LS-3	\$61.98	
	2015-00000685	12/06/2014	10/28-11/26/14 SVC - 15660 STAFFORD ST	\$1,666.95	
	2015-00000686	12/06/2014	11/03-12/04/14 SVC - 15625 STAFFORD ST	\$4,082.60	
	2015-00000687	12/06/2014	11/01-12/05/14 SVC - 133 N AZUSA AVE	\$411.30	
60464	12/09/2014			SUBURBAN WATER SYSTEMS	\$157.52
	Invoice	Date	Description	Amount	
	180030661830	12/04/2014	11/05-12/04/14 SVC - NE CNR VALLEY/STIMS	\$157.52	
60465	12/09/2014			TELEPACIFIC COMMUNICATIONS	\$917.93

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check	Amount
CITY.WF.CHK - City General Wells Fargo					
	Invoice	Date	Description		Amount
	61839923-0	11/30/2014	INTERNET SVC-METRO SOLAR		\$917.93
60466	12/09/2014		VERIZON		\$255.40
	Invoice	Date	Description		Amount
	2015-00000691	11/25/2014	11/25-12/24/14 SVC - ELECTRIC MODEM		\$60.78
	2015-00000692	11/25/2014	11/25-12/24/14 SVC - ELECTRIC MODEM		\$51.21
	2015-00000693	11/28/2014	11/28-12/27/14 SVC - ELECTRIC MODEM		\$29.19
	2015-00000694	11/28/2014	11/28-12/27/14 SVC - ELECTRIC MODEM		\$53.44
	2015-00000695	11/28/2014	11/28-12/27/14 SVC - ELECTRIC MODEM		\$60.78
60467	12/09/2014		VERIZON WIRELESS - LA		\$669.06
	Invoice	Date	Description		Amount
	9736183165	11/26/2014	10/27-11/26/14 SVC - WIRELESS SVC		\$669.06
60468	12/09/2014		WEX BANK		\$154.37
	Invoice	Date	Description		Amount
	38987695	11/30/2014	FUEL-CITY VEHICLES		\$154.37
60469	12/16/2014		AT & T		\$8.67
	Invoice	Date	Description		Amount
	2015-00000719	12/01/2014	12/01-12/31/14 SVC - CITY WHITE PAGES		\$8.67
60470	12/16/2014		AT & T		\$398.00
	Invoice	Date	Description		Amount
	8957684470	12/01/2014	12/01-12/31/14 SVC - METROLINK		\$222.00
	8187736209	11/23/2014	10/19-11/18/14 SVC - METROLINK		\$176.00
60471	12/16/2014		EXXON MOBIL		\$853.96
	Invoice	Date	Description		Amount
	72006767412	12/09/2014	FUEL-SECURITY VEHICLES		\$853.96

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date	Payee Name		Check Amount
CITY.WF.CHK - City General Wells Fargo				
60472	12/16/2014	GAS COMPANY, THE		\$387.67
	Invoice	Date	Description	Amount
	2015-00000720	12/08/2014	11/03-12/04/14 SVC - 15625 STAFFORD ST APT A	\$30.99
	2015-00000721	12/08/2014	11/03-12/04/14 SVC - 15625 STAFFORD ST APT B	\$30.99
	15718RAUSC-DEC14	12/08/2014	11/03-12/04/14 SVC - 15718 RAUSCH RD REAR (BACK)	\$32.96
	2015-00000722	12/09/2014	11/03-12/06/14 SVC - 15651 STAFFORD ST	\$194.62
	2015-00000723	12/09/2014	11/01-12/01/14 SVC - 1 INDUSTRY HILLS PKWY UNIT	\$98.11
60473	12/16/2014	NOBLE AMERICAS ENERGY		\$115,565.75
	Invoice	Date	Description	Amount
	143440004005715	10/10/2014	WHOLESALE USE-NOV 2014	\$115,565.75
60474	12/16/2014	PAETEC COMMUNICATIONS		\$699.07
	Invoice	Date	Description	Amount
	57980185	12/10/2014	PHONE SVC-DEC 2014	\$699.07
60475	12/16/2014	RICOH USA, INC.		\$3,768.85
	Invoice	Date	Description	Amount
	43751611	12/06/2014	ACCTG COPIER-DEC 2014	\$602.71
	43747835	12/06/2014	COPIER LEASE-DEC 2014	\$3,166.14
60476	12/16/2014	SHELL		\$890.92
	Invoice	Date	Description	Amount
	8000073489412	12/05/2014	FUEL-CITY VEHICLES	\$890.92
60477	12/16/2014	SO CALIFORNIA EDISON COMPANY		\$19,798.96
	Invoice	Date	Description	Amount
	2015-00000707	12/09/2014	11/01-12/01/14 SVC - NOGALES ST/SAN JOSE AVE	\$624.08
	1135HATCH-DEC14	12/09/2014	11/05-12/08/14 SVC - 1135 HATCHER AVE	\$389.19
	1123AHATCH-DEC14	12/09/2014	11/05-12/08/14 SVC - 1123 HATCHER AVE STE A	\$244.97

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	2015-00000708	12/10/2014	11/01-12/01/14 SVC - 208 S WADDINGHAM WAY	\$17,269.20
	2015-00000709	12/10/2014	11/05-12/08/14 SVC - VARIOUS SITES	\$159.64
	2015-00000710	12/11/2014	11/01-12/01/14 SVC - GALE AVE/L ST	\$37.04
	2015-00000711	12/12/2014	10/14-12/09/14 SVC - VALLEY BLVD U-VARIOUS SITES	\$921.34
	2015-00000712	12/12/2014	11/08-12/11/14 SVC - 575 BALDWIN PARK AVE U	\$78.74
	2015-00000713	12/13/2014	11/10-12/12/14 SVC - 490 7TH U	\$74.76
60478	12/16/2014		VERIZON	\$1,210.54
	Invoice	Date	Description	Amount
	2015-00000701	12/01/2014	12/01-12/31/14 SVC - GENERATOR SITE-TELEMETRY	\$56.23
	2015-00000702	12/01/2014	12/01-12/31/14 SVC - GENERATOR SITE-TELEMETRY	\$53.44
	2015-00000703	12/01/2014	12/01-12/31/14 SVC - VARIOUS SITES	\$959.39
	2015-00000704	12/04/2014	12/04-01/03/15 SVC - GENERATOR SITE-TELEMETRY	\$56.23
	2015-00000705	12/04/2014	12/04-01/03/15 SVC - ELECTRIC MODEM	\$60.78
	2015-00000706	12/07/2014	12/07-01/06/15 SVC - GENERATOR SITE-TELEMETRY	\$24.47
60479	12/16/2014		VERIZON BUSINESS	\$87.40
	Invoice	Date	Description	Amount
	62637887	12/10/2014	11/01-11/30/14 SVC - VARIOUS SITES	\$87.40
60480	12/16/2014		VERIZON BUSINESS	\$25.25
	Invoice	Date	Description	Amount
	HATCH62637886	12/10/2014	11/01-11/30/14 SVC - HATCHER	\$25.25
60481	12/16/2014		WALNUT VALLEY WATER DISTRICT	\$3,409.78
	Invoice	Date	Description	Amount
	1827778	12/09/2014	11/01-12/01/14 SVC - IRR 820 FAIRWAY DR	\$64.06
	1827830	12/09/2014	11/01-12/01/14 SVC - LEMON AVE N OF CURRIER	\$37.99
	1827864	12/09/2014	11/01-12/01/14 SVC - BREA CYN RD & OLD RANCH RD	\$29.05
	1827879	12/09/2014	11/01-12/01/14 SVC - FERRERO & GRAND EAST	\$470.83
	1827897	12/09/2014	11/01-12/01/14 SVC - BAKER PKWY METER #1	\$249.27

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
1827898	12/09/2014		11/01-12/01/14 SVC - BAKER PKWY METER #2	\$237.13
1827904	12/09/2014		11/01-12/01/14 SVC - GRAND AVE CROSSING	\$171.40
1827905	12/09/2014		11/01-12/01/14 SVC - GRAND AVE CROSSING	\$71.37
1827907	12/09/2014		11/01-12/01/14 SVC - 22002 VALLEY BLVD	\$188.48
1827924	12/09/2014		11/01-12/01/14 SVC - 21350 VALLEY-MEDIAN	\$55.87
1827925	12/09/2014		11/01-12/01/14 SVC - GRAND CROSSING EAST	\$36.50
1827926	12/09/2014		11/01-12/01/14 SVC - GRAND CROSSING WEST	\$58.85
1827927	12/09/2014		11/01-12/01/14 SVC - BAKER PKWY & GRAND N/W	\$1,424.43
1827934	12/09/2014		11/01-12/01/14 SVC - E/S GRAND S/O BAKER	\$113.23
1827940	12/09/2014		11/01-12/01/14 SVC - BREA CYN N OF RR TRKS	\$70.72
1827941	12/09/2014		11/01-12/01/14 SVC - BREA CYN N OF CURRIER	\$20.06
1827943	12/09/2014		11/01-12/01/14 SVC - 60 FWY INTERCHANGE @	\$20.06
1828606	12/10/2014		11/05-12/02/14 SVC - PUMP STN N/W CHERYL	\$21.60
1828625	12/10/2014		11/05-12/02/14 SVC - PUMP STN BREA CYN	\$22.70
1828850	12/10/2014		11/05-12/02/14 SVC - NOGALES PUMP STN	\$46.18
60482	12/25/2014		ALVAKA NETWORKS	\$12,560.17
	Invoice	Date	Description	Amount
	153537	12/01/2014	ADD'L NET MAINT-JAN 2015	\$6,020.00
	153565	12/01/2014	NETWORK MAINT-JAN 2015	\$6,540.17
60483	12/25/2014		APPLIED METERING	\$1,250.23
	Invoice	Date	Description	Amount
	5087	12/04/2014	METER MAINT-OCT 2014	\$1,250.23
60484	12/25/2014		AQUA BACKFLOW & CHLORINATION	\$972.33
	Invoice	Date	Description	Amount
	33933	11/10/2014	B/F CERTIFICATION-VARIOUS SITES	\$972.33
60485	12/25/2014		AVANT-GARDE, INC	\$1,185.00
	Invoice	Date	Description	Amount

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	3593	11/21/2014	PROJECT MGMT FOR CITY BRIDGES	\$1,185.00
60486	12/25/2014		BOYS & GIRLS CLUB OF SAN	\$4,300.00
	Invoice	Date	Description	Amount
	2689	11/30/2014	GRAFFITI REMOVAL-NOV 2014	\$4,300.00
60487	12/25/2014		BRH COMMUNICATIONS	\$1,291.00
	Invoice	Date	Description	Amount
	1423	10/06/2014	SET UP DVR FOR SECURITY CAMERA-208	\$1,291.00
60488	12/25/2014		BRYAN PRESS	\$917.79
	Invoice	Date	Description	Amount
	71733	12/04/2014	LETTERHEAD-IDA	\$193.48
	71727	12/09/2014	COI-ENVELOPES #9	\$724.31
60489	12/25/2014		BURKE, WILLIAMS & SORENSEN,	\$148,051.65
	Invoice	Date	Description	Amount
	183906	12/09/2014	RETAINER-NOV 2014	\$17,785.00
	183907	12/09/2014	PROF SVC-NOV 2014	\$130,266.65
60490	12/25/2014		BURKE, WILLIAMS & SORENSEN,	\$26,073.64
	Invoice	Date	Description	Amount
	12/9/14	12/09/2014	PROF SVC-NOV 2014	\$26,073.64
60491	12/25/2014		CAL BLEND SOILS, INC.	\$436.00
	Invoice	Date	Description	Amount
	48647	10/31/2014	LANDSCAPE SUPPLIES	\$436.00
60492	12/25/2014		CALICO BUILDING SERVICES, INC	\$1,473.82
	Invoice	Date	Description	Amount
	1005591	11/06/2014	INSTALLED BULLETIN BOARDS-CITY HALL	\$190.53

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	1005706	11/14/2014	INSTALLED BULLETIN BOARDS-CITY HALL	\$647.32
	1005707	11/20/2014	INSTALLED BULLETIN BOARDS-CITY HALL	\$635.97
60493	12/25/2014		CASC ENGINEERING AND	\$1,666.00
	Invoice	Date	Description	Amount
	32435	10/31/2014	NPDES ENG SVC-FOLLOW'S CAMP	\$1,666.00
60494	12/25/2014		CHEM PRO LABORATORY, INC	\$283.00
	Invoice	Date	Description	Amount
	583290	11/23/2014	WATER TREATMENT-NOV 2014	\$283.00
60495	12/25/2014		CITY OF INDUSTRY DISPOSAL CO.	\$2,362.08
	Invoice	Date	Description	Amount
	1946476	11/30/2014	MO SVC-CITY RESIDENCES	\$2,362.08
60496	12/25/2014		CITY OF INDUSTRY-MEDICAL	\$6,000.00
	Invoice	Date	Description	Amount
	REG 12/25/14	12/15/2014	TRANSFER FUNDS-MEDICAL	\$6,000.00
60497	12/25/2014		CITY OF INDUSTRY-PAYROLL ACCT	\$125,000.00
	Invoice	Date	Description	Amount
	P/R 12/15/14	12/15/2014	REIMBURSE PAYROLL 12/15/14	\$125,000.00
60498	12/25/2014		CITY OF INDUSTRY-REFUSE	\$11,541.62
	Invoice	Date	Description	Amount
	1951385	11/30/2014	DISP SVC-SOUTHERN CONTRACTING	\$471.39
	1951640	12/30/2014	DISP SVC-FAIRWAY WIDENING	\$3,148.80
	1950813	12/01/2014	DISP SVC-CITY BUS STOPS	\$4,376.33
	1950435-A	12/01/2014	DISP SVC-205 HUDSON	\$278.59
	1950435-B	12/01/2014	DISP SVC-841 7TH	\$184.24
	1951445	11/30/2014	DISP SVC-1123 HATCHER	\$2,000.75

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	1951446	11/30/2014	DISP SVC-CAMP COURAGE	\$466.96
	1944421	11/01/2014	DISP SVC-TRES HERMANOS	\$276.76
	1950170	12/01/2014	DISP SVC-TRES HERMANOS	\$138.38
	1950169	12/01/2014	DISP SVC-CITY HALL	\$199.42
60499	12/25/2014		CM SERVICE, INC.	\$1,973.83
	Invoice	Date	Description	Amount
	222255	12/04/2014	A/C MAINT-EL ENCANTO	\$1,973.83
60500	12/25/2014		CNC ENGINEERING	\$161,317.67
	Invoice	Date	Description	Amount
	42669	11/26/2014	PARKING LOT EAST OF PARRIOTT PLACE WEST	\$313.76
	42701	12/11/2014	66KV ELECTRICAL SUBSTATION FACILITY	\$2,623.50
	42702	12/11/2014	GRAND AVE RECONSTRUCTION	\$552.00
	42703	12/11/2014	FAIRWAY DR/WALNUT DR INTERSECTION	\$162.71
	42704	12/11/2014	ON-CALL STREET MAINT PROGRAM	\$1,290.02
	42705	12/11/2014	SAN JOSE AVE WIDENING	\$4,801.27
	42706	12/11/2014	GALE AVE STREET IMPROVEMENTS	\$2,924.81
	42707	12/11/2014	CLARK AVE WIDENING	\$1,609.61
	42708	12/11/2014	GENERAL ENG SVC-CIP	\$36,914.78
	42709	12/11/2014	GENERAL ENG SVC-11/24-12/7/14	\$59,303.80
	42710	12/11/2014	TONNER CYN PROPERTY	\$916.90
	42711	12/11/2014	CITY ELECTRICAL FACILITIES	\$2,182.01
	42712	12/11/2014	CITY HALL BUILDING	\$1,073.78
	42714	12/11/2014	RESURFACING-VARIOUS STREETS	\$760.02
	42715	12/11/2014	TRAFFIC SIGNAL AT DON JULIAN/SIXTH AVE	\$2,997.15
	42716	12/11/2014	SANITATION DISTRICT INTERMODEL FACILITY	\$244.07
	42717	12/11/2014	INDUSTRY HILLS IMPROVEMENTS	\$156.88
	42718	12/11/2014	INDUSTRY HILLS-FUEL TANKS/DIESEL DISPENSING	\$1,098.16
	42719	12/11/2014	PROPERTY MGMT-CITY OWNED PROPERTIES	\$2,423.08
	42720	12/11/2014	FISCAL YEAR BUDGET	\$1,353.09

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
42721	12/11/2014		FOLLOW'S CAMP PROPERTY	\$2,138.29
42722	12/11/2014		CROSSROADS PKY SOUTH PAVEMENT	\$470.64
42723	12/11/2014		VARIOUS ASSIGNMENTS RE: SA TO IUDA	\$5,371.03
42724	12/11/2014		AQMD GRANT FOR ELEC CAR CHARGING STATIONS	\$2,196.32
42725	12/11/2014		NEW T/S AT VALLEY BL/ALDERTON AVE	\$1,348.32
42726	12/11/2014		REPAIRS/UPGRADES-STORM WATER PUMP	\$2,711.75
42727	12/11/2014		CITY MAINTAINED LANDSCAPE AREAS	\$1,266.70
42728	12/11/2014		CIVIC FINANCIAL CENTER LANDSCAPING	\$2,353.20
42729	12/11/2014		BIXBY DR SIDEWALK	\$964.60
42730	12/11/2014		CITY OWNED PROPERTY-BLDG MAINT	\$820.44
42732	12/11/2014		FULLERTON RD GRADE SEPARATION	\$11,677.49
42733	12/11/2014		ALAMEDA CORRIDOR EAST RELATED PROJECTS	\$162.71
42734	12/11/2014		NOGALES GRADE SEPARATION	\$5,253.92
42713	12/11/2014		HOMESTEAD MUSEUM MAINT	\$313.76
42731	12/11/2014		1123 HATCHER AVE MAINT	\$567.10
60501	12/25/2014		CORELOGIC INFORMATION	\$175.00
	Invoice	Date	Description	Amount
	81335958	11/30/2014	GEOGRAPHIC PKG-NOV 2014	\$175.00
60502	12/25/2014		DEPT OF ANIMAL CARE & CONTROL	\$2,876.89
	Invoice	Date	Description	Amount
	12/15/14	12/15/2014	SHELTER COSTS-NOV 2014	\$2,876.89
60503	12/25/2014		DEPT OF TRANSPORTATION	\$55,281.36
	Invoice	Date	Description	Amount
	15003125	12/02/2014	COOP 07-4832 FOR OCT 2014	\$55,281.36
60504	12/25/2014		EADIE & PAYNE, LLP	\$26,369.00
	Invoice	Date	Description	Amount
	124890	12/04/2014	COI-AUDIT FY 13/14	\$24,227.00

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	124893	12/04/2014	IPFA-AUDIT FY 13/14	\$2,142.00
60505	12/25/2014		ELLISON, SCHNEIDER & HARRIS,	\$747.50
	Invoice	Date	Description	Amount
	24974	10/31/2014	PROF SVC-OCT 2014	\$747.50
60506	12/25/2014		ENCO UTILITY SERVICES	\$4,652.00
	Invoice	Date	Description	Amount
	0612-00030S	12/03/2014	SYSTEM MONITORING-NOV 2014	\$2,846.00
	0113-0023MR	12/03/2014	METER READING SVC-NOV 2014	\$1,806.00
60507	12/25/2014		FEDERAL EXPRESS CORP.	\$237.19
	Invoice	Date	Description	Amount
	2-873-34187	12/12/2014	MESSENGER SVC	\$237.19
60508	12/25/2014		FRAZER, LLP	\$53,787.00
	Invoice	Date	Description	Amount
	134807	11/30/2014	COI-ACCTG SVC 11/16-11/30/14	\$24,160.00
	134853	11/30/2014	COI-CONSULTING SVC FOR NOV 2014	\$29,627.00
60509	12/25/2014		GMS ELEVATOR SERVICES, INC	\$134.00
	Invoice	Date	Description	Amount
	00076424	12/01/2014	MO SVC-ELEVATOR	\$134.00
60510	12/25/2014		GRAND CENTRAL RECYCLING &	\$2,943.24
	Invoice	Date	Description	Amount
	1952080	11/30/2014	GREEN-SOLID WASTE-NOV 2014	\$2,943.24
60511	12/25/2014		HADDICK'S AUTO BODY	\$120.00
	Invoice	Date	Description	Amount
	141629	10/30/2014	CONTAINER STORAGE	\$120.00

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
60512	12/25/2014		HISTORICAL RESOURCES, INC.	\$273,212.50
	Invoice	Date	Description	Amount
	12/5/14	12/05/2014	THIRD QTR-FY 2014-2015	\$273,212.50
60513	12/25/2014		INDUSTRY MANUFACTURERS	\$267,374.00
	Invoice	Date	Description	Amount
	12/15/14	12/15/2014	CITY CONTRACT-THIRD QTR OF FY 14/15	\$267,374.00
60514	12/25/2014		INDUSTRY SECURITY SERVICES	\$33,137.48
	Invoice	Date	Description	Amount
	14-12858	12/05/2014	SECURITY SVC 11/28-12/4/14	\$4,878.96
	14-12848	12/05/2014	SECURITY SVC 11/28-12/4/14	\$11,731.84
	14-12907	12/12/2014	SECURITY SVC 12/5-12/11/14	\$11,647.72
	14-12917	12/12/2014	SECURITY SVC 12/5-12/11/14	\$4,878.96
60515	12/25/2014		INTERNATIONAL LINE BUILDERS	\$1,265.76
	Invoice	Date	Description	Amount
	771905	11/11/2014	ELECTRICAL SVC-EAST END DEVELOPMENT	\$1,265.76
60516	12/25/2014		INTERTIE	\$9,600.00
	Invoice	Date	Description	Amount
	1652	12/10/2014	ENERGY CONS-METRO SOLAR	\$9,600.00
60517	12/25/2014		KIMLEY-HORN & ASSOCIATES, INC.	\$2,565.74
	Invoice	Date	Description	Amount
	6267236	10/31/2014	TRAFFIC ENGINEERING SVC	\$2,025.77
	6267233	10/31/2014	NOGALES GRADE SEPARATION	\$539.97
60518	12/25/2014		L A COUNTY DEPT OF PUBLIC	\$3,442.77
	Invoice	Date	Description	Amount

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	150000423	12/08/2014	PILOT ROUTINE MAINT	\$3,442.77
60519	12/25/2014		L A COUNTY REGISTRAR-	\$75.00
	Invoice	Date	Description	Amount
	ZA 14-3	12/12/2014	FEE-NOTICE OF EXEMPTION	\$75.00
60520	12/25/2014		L A COUNTY SHERIFF'S	\$666,343.15
	Invoice	Date	Description	Amount
	152097NH	12/10/2014	SPECIAL EVENT-HOLIDAY DEPLOYMENT	\$4,932.56
	151837NH	12/03/2014	SHERIFF CONTRACT-NOV 2014	\$661,410.59
60521	12/25/2014		L A COUNTY SHERIFF'S	\$21,244.51
	Invoice	Date	Description	Amount
	152096NH	12/10/2014	SPECIAL EVENT-DIRECTED PATROL	\$21,244.51
60522	12/25/2014		LA PUENTE VALLEY COUNTY	\$286.03
	Invoice	Date	Description	Amount
	BS; 11/14	11/19/2014	WATER MONITORING-BOY SCOUTS RES	\$286.03
60523	12/25/2014		MERRITT'S ACE HARDWARE	\$271.75
	Invoice	Date	Description	Amount
	082789	11/18/2014	MISC SUPPLIES	\$30.45
	083100	12/05/2014	MISC SUPPLIES	\$99.65
	082896	11/24/2014	MISC SUPPLIES	\$8.71
	083043	12/03/2014	MISC SUPPLIES	\$23.97
	083205	12/11/2014	MISC SUPPLIES	\$98.08
	083204	12/11/2014	MISC SUPPLIES	\$10.89
60524	12/25/2014		METHOD TECHNOLOGIES	\$23.75
	Invoice	Date	Description	Amount
	18343	09/19/2014	CITY WEBSITE UPGRADE	\$23.75

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date			Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo					
60525	12/25/2014			MX GRAPHICS, INC.	\$323.19
	Invoice	Date	Description	Amount	
	5486	11/05/2014	BLUEPRINT SVC-MP 0020	\$78.48	
	5490	11/06/2014	BLUEPRINT SVC-MP 0020	\$69.76	
	5559	11/17/2014	BLUEPRINT SVC-MP 09 06 13	\$34.88	
	5568	11/18/2014	BLUEPRINT SVC-MP 02 09	\$117.72	
	5613	11/24/2014	BLUEPRINT SVC-MP 08 09	\$22.35	
60526	12/25/2014			PLACEWORKS	\$4,145.79
	Invoice	Date	Description	Amount	
	55172	11/30/2014	ORANGE COUNTY CONTAINER COMPANY	\$3,074.54	
	55180	11/30/2014	STAFF SERVICES	\$1,071.25	
60527	12/25/2014			POSTMASTER	\$266.00
	Invoice	Date	Description	Amount	
	BOX #3366	12/01/2014	ANNUAL FEE FOR 2015	\$266.00	
60528	12/25/2014			R.F. DICKSON CO., INC.	\$19,617.91
	Invoice	Date	Description	Amount	
	2507139	11/30/2014	STREET SWEEPING-NOV 2014	\$19,617.91	
60529	12/25/2014			RICHARDS, WATSON & GERSHON	\$13,421.25
	Invoice	Date	Description	Amount	
	199103	11/25/2014	SPECIAL COUNSEL LEGAL ASSIGNMENTS	\$13,421.25	
60530	12/25/2014			RICKABUS, LEWIS S & GRACE M	\$3,500.00
	Invoice	Date	Description	Amount	
	JANUARY 2015	12/09/2014	LEASE OF STORAGE SPACE	\$3,500.00	
60531	12/25/2014			SCS ENERGY	\$2,065.82

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	Invoice	Date	Description	Amount
	0244320	10/31/2014	RECIPROCATING ENG-IND HILLS	\$2,065.82
60532	12/25/2014		SCS FIELD SERVICES	\$11,281.60
	Invoice	Date	Description	Amount
	0244879	11/30/2014	MAINT LANDFILL GAS SYSTEM	\$9,256.00
	20244882	11/30/2014	PP-4TH QTR ROUTINE SAMPLING	\$2,025.60
60533	12/25/2014		SNOWDEN ELECTRIC COMPANY,	\$31,352.00
	Invoice	Date	Description	Amount
	14-1352	11/30/2014	PREVENTIVE MAINT-VAROUS SITES	\$6,203.00
	14-1329	10/31/2014	STREET LIGHT MAINT	\$25,149.00
60534	12/25/2014		SOUTH COAST A.Q.M.D.	\$451.57
	Invoice	Date	Description	Amount
	2774643	11/18/2014	ICE ELEC GEN-DIESEL-15625 STAFFORD	\$331.81
	2775792	11/18/2014	FLAT FEE EMISSIONS-15625 STAFFORD	\$119.76
60535	12/25/2014		STAPLES BUSINESS ADVANTAGE	\$3,193.43
	Invoice	Date	Description	Amount
	8032238608	11/22/2014	OFFICE SUPPLIES	\$1,788.72
	8032030053	11/08/2014	OFFICE SUPPLIES	\$1,404.71
60536	12/25/2014		SWEINHART ELECTRIC COMPANY	\$319.00
	Invoice	Date	Description	Amount
	8122	11/18/2014	GENERATOR SVC-CITY HALL	\$319.00
60537	12/25/2014		THE 20/20 NETWORK	\$5,000.00
	Invoice	Date	Description	Amount
	1297	11/30/2014	MEDIA CONSULTING-NOV 2014	\$5,000.00

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
60538	12/25/2014		THRALL, RANCE	\$14,580.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/09/2014	MAINT SVC-DEC 2014	\$14,580.00
60539	12/25/2014		TOWERSTREAM CORPORATION	\$1,915.00
	Invoice	Date	Description	Amount
	276447	01/01/2014	WIRELESS INTERNET-METRO SOLAR	\$965.00
	276417	01/01/2014	WIRELESS INTERNET-COI	\$950.00
60540	12/25/2014		TRIMARK ASSOCIATES, INC.	\$1,726.67
	Invoice	Date	Description	Amount
	B412013	12/01/2014	MAINT SVC-METRO SOLAR	\$1,726.67
60541	12/25/2014		TURBO DATA SYSTEMS, INC	\$379.74
	Invoice	Date	Description	Amount
	22164	11/30/2014	CITATION PROCESSING-NOV 2014	\$379.74
60542	12/25/2014		UNDERGROUND SERVICE ALERT OF	\$19.50
	Invoice	Date	Description	Amount
	1120140154	12/01/2014	DIG ALERTS	\$19.50
60543	12/25/2014		WASTE SYSTEMS, INC	\$21,597.08
	Invoice	Date	Description	Amount
	COI-120314	12/03/2014	COMMERCIAL WASTE PROGRAM	\$21,597.08
60544	12/25/2014		WESTERN ARBORISTS, INC	\$1,400.00
	Invoice	Date	Description	Amount
	12021	11/14/2014	TREE PRUNING	\$1,400.00

**CITY OF INDUSTRY
WELLS FARGO BANK
December 25, 2014**

<u>Check</u>	<u>Date</u>	<u>Payee Name</u>	<u>Check Amount</u>
CITY.WF.CHK - City General Wells Fargo			

<u>Checks</u>	<u>Status</u>	<u>Count</u>	<u>Transaction Amount</u>
	Total	85	\$2,229,013.63

**CITY OF INDUSTRY
ACTIONS FOR CITY GOODS AND SERVICES
January 8, 2015**

FUND RECAP:

<u>FUND</u>	<u>DESCRIPTION</u>	<u>DISBURSEMENTS</u>
100	GENERAL FUND	1,358,675.91
103	PROP A FUND	146,235.89
105	AQMD GRANT FUND	9,147.24
120	CAPITAL IMPROVEMENT FUND	148,655.43
161	IPUC - ELECTRIC	208,265.90
TOTAL ALL FUNDS		1,870,980.37

BANK RECAP:

<u>BANK</u>	<u>NAME</u>	<u>DISBURSEMENTS</u>
BOFA	BANK OF AMERICA - CKING ACCOUNTS	165,047.58
PROP A	PROP A -CKING ACCOUNT	146,235.89
REF	REFUSE - CKING ACCOUNT	955.37
WFBK	WELLS FARGO- CKING ACCOUNT	1,558,741.53
TOTAL ALL BANKS		1,870,980.37

**CITY OF INDUSTRY
BANK OF AMERICA
January 8, 2015**

Check	Date			Payee Name	Check Amount
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CITYELEC.CHK - City Electric

1345	12/19/2014			CITY OF INDUSTRY	\$164,747.58
	Invoice	Date	Description		Amount
	12/19/14	12/19/2014	TRANSFER FUNDS-ELECTRIC		\$164,747.58

PARKCIT.CHK - Parking Citation Checking

526	12/19/2014			MARTINEZ, GUADALUPE	\$300.00
	Invoice	Date	Description		Amount
	12/19/14	12/19/2014	REFUND-CITATION #ID126434		\$300.00

Checks	Status	Count	Transaction Amount
	Total	2	\$165,047.58

CITY OF INDUSTRY

PROP A

January 8, 2015

Check	Date		Payee Name	Check Amount
PROPA.CHK - Prop A Checking				
11394	12/19/2014		ACE CONSTRUCTION AUTHORITY	\$146,235.89
	Invoice	Date	Description	Amount
	ACE-204-08	12/08/2014	BETTERMENT AGRMT-FAIRWAY DR SEPARATION	\$7,532.20
	ACE-207-08	12/08/2014	BETTERMENT AGRMT-FULLERTON RD SEPARATION	\$138,703.69

All	Status	Count	Transaction Amount
	Total	1	\$146,235.89

**CITY OF INDUSTRY
WELLS FARGO REFUSE
January 8, 2015**

Check	Date		Payee Name	Check Amount
REFUSE - Refuse Account				
4127	12/15/2014		PACIFIC STONEGATE, INC.	\$597.50
	Invoice	Date	Description	Amount
	12/15/14	12/15/2014	REFUND-ACCT #082577	\$597.50
4128	12/22/2014		WESTERN SUMMIT	\$158.51
	Invoice	Date	Description	Amount
	12/17/14	12/22/2014	REFUND-ACCT #000596	\$158.51
4129	12/18/2014		CITY OF INDUSTRY DISPOSAL CO.	\$199.36
	Invoice	Date	Description	Amount
	12/18/14	12/18/2014	REFUND-VVS ACCT #084276	\$199.36

Checks	Status	Count	Transaction Amount
	Total	3	\$955.37

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date			Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo					
60545	12/22/2014			BANK OF AMERICA - VISA	\$861.62
	Invoice	Date	Description	Amount	
	2015-00000724	12/06/2014	11/07-12/06/14 B. JAMES	\$24.11	
	2015-00000725	12/06/2014	11/07-12/06/14 T. SPOHN	\$42.65	
	2015-00000726	12/06/2014	11/07-12/06/14 J.D. BALLAS	\$678.95	
	2015-00000727	12/06/2014	11/07-12/06/14 K. RADECKI	\$115.91	
60546	12/22/2014			L A COUNTY REGISTRAR-	\$75.00
	Invoice	Date	Description	Amount	
	ZA14-1	12/12/2014	FEE-NOTICE OF EXEMPTION	\$75.00	
60547	12/22/2014			CHAD'S PROFESSIONAL CLEANING	\$300.00
	Invoice	Date	Description	Amount	
	12/15/14	12/15/2014	CARPET CLEANING-CITY HALL	\$300.00	
60548	12/23/2014			AT & T MOBILITY	\$178.10
	Invoice	Date	Description	Amount	
	2015-00000741	12/07/2014	12/08-01/07/15 SVC - TIM SPOHN	\$178.10	
60549	12/23/2014			GAS COMPANY, THE	\$65.44
	Invoice	Date	Description	Amount	
	2015-00000742	12/17/2014	10/14-12/15/14 SVC - 610 S BREA CYN RD	\$65.44	
60550	12/23/2014			INDUSTRY PUBLIC UTILITY	\$2,498.16
	Invoice	Date	Description	Amount	
	2015-00000743	12/10/2014	11/10-12/10/14 SVC - 600 BREA CYN RD	\$2,498.16	
60551	12/23/2014			SAN GABRIEL VALLEY WATER CO.	\$409.13
	Invoice	Date	Description	Amount	
	2015-00000744	12/15/2014	11/13-12/12/14 SVC - 14329 VALLEY	\$228.88	
	2015-00000745	12/16/2014	11/14-12/15/14 SVC - 336 EL ENCANTO	\$34.77	

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	841S7TH-DEC14	12/17/2014	11/17-12/16/14 SVC - 841 S SEVENTH	\$145.48
60552	12/23/2014		SO CALIFORNIA EDISON COMPANY	\$67,780.68
	Invoice	Date	Description	Amount
	2015-00000729	12/17/2014	11/14-12/16/14 SVC - 1341 FULLERTON RD	\$43.93
	2015-00000730	12/17/2014	11/14-12/16/14 SVC - 17635 GALE	\$1,506.38
	17370GALE-DEC14	12/17/2014	11/14-12/16/14 SVC - 17370 GALE	\$246.04
	2015-00000732	12/18/2014	11/14-12/16/14 SVC - VARIOUS SITES	\$105.07
	2015-00000733	12/18/2014	11/14-12/16/14 SVC - PECK RD S/O PELLISSIER	\$46.32
	841 7TH-DEC14	12/18/2014	11/14-12/16/14 SVC - 841 7TH	\$691.52
	2015-00000734	12/18/2014	10/16-12/16/14 SVC - VARIOUS SITES	\$4,948.78
	2015-00000735	12/18/2014	11/14-12/16/14 SVC - VARIOUS SITES	\$3,259.54
	15718RAUSC-DEC14	12/18/2014	11/14-12/16/14 SVC - 15718 RAUSCH RD	\$147.47
	2015-00000736	12/18/2014	11/14-12/16/14 SVC - 15415 DON JULIAN RD	\$2,553.52
	2015-00000737	12/18/2014	11/01-12/01/14 SVC - VARIOUS SITES	\$4,264.34
	2015-00000738	12/18/2014	11/01-12/01/14 SVC - VARIOUS SITES	\$42,613.08
	2015-00000739	12/18/2014	11/14-12/16/14 SVC - VARIOUS SITES	\$3,504.64
	2015-00000740	12/18/2014	09/16-12/16/14 SVC - VARIOUS SITES	\$3,645.42
	15415DONJ-DEC14	12/18/2014	11/14-12/16/14 SVC - 15415 DON JULIAN RD	\$204.63
60553	12/23/2014		SO CALIFORNIA EDISON COMPANY	\$122.29
	Invoice	Date	Description	Amount
	2015-00000731	12/18/2014	10/15-11/14/14 SVC - 19001 TONNER CYN RD	\$122.29
60554	12/23/2014		VERIZON	\$824.15
	Invoice	Date	Description	Amount
	2015-00000746	12/10/2014	12/10-01/09/15 SVC - GENERATOR SITE-TELEMTRY	\$53.44
	2015-00000747	12/10/2014	12/10-01/09/15 SVC - GENERATOR SITE-TELEMTRY	\$143.28
	8417TH-DEC14	12/10/2014	12/10-01/09/15 SVC - 841 7TH	\$95.22
	2015-00000748	12/10/2014	12/10-01/09/15 SVC - ELECTRIC MODEM	\$53.44
	2015-00000749	12/10/2014	12/10-01/09/15 SVC - ELECTRIC MODEM	\$60.78

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	2015-00000750	12/10/2014	12/10-01/09/15 SVC - 600 BREA CYN RD	\$216.63
	2015-00000751	12/16/2014	12/16-01/15/15 SVC - GENERATOR SITE-TELEMETRY	\$45.92
	2015-00000752	12/16/2014	12/16-01/15/15 SVC - PH AUTO PLAZA	\$155.44
60555	12/23/2014		VERIZON WIRELESS - LA	\$277.49
	Invoice	Date	Description	Amount
	9736939148	12/10/2014	11/11-12/10/14 SVC - M2M	\$277.49
60556	12/29/2014		MEGAPATH, INC	\$1,702.58
	Invoice	Date	Description	Amount
	6130461	12/17/2014	INTERNET SVC-JAN 2015	\$1,702.58
60557	12/29/2014		PITNEY BOWES, INC.	\$207.50
	Invoice	Date	Description	Amount
	8554990-NV14	11/13/2014	POSTAGE MACHINE RENTAL-NOV 2014	\$103.75
	8554990-DC14	12/13/2014	POSTAGE MACHINE RENTAL-DEC 2014	\$103.75
60558	12/30/2014		AT & T	\$207.56
	Invoice	Date	Description	Amount
	2015-00000787	12/17/2014	12/17-01/16/15 SVC - TONNER-GUARD SHACK	\$113.37
	2015-00000788	12/17/2014	12/17-01/16/15 SVC - TONNER-RADIO	\$94.19
60559	12/30/2014		BROWN, CHRISTINA M.	\$5,209.63
	Invoice	Date	Description	Amount
	FALL 2014	12/29/2014	REIMBURSE TUITION/BOOKS	\$5,209.63
60560	12/30/2014		CITY OF CHINO HILL UTILITY	\$189.66
	Invoice	Date	Description	Amount
	2015-00000789	12/11/2014	11/13-12/09/14 SVC - 1550 RANCHO HILLS DR	\$189.66
60561	12/30/2014		MCI COMM SERVICE	\$31.60

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Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	Invoice	Date	Description	Amount
	1123HATCH-DEC14	12/17/2014	HATCHER WAREHOUSE - DECEMBER 2014	\$31.60
60562	12/30/2014		SO CALIFORNIA EDISON COMPANY	\$1,441.75
	Invoice	Date	Description	Amount
	2015-00000764	12/23/2014	11/20-12/22/14 SVC - 575 S BREA CYN	\$27.52
	2015-00000765	12/23/2014	11/20-12/22/14 SVC - 580 S BREA CYN	\$27.35
	2015-00000766	12/23/2014	11/20-12/22/14 SVC - 21380 VALLEY PED	\$109.70
	2015-00000767	12/26/2014	11/24-12/24/14 SVC - 745 ANAHEIM PUENTE RD CP	\$75.95
	2015-00000768	12/26/2014	11/01-12/23/14 SVC - 600 BREA CYN RD	\$114.77
	2015-00000769	12/26/2014	11/24-12/24/14 SVC - 17378 E GALE B	\$44.67
	2015-00000770	12/27/2014	11/24-12/24/14 SVC - BREA CYN-VARIOUS SITES	\$1,041.79
60563	12/30/2014		SO CALIFORNIA EDISON COMPANY	\$74.39
	Invoice	Date	Description	Amount
	5010ENGL-DEC14	12/24/2014	11/21-12/23/14 SVC - 5010 ENGLISH RD	\$74.39
60564	12/30/2014		SPRINT	\$110.91
	Invoice	Date	Description	Amount
	867560718-088	12/22/2014	11/19-12/18/14 SVC - WIRELESS SVC	\$110.91
60565	12/30/2014		VERIZON	\$361.83
	Invoice	Date	Description	Amount
	2015-00000771	12/16/2014	12/16-01/15/15 SVC - BREA CYN PUMP STN	\$63.45
	2015-00000772	12/19/2014	12/19-01/18/15 SVC - 23400 E FORK AZUSA	\$45.33
	2015-00000773	12/19/2014	12/19-01/18/15 SVC - ELECTRIC MODEM	\$51.21
	2015-00000774	12/19/2014	12/19-01/18/15 SVC - ELECTRIC MODEM	\$53.44
	2015-00000775	12/19/2014	12/19-01/18/15 SVC - GENERATOR SITE-TELEMETRY	\$40.96
	2015-00000776	12/22/2014	12/22-01/21/15 SVC - GENERATOR SITE-TELEMETRY	\$56.23
	2015-00000777	12/22/2014	12/22-01/21/15 SVC - ELECTRIC MODEM	\$51.21

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Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
60566	01/08/2015		ADAMS, MERCYLYN, ALICE	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60567	01/08/2015		ADMIN SURE	\$1,900.00
	Invoice	Date	Description	Amount
	7353	12/15/2014	CLAIM ADMIN-JAN 2015	\$1,900.00
60568	01/08/2015		AMADOR, ROSE M.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60569	01/08/2015		AQUA BACKFLOW & CHLORINATION	\$155.00
	Invoice	Date	Description	Amount
	34042	11/24/2014	B/F REPAIR-VARIOUS SITES	\$115.00
	34108	12/05/2014	B/F REPAIR-VARIOUS SITES	\$40.00
60570	01/08/2015		BLAKE AIR CONDITIONING	\$906.28
	Invoice	Date	Description	Amount
	33156	12/23/2014	A/C MAINT-CITY HALL	\$686.68
	33091	12/17/2014	A/C MAINT-CITY HALL	\$219.60
60571	01/08/2015		BRYAN PRESS	\$382.06
	Invoice	Date	Description	Amount
	71795	12/16/2014	#10 WINDOW ENVELOPES	\$171.68
	71796	12/15/2014	#9 RETURN ENVELOPES	\$84.48
	71260	12/19/2014	RECEIPT BOOKS	\$125.90
60572	01/08/2015		BURKE, WILLIAMS & SORENSEN,	\$11,665.25
	Invoice	Date	Description	Amount
	12/19/14	12/19/2014	PROF SVC-NOV 2014	\$11,665.25

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Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
60573	01/08/2015		BUTSKO UTILITY DESIGN INC.	\$28,933.20
	Invoice	Date	Description	Amount
	26299H	09/30/2014	IPUC-ON CALL SERVICE	\$13,774.44
	26304H	10/31/2014	IPUC-ON CALL SERVICE	\$15,158.76
60574	01/08/2015		CALICO BUILDING SERVICES, INC	\$146.39
	Invoice	Date	Description	Amount
	1005708	11/21/2014	REPLACE FURNACE-HOMESTEAD	\$146.39
60575	01/08/2015		CARGILE, NAN	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60576	01/08/2015		CHANG, JESSICA	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60577	01/08/2015		CHANG, PEI , LIU	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60578	01/08/2015		CHAO, SHIN M.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60579	01/08/2015		CHENG, HAO	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60580	01/08/2015		CHENG, TIEN-TSU	\$125.00

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Check	Date	Payee Name	Check Amount	
CITY.WF.CHK - City General Wells Fargo				
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60581	01/08/2015		CHEW, CLINTON	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60582	01/08/2015		CHOU, TERESA	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60583	01/08/2015		CHOW, ALICE	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60584	01/08/2015		CHUNG, PETER C.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60585	01/08/2015		CITY OF INDUSTRY-MEDICAL	\$157,000.00
	Invoice	Date	Description	Amount
	REG 1/8/15	12/29/2014	TRANSFER FUNDS	\$157,000.00
60586	01/08/2015		CITY OF INDUSTRY-PAYROLL ACCT	\$75,000.00
	Invoice	Date	Description	Amount
	P/R 12/31/14	12/29/2014	PAYROLL REIMBURSEMENT FOR 12/31/14	\$75,000.00
60587	01/08/2015		CITY OF SOUTH EL MONTE	\$2,000.00
	Invoice	Date	Description	Amount
	1062	12/15/2014	COALITION SR60 PROJ	\$2,000.00

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Check	Date				Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo						
60588	01/08/2015				CIVIL WORKS ENGINEERS, INC	\$320.00
	Invoice	Date	Description		Amount	
	367-01-1056	11/30/2014	I-605/VALLEY BLVD IMPROVEMENTS		\$320.00	
60589	01/08/2015				CNC ENGINEERING	\$194,987.69
	Invoice	Date	Description		Amount	
	42753	12/22/2014	66KV ELECTRICAL SUBSTATION FACILITY		\$3,027.36	
	42754	12/22/2014	GRAND AVE RECONSTRUCTION		\$3,146.09	
	42756	12/22/2014	FAIRWAY DR/WALNUT DR INTERSECTION		\$162.71	
	42757	12/22/2014	ON-CALL STREET MAINT PROGRAM		\$4,131.35	
	42758	12/22/2014	SAN JOSE AVE WIDENING		\$1,736.81	
	42759	12/22/2014	GALE AVE STREET IMPROVEMENTS		\$2,948.92	
	42760	12/22/2014	WALNUT DR SOUTH WIDENING		\$3,381.67	
	42761	12/22/2014	CLARK AVE WIDENING AND SIDEWALK CONST		\$162.71	
	42762	12/22/2014	GENERAL ENG SVC-CIP		\$43,423.37	
	42763	12/22/2014	GENERAL ENG SVC-12/8-12/21/14		\$66,263.98	
	42769	12/22/2014	TONNER CYN PROPERTY		\$7,010.58	
	42775	12/22/2014	CITY HALL BUILDING		\$2,759.98	
	42776	12/22/2014	IMC BUILDING		\$316.68	
	42777	12/22/2014	HOMESTEAD MUSEUM MAINT		\$802.42	
	42778	12/22/2014	RESURFACING-VARIOUS STREETS		\$5,357.77	
	42779	12/22/2014	TRAFFIC SIGNAL AT DON JULIAN/SIXTH AVE		\$2,249.32	
	42780	12/22/2014	LAUNDRY BUILDING SETTLEMENT ISSUES		\$162.71	
	42781	12/22/2014	INDUSTRY HILLS-FUEL TANKS/DIESEL DISPENSING		\$1,635.05	
	42782	12/22/2014	PACIFIC PALMS REPAIR-PARKING LOT		\$156.88	
	42783	12/22/2014	PROPERTY MGMT-CITY OWNED PROPERTIES		\$2,423.08	
	42785	12/22/2014	FISCAL YEAR BUDGET		\$2,549.30	
	42786	12/22/2014	FOLLOW'S CAMP PROPERTY		\$3,079.57	
	42787	12/22/2014	VARIOUS ASSIGNMENTS RE: SA TO IUDA		\$3,975.01	
	42790	12/22/2014	CITY PROPERTY-110 ACRES SOUTH OF		\$947.11	
	42791	12/22/2014	AQMD GRANT FOR ELEC CAR CHARGING STATIONS		\$1,647.24	

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CITY.WF.CHK - City General Wells Fargo			
42792	12/22/2014	NEW T/S AT VALLEY BL/ALDERTON AVE	\$235.32
42793	12/22/2014	REPAIRS/UPGRADES-STORM WATER PUMP	\$1,891.31
42794	12/22/2014	CITY MAINTAINED LANDSCAPE AREAS	\$850.65
42795	12/22/2014	CIVIC FINANCIAL CENTER LANDSCAPING	\$5,804.56
42796	12/22/2014	BIXBY DR SIDEWALK	\$756.84
42797	12/22/2014	CITY OWNED PROPERTY-BLDG MAINT	\$156.88
42798	12/22/2014	CITY SIGN ATLAS	\$569.49
42799	12/22/2014	CITY MAINT YARD-1123 HATCHER AVE	\$772.21
42801	12/22/2014	GEN ENG SVC-HWY MONITORING REPORT	\$3,064.46
42806	12/22/2014	FULLERTON RD GRADE SEPARATION	\$13,256.91
42807	12/22/2014	ALAMEDA CORRIDOR EAST RELATED PROJECTS	\$560.75
42808	12/22/2014	FAIRWAY DR GRADE SEPARATION	\$482.31
42809	12/22/2014	NOGALES GRADE SEPARATION	\$1,981.94
42810	12/22/2014	VALLEY BLVD IMPROVEMENTS	\$235.32
42800	12/22/2014	ARENTH AVE RECONSTRUCTION	\$911.07
60590	01/08/2015	CNC ENGINEERING	\$162.71
Invoice	Date	Description	Amount
42755	12/22/2014	ADVANCED TRAFFIC MGMT SYSTEM	\$162.71
60591	01/08/2015	CO, JOHN G.	\$125.00
Invoice	Date	Description	Amount
DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60592	01/08/2015	COUNTY OF LA DEPT OF PUBLIC	\$63,714.35
Invoice	Date	Description	Amount
PW-14120403926	12/04/2014	TRAFFIC SIGNAL MAINT	\$18,733.19
PW-14120403845	12/04/2014	T/S PLAN REVIEW-DON JULIAN/6TH AVE	\$1,546.17
PW-14120403811	12/04/2014	PAVEMENT MARKING/FAIRWAY DR	\$21.51
PW-14120403781	12/04/2014	PUMP HOUSE MAINT-FY 14/15	\$10,914.52
PW-14120403769	12/04/2014	PAVEMENT PATCHING	\$4,276.54

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Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	PW-14120403770	12/04/2014	STORM DRAIN MAINT	\$2,428.11
	PW-14120403771	12/04/2014	STREET MAINT AND INSPECTION	\$2,684.19
	PW-14120403764	12/04/2014	LITTER AND DEBRIS REMOVAL	\$235.12
	PW-14120403773	12/04/2014	TRAFFIC SIGNING	\$127.00
	PW-14120403852	12/04/2014	WIDENING PLAN REVIEW-6TH/DON JULIAN	\$2,480.30
	PW-14120403823	12/04/2014	BRIDGE RAIL REPAIR-VALLEY BLVD	\$9,053.30
	PW-14120403838	12/04/2014	STREET STRIPPING-BAKER PKY	\$11,214.40
60593	01/08/2015		D M V RENEWAL	\$183.00
	Invoice	Date	Description	Amount
	7C21316-15	12/01/2014	REG RENEWAL-LIC 7C21316	\$183.00
60594	01/08/2015		DUNCAN APPRAISAL CORPORATION	\$6,500.00
	Invoice	Date	Description	Amount
	#3314	12/16/2014	APPRAISAL-STRAWBERRY PATCH	\$3,500.00
	#3214	12/16/2014	APPRAISAL-948 AZUSA	\$3,000.00
60595	01/08/2015		ELECTRA-MEDIA, INC	\$1,763.00
	Invoice	Date	Description	Amount
	2868	12/15/2014	PH AUTO DISPLAY-JAN 2015	\$1,763.00
60596	01/08/2015		ENVIRONS, INC.	\$6,214.30
	Invoice	Date	Description	Amount
	2742	12/08/2014	LANDSCAPE PLANS-CLARK AVE	\$915.00
	2746	12/11/2014	LANDSCAPE PLANS-CIVIC CENTER	\$4,977.70
	2744	12/09/2014	LANDSCAPE PLANS-HOME DEPOT DR	\$321.60
60597	01/08/2015		FRAZER, LLP	\$38,300.00
	Invoice	Date	Description	Amount
	135033	12/15/2014	COI-ACCTG SVC 12/1-12/15/14	\$38,300.00

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Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
60598	01/08/2015		G.M. SAGER CONSTRUCTION CO.,	\$28,900.00
	Invoice	Date	Description	Amount
	33149	11/14/2014	REPAIR POT HOLES-TONNER CYN	\$28,900.00
60599	01/08/2015		GONSALVES & SON, JOE A.	\$5,000.00
	Invoice	Date	Description	Amount
	24940	12/17/2014	LEGISLATIVE SVC-JAN 2015	\$5,000.00
60600	01/08/2015		HA, HUAN Q.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60601	01/08/2015		HO, TONY C.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60602	01/08/2015		HOANG, FRANKLIN	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60603	01/08/2015		HOME DEPOT CREDIT SERVICE	\$209.23
	Invoice	Date	Description	Amount
	4124533	11/21/2014	MISC SUPPLIES	\$82.30
	5571872	12/10/2014	MISC SUPPLIES	\$126.93
60604	01/08/2015		HONG, ELIZABETH	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60605	01/08/2015		HU, LISA	\$125.00
	Invoice	Date	Description	Amount

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Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60606	01/08/2015		HUANG, YUNG JU	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60607	01/08/2015		HUYNH, NAM	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60608	01/08/2015		INDUSTRY SECURITY SERVICES	\$34,315.68
	Invoice	Date	Description	Amount
	14-12976	12/19/2014	SECURITY SVC 12/12-12/18/14	\$4,878.96
	14-12966	12/19/2014	SECURITY SVC 12/12-12/18/14	\$11,731.84
	14-13025	12/26/2014	SECURITY SVC 12/19-12/25/14	\$12,489.28
	14-13035	12/26/2014	SECURITY SVC 12/19-12/25/14	\$5,215.60
60609	01/08/2015		INDUSTRY STATION MANAGEMENT	\$7,000.00
	Invoice	Date	Description	Amount
	12/18/14	12/18/2014	MGMT FUND-FY 2014-2015	\$7,000.00
60610	01/08/2015		INTERNATIONAL LINE BUILDERS	\$15,914.62
	Invoice	Date	Description	Amount
	771906	11/17/2014	REPAIR STREET LTS-GRAND CROSSING/BAKER PKY	\$15,914.62
60611	01/08/2015		KIM, CHONG H.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60612	01/08/2015		KONANUR, VEENA	\$125.00
	Invoice	Date	Description	Amount

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Check	Date		Payee Name	Check	Amount
CITY.WF.CHK - City General Wells Fargo					
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60613	01/08/2015		KOO, DAVID		\$125.00
	Invoice	Date	Description		Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60614	01/08/2015		KUO, JACKSON		\$125.00
	Invoice	Date	Description		Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60615	01/08/2015		LARRACAS, ARIEL		\$125.00
	Invoice	Date	Description		Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60616	01/08/2015		LAU, CHICHEUNG		\$125.00
	Invoice	Date	Description		Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60617	01/08/2015		LEE, JOE F.		\$125.00
	Invoice	Date	Description		Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60618	01/08/2015		LEE, MIKE		\$125.00
	Invoice	Date	Description		Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60619	01/08/2015		LEIGHTON CONSULTING INC		\$2,165.00
	Invoice	Date	Description		Amount
	17581	12/09/2014	GEO TESTING-WALNUT DR		\$2,165.00
60620	01/08/2015		LIN, PEI , RONG		\$125.00

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Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60621	01/08/2015		LOCKS PLUS	\$1,222.75
	Invoice	Date	Description	Amount
	32749	12/08/2014	RE-KEY LOCKS-CITY HALL	\$675.65
	22426	12/19/2014	RE-KEY LOCKS-CITY HALL	\$292.10
	32789	12/19/2014	RE-KEY LOCKS-CITYWIDE	\$255.00
60622	01/08/2015		MARTINEZ, ANDREA , MEDINA	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60623	01/08/2015		MAYET, YUSUF	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60624	01/08/2015		METHOD TECHNOLOGIES	\$202.50
	Invoice	Date	Description	Amount
	19034	12/11/2014	CITY WEBSITE UPGRADE	\$202.50
60625	01/08/2015		MOFFITT, ROBERT	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60626	01/08/2015		MR PLANT & INTERIOR BOTANICAL	\$710.00
	Invoice	Date	Description	Amount
	JAN 30150	01/01/2015	PLANT MAINT-JAN 2015	\$122.00
	JAN 30151	01/01/2015	PLANT MAINT-JAN 2015	\$588.00
60627	01/08/2015		MUNSON , JULI D.	\$125.00

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60628	01/08/2015		NOBLE AMERICAS ENERGY	\$246.98
	Invoice	Date	Description	Amount
	143490004025246	12/15/2014	WHOLESALE GAS-NOV 2014	\$246.98
60629	01/08/2015		OLMOS PROFESSIONAL SERVICES	\$8,782.00
	Invoice	Date	Description	Amount
	161	12/31/2014	JANITORIAL SVC-CITY HALL	\$5,500.00
	162	12/31/2014	JANITORIAL SVC-IMC	\$1,467.00
	160	12/31/2014	JANITORIAL SVC-FIRE STATION	\$1,815.00
60630	01/08/2015		OLYMPIC STAFFING SERVICES	\$272.25
	Invoice	Date	Description	Amount
	181998	12/17/2014	TEMPORARY ADMIN SVC-12/10 AND 12/12/14	\$272.25
60631	01/08/2015		ORANGE COUNTY SANITATION	\$316.00
	Invoice	Date	Description	Amount
	50060	12/15/2014	SEWER FEE-TONNER CYN	\$316.00
60632	01/08/2015		OTAKY, SAMIA S.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60633	01/08/2015		PARAGON MICRO INC	\$403.52
	Invoice	Date	Description	Amount
	602781	12/12/2014	COMPUTER SUPPLIES	\$403.52
60634	01/08/2015		PARK, JOHNNY	\$125.00
	Invoice	Date	Description	Amount

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check	Amount
CITY.WF.CHK - City General Wells Fargo					
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60635	01/08/2015		PENG, DEREK K.		\$125.00
	Invoice	Date	Description	Amount	
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00	
60636	01/08/2015		PHAN, DANIEL		\$125.00
	Invoice	Date	Description	Amount	
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00	
60637	01/08/2015		PHAN, SEAN H.		\$125.00
	Invoice	Date	Description	Amount	
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00	
60638	01/08/2015		QUAN, PUSHUANG		\$125.00
	Invoice	Date	Description	Amount	
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00	
60639	01/08/2015		QUON, CATALINA		\$125.00
	Invoice	Date	Description	Amount	
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00	
60640	01/08/2015		REN, MICHELLE		\$125.00
	Invoice	Date	Description	Amount	
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00	
60641	01/08/2015		RENFRO, REBECCA		\$125.00
	Invoice	Date	Description	Amount	
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00	
60642	01/08/2015		RESERVE ACCOUNT		\$1,000.00

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	Invoice	Date	Description	Amount
	12/18/14	12/18/2014	POSTAGE FOR ACCT #15775679	\$1,000.00
60643	01/08/2015		RICOH USA, INC.	\$1,513.30
	Invoice	Date	Description	Amount
	5033820714	12/17/2014	METER READING	\$1,513.30
60644	01/08/2015		RODRIGUEZ, MARTHA, ALFARO	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60645	01/08/2015		ROMAN, DEMETRIUS	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60646	01/08/2015		ROWLAND WATER DISTRICT	\$785.89
	Invoice	Date	Description	Amount
	2015-00000753	12/23/2014	11/18-12/16/14 SVC - HURLEY ST & VALLEY	\$189.97
	2015-00000754	12/23/2014	11/18-12/16/14 SVC - 18044 ROWLAND-LAWSON	\$85.06
	2015-00000755	12/23/2014	11/18-12/16/14 SVC - 17401 VALLEY BLVD	\$192.77
	2015-00000756	12/23/2014	11/18-12/16/14 SVC - 930 AZUSA AVE	\$195.57
	2015-00000757	12/23/2014	11/17-12/15/14 SVC - AZUSA AVE 205597	\$65.46
	2015-00000758	12/23/2014	11/17-12/15/14 SVC - AZUSA AVE-CENTER	\$57.06
60647	01/08/2015		ROWLAND WATER DISTRICT	\$898.88
	Invoice	Date	Description	Amount
	2015-00000778	12/23/2014	11/17-12/15/14 SVC-17370 GALE AVE 839995	\$36.75
	2015-00000779	12/23/2014	11/17-12/15/14 SVC-1100 AZUSA AVE	\$152.66
	2015-00000780	12/23/2014	11/18-12/16/14 SVC-1123C HATCHER ST	\$71.06
	2015-00000781	12/23/2014	11/18-12/16/14 SVC-1135 HATCHER ST	\$54.26
	2015-00000782	12/23/2014	11/18-12/16/14 SVC-17217 AND 17229 CHESTNUT -IRR	\$93.46

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	2015-00000783	12/23/2014	11/17-12/15/14 SVC-17370 GALE AVE	\$259.51
	2015-00000784	12/23/2014	11/18-12/16/14 SVC-1123 D HATCHER ST	\$54.26
	2015-00000785	12/23/2014	11/18-12/16/14 SVC-AZUSA AVE (RC)	\$59.58
	2015-00000786	12/23/2014	11/18-12/16/14 SVC-755 NOGALES (RC)	\$117.34
60648	01/08/2015		RUIZ, JOSEPH, P	\$4,000.00
	Invoice	Date	Description	Amount
	JANUARY 2015	12/29/2014	CONSULTING SVC-JAN 2015	\$4,000.00
60649	01/08/2015		SANTOS, VIRGINIA	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60650	01/08/2015		SATSUMA LANDSCAPE & MAINT.	\$152,124.60
	Invoice	Date	Description	Amount
	1211TACH	12/29/2014	LANDSCAPE MAINT-VARIOUS SITES	\$37,737.00
	1214CITY	12/29/2014	TREE PRUNING	\$11,385.00
	1214CHTA	12/29/2014	LANDSCAPE MAINT-DEC 2014	\$103,002.60
60651	01/08/2015		SCS FIELD SERVICES	\$4,378.60
	Invoice	Date	Description	Amount
	0244894	11/30/2014	PP-REPLACE TWO SUMP PUMPS	\$4,378.60
60652	01/08/2015		SETO, MITCHELL	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60653	01/08/2015		SHAO, CHUN KAI	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date	Payee Name		Check	Amount
CITY.WF.CHK - City General Wells Fargo					
60654	01/08/2015	SHIH, HUNG SHEUNG			\$125.00
	Invoice	Date	Description		Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014		\$125.00
60655	01/08/2015	SNOWDEN ELECTRIC COMPANY,			\$8,009.00
	Invoice	Date	Description		Amount
	14-1353	11/30/2014	STREET LIGHT MAINT-NOV 2014		\$5,509.00
	14-1344	11/30/2014	MAINT SVC-1123 HATCHER		\$2,500.00
60656	01/08/2015	SO CAL INDUSTRIES			\$1,128.77
	Invoice	Date	Description		Amount
	166789	12/17/2014	RR RENTAL-TONNER CYN		\$84.90
	166178	12/10/2014	SEPTIC TANK PUMP-BREA CYN/TONNER CANYON		\$950.00
	166177	12/10/2014	RR RENTAL-TONNER CYN		\$93.87
60657	01/08/2015	SO CALIFORNIA EDISON COMPANY			\$10,898.67
	Invoice	Date	Description		Amount
	7500487932	12/19/2014	11/01-11/30/14 SVC - OLD RANCH RD/MAYO AVE		\$5,623.22
	7500487933	12/19/2014	11/01-11/30/14 SVC - 208 S. WADDINGHAM WAY		\$3,667.31
	7500487934	12/19/2014	11/01-11/30/14 SVC - 745 ANAHEIM-PUENTE RD		\$1,027.46
	7500487964	12/19/2014	09/01-09/30/14 SVC - RELIABILITY SVC		\$580.68
60658	01/08/2015	SPARKLETTS			\$184.18
	Invoice	Date	Description		Amount
	7722196 121414	12/14/2014	WATER DEL SVC		\$133.98
	4630213 121414	12/14/2014	WATER DEL SVC		\$50.20
60659	01/08/2015	SQUARE ROOT GOLF &			\$185,091.54
	Invoice	Date	Description		Amount
	1158H	12/29/2014	LANDSCAPE MAINT-DEC 2014		\$120,000.00
	1159ELHM	12/29/2014	LANDSCAPE MAINT-DEC 2014		\$19,778.00

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	1160ELHM	12/29/2014	LANDSCAPE MAINT-DEC 2014	\$45,313.54
60660	01/08/2015		STAPLES BUSINESS ADVANTAGE	\$722.31
	Invoice	Date	Description	Amount
	8032410662	12/06/2014	OFFICE SUPPLIES	\$722.31
60661	01/08/2015		STAPLES CREDIT PLAN	\$52.32
	Invoice	Date	Description	Amount
	41681	11/19/2014	OFFICE SUPPLIES	\$52.32
60662	01/08/2015		STATE WATER RESOURCES	\$2,374.00
	Invoice	Date	Description	Amount
	SW-0091955	12/10/2014	STORM WATER PERMIT-17301 E. GALE	\$978.00
	SW-0091968	12/10/2014	STORM WATER PERMIT-17300 CHESTNUT	\$1,396.00
60663	01/08/2015		SYSTEM METRICS GROUP, INC.	\$10,080.00
	Invoice	Date	Description	Amount
	COI-IT-14-01	10/10/2014	ADMIN, PROJ MGMT, AND OVERSIGHT OF ATMS	\$10,080.00
60664	01/08/2015		TAKATA, DAVID T.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60665	01/08/2015		TAN, KELLY K.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60666	01/08/2015		TANG, JOSEPH	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
60667	01/08/2015		THIENES ENGINEERING INC.	\$10,526.00
	Invoice	Date	Description	Amount
	38839	12/09/2014	ENG SVC-BREA CYN GRADING REPAIR	\$10,526.50
60668	01/08/2015		TONG, WEIXING	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60669	01/08/2015		UNION PACIFIC RAILROAD	\$26,690.00
	Invoice	Date	Description	Amount
	271484283	12/05/2014	MAINT OF GATES-LEMON AVE/FAIRWAY DR	\$26,690.00
60670	01/08/2015		WANG, DAPHNE	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60671	01/08/2015		WEATHERITE SERVICE	\$384.00
	Invoice	Date	Description	Amount
	L161244	12/10/2014	A/C MAINT-IMC	\$152.00
	L161243	12/10/2014	A/C MAINT-15716 RAUSCH RD	\$232.00
60672	01/08/2015		WEEKS, WILLIAM	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60673	01/08/2015		WEISS, STEPHANIE G.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60674	01/08/2015		WONG, JACKY	\$125.00
	Invoice	Date	Description	Amount

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

Check	Date		Payee Name	Check Amount
CITY.WF.CHK - City General Wells Fargo				
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60675	01/08/2015		WORLDWIDE SUPPLY, LLC	\$927.57
	Invoice	Date	Description	Amount
	28032	12/15/2014	COMPUTER SUPPLIES	\$927.57
60676	01/08/2015		YOUNG, PAUL, C.	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60677	01/08/2015		YU, HUI-I	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60678	01/08/2015		ZEREP MANAGEMENT CORP.	\$350,648.17
	Invoice	Date	Description	Amount
	1946454	10/31/2014	IT MGMT FEE-OCT 2014	\$508.19
	1946458	10/31/2014	CURB CLEANING AND PAINTING	\$67,000.22
	1946449	10/31/2014	TONNER CYN PROPERTY	\$13,516.84
	1946450	10/31/2014	CURB AND MEDIAN MAINT 8/25-9/30/14	\$87,676.75
	1946457	10/31/2014	GRAFFITI REMOVAL 8/25-9/30/14	\$23,251.44
	1946452	10/31/2014	CITYWIDE STREET MAINT 8/25-9/30/14	\$158,694.73
60679	01/08/2015		ZHANG, MUWEN	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00
60680	01/08/2015		ZHOU, YING	\$125.00
	Invoice	Date	Description	Amount
	DECEMBER 2014	12/22/2014	REBATE FOR ELEC VEHICLE PROGRAM-DEC 2014	\$125.00

**CITY OF INDUSTRY
WELLS FARGO BANK
January 8, 2015**

<u>Check</u>	<u>Date</u>	<u>Payee Name</u>	<u>Check Amount</u>
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CITY.WF.CHK - City General Wells Fargo

<u>Checks</u>	<u>Status</u>	<u>Count</u>	<u>Transaction Amount</u>
	Total	136	\$1,558,741.53

CITY COUNCIL

ITEM NO. 5.2

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 13, 2014
PAGE 1

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 Manager; Michele Vadon, City Attorney; Jodi L. Scrivens, City Clerk; John Ballas, City Engineer; and Brian James, Planning Director.

PUBLIC COMMENTS

Mr. Daniel Luevanos, Ambassador for 1 Legacy and Donate Life, introduced himself to the City Council, and provided general information regarding the purpose and goals of the organization he represents.

CONSENT CALENDAR

MOTION BY COUNCIL MEMBER FERRERO, AND SECOND BY COUNCIL MEMBER MARCELLIN 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

RECEIVED AND FILED.

2. CONSIDERATION OF THE MINUTES OF THE AUGUST 14, 2014, AUGUST 28, 2014, AND SEPTEMBER 11, 2014 REGULAR MEETINGS

APPROVED AS SUBMITTED.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 13, 2014
PAGE 2

3. CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 25, 2014 CITY COUNCIL AND SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY JOINT SPECIAL MEETING

APPROVED AS SUBMITTED, WITH COUNCIL MEMBER HABER ABSTAINING DUE TO HIS ABSENCE FROM THE MEETING.

4. CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 26, 2014 CITY COUNCIL AND PLANNING COMMISSION JOINT STUDY SESSION MEETING

APPROVED AS SUBMITTED, WITH COUNCIL MEMBER HABER ABSTAINING DUE TO HIS ABSENCE FROM THE MEETING.

CONSIDERATION OF RESOLUTION NO. CC 2014-29 - 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 A PROJECT OF THE CITY OF INDUSTRY TO CONSTRUCT STREET AND STORM DRAIN IMPROVEMENTS ON THE NORTH SIDE OF WALNUT DRIVE SOUTH, EAST OF FAIRWAY DRIVE, AND MAKING FINDINGS IN SUPPORT THEREOF (ENVIRONMENTAL REVIEW NO. 14-1).

Planning Director James presented a staff report to the City Council. Planning Director James stated that he had received late comments from the City of Diamond Bar, and from Los Angeles County Department of Public Works, both of which had been distributed to the City Council and are on file with the City Clerk's Office.

Planning Director James stated that the City of Diamond Bar's correspondence did not address the adequacy of the environmental analysis but was primarily a forewarning as to the conditions for an encroachment permit for work to be performed within Diamond Bar.

Planning Director James also commented that the LACDPW did comment on the adequacy of the environmental analysis concerning construction related debris, number of truck trips, and the overall schedule. Planning Director James reported that there would be six (6) trucks for construction debris, and ten (10) trucks for green waste and that the project would begin in February 2015.

Planning Director James stated that since the comments contained in the letters received raised no new issues nor alter any of the conclusions and mitigation, staff recommended the City Council to adopt Resolution CC 2014-29.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 13, 2014
PAGE 3

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRE TEM PARRIOTT TO ADOPT RESOLUTION NO. CC 2014-29. 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): One Potential Case

- 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

- C. 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 Haber abstained from the discussion and vote for item C 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.

Mayor Spohn recessed the meeting into Closed Session at 9:10 a.m.

Council Member Haber left the Council Chambers at 9:25 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Spohn reconvened the meeting at 9:30 a.m. Council Member Haber returned to the Council Chamber at 9:30 a.m. All members of the City Council were present.

The City Council took no reportable action with regard to Closed Session items A, B, and C.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 13, 2014
PAGE 4

ADJOURNMENT

There being no further business, the City Council adjourned.

TIM SPOHN, MAYOR

JODI L. SCRIVENS, CITY CLERK

CITY COUNCIL SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 13, 2014
PAGE 1

CALL TO ORDER

The Special Meeting of the City Council of the City of Industry, California, was called to order by Mayor Tim Spohn at 9:31 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 Manager; Michele Vadon, City Attorney; and Jodi L. Scrivens, City Clerk.

PUBLIC COMMENTS

There were no public comments.

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): One Potential Case

There were no public comments on the Closed Session item.

Mayor Spohn recessed the meeting into Closed Session at 9:33 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Spohn reconvened the meeting at 10:12 a.m. All members of the City Council were present.

CITY COUNCIL SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 13, 2014
PAGE 2

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

ADJOURNMENT

There being no further business, the City Council adjourned.

TIM SPOHN, MAYOR

JODI L. SCRIVENS, CITY CLERK

CITY COUNCIL SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 20, 2014
PAGE 1

CALL TO ORDER

The Special Meeting of the City Council of the City of Industry, California, was called to order by Mayor Tim Spohn at 9:12 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 Manager; Michele Vadon, City Attorney; and Jodi L. Scrivens, City Clerk.

PUBLIC COMMENTS

There were no public comments.

CONSIDERATION OF RESOLUTION NO. CC 2014-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY MAKING A CLARIFICATION TO RESOLUTION NO. CC 2013-25 REGARDING PROPERTY TAX OVERRIDE SUBJECT TO EXISTING PLEDGE FOR BONDS ISSUED BY THE FORMER INDUSTRY URBAN-DEVELOPMENT AGENCY

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

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRO TEM PARRIOTT TO ADOPT RESOLUTION NO. CC 2014-30. MOTION CARRIED 5-0.

CLOSED SESSION

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

CITY COUNCIL SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
NOVEMBER 20, 2014
PAGE 2

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Potential Case
- 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 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.

Mayor Spohn recessed the meeting into Closed Session at 9:14 a.m.

Council Member Haber left the Council Chambers at 10:20 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Spohn reconvened the meeting at 10:37 a.m. All members of the City Council were present, except for Council Member Haber, who was absent.

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

ADJOURNMENT

There being no further business, the City Council adjourned.

TIM SPOHN, MAYOR

JODI L. SCRIVENS, CITY CLERK

CITY COUNCIL

ITEM NO. 5.3



CITY OF INDUSTRY

Incorporated June 18, 1957

January 2, 2015

TO: Kevin Radecki, City Manager
FROM: Phyllis Tucker, City Treasurer
SUBJECT: Statement of Investment Policy

Attached is a copy of the Statement of Investment Policy for the City of Industry dated January 2, 2015, for all future investments, pursuant to Section 53601 and Section 53635 of the California Government Code.

My recommendation is that the City Council approve the Investment Policy.

Phyllis Tucker,
City Treasurer

Encl.-1



CITY OF INDUSTRY

Incorporated June 18, 1957

January 2, 2015

STATEMENT OF INVESTMENT POLICY

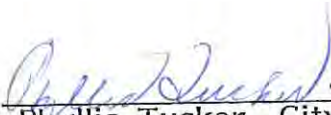
Effective this date, the following is the Investment Policy of the Treasurer of the City of Industry for all future investments.

Monies in the treasury not required for the immediate necessities of the City of Industry may be invested in the following investments as authorized and more fully described in Section 53601 and Section 53635 of the California Government Code:

- a. Securities of the U.S. Government, or its agencies
- b. Inactive public deposits; non-negotiable and/or non-transferable certificates of deposits
- c. Bankers acceptances
- d. Commercial paper
- e. Local Agency Investment Fund (State pool) deposits (Govt. Code Section 16429.1)
- f. Passbook savings account demand deposits
- g. Repurchase agreements
- h. Los Angeles County Investment Pool (Calif. Gov. Code Section 53684)

January 2, 2015

i. It is the City's policy not to utilize reverse repurchase agreements or shares of beneficial interest issued by diversified management companies (mutual funds), unless that fund is composed entirely of securities of the U.S. Government, or its agencies, and the use of such funds shall be restricted to sweep accounts. (Reverse repurchase agreements shall be permitted if they are assets of the Local Agency Investment Fund).



Phyllis Tucker, City Treasurer
City of Industry

CITY COUNCIL

ITEM NO. 5.4

RESOLUTION NO. CRIA 2014-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY, ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

The Board of Directors of the Civic-Recreational-Industrial Authority resolves as follows:

SECTION 1. Findings. The Board of Directors finds as follows:

- A. The Political Reform Act, Government Code Section 81000 and following, requires state and local government agencies to adopt conflict of interest codes and to periodically update such codes.
- B. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 California Code of Regulations Section 18730 (Section 18730), which contains the terms of a standard conflict of interest code.
- C. The Board of Directors adopted by reference Section 18730 as the Civic-Recreational-Industrial Authority's ("CRIA") Conflict of Interest Code under Resolution No. 51 on March 25, 1999, and has since adopted several amendments including the most recent amendment adopted on January 11, 2012 by Resolution No. CRIA 2012-01.
- E. Since the last update to CRIA's Conflict of Interest Code, CRIA has added positions that should be included in the list of designated employees and consultants who are required to file statements of economic interest (Form 700).
- F. The Board of Directors now desires to update CRIA's Conflict of Interest Code to list new positions of designated employees and consultants required to file statements of economic interest and to update the disclosure categories for such filers, and to make other changes and clarifications to the Code, repealing all prior versions.


SECTION 2. Repeal of Prior Version. Resolution No. CRIA 2012-01 is hereby repealed.

SECTION 3. Adoption of Conflict of Interest Code. The Board of Directors adopts 2 California Code of Regulations Section 18730, as incorporated by reference in Attachment A, and Appendix Exhibits 1, 2, 3 and 4 of Attachment A to this Resolution, as the Conflict of Interest Code for the Civic-Recreational-Industrial Authority.

SECTION 4. Filing. Employees and officials designated in the Conflict of Interest Code for the Civic-Recreational-Industrial Authority must file statements of economic interest (Form 700) with the City Clerk of the City of Industry, who will serve as the filing officer for CRIA.

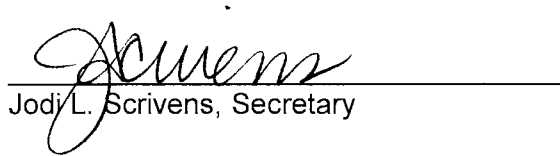
SECTION 5. Certification. The Secretary is directed to certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED on December 10, 2014.



Howard Lim, Chairman

ATTEST:



Jodi L. Scrivens, Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF INDUSTRY)

SECRETARY'S CERTIFICATION
RE: ADOPTION OF CRIA RESOLUTION

I, Jodi L. Scrivens, Secretary of the Civic-Recreational-Industrial Authority, do hereby certify that the foregoing Resolution No. CRIA 2014-03 was duly passed and adopted at a regular meeting of the Civic-Recreational-Industrial Authority on December 10, 2014, by the following vote, to wit:

AYES: BOARD MEMBERS: CIPRIANI, CARMANY, YOUPA,
VC/MARSHALL, C/LIM

NOES: BOARD MEMBERS: NONE

ABSENT: BOARD MEMBERS: NONE

ABSTAIN: BOARD MEMBERS: NONE



Jodi L. Scrivens, Secretary

(SEAL)

ATTACHMENT A

CONFLICT OF INTEREST CODE

**CONFLICT OF INTEREST
CODE**

FOR THE

**CIVIC-RECREATIONAL-
INDUSTRIAL AUTHORITY**

Adopted December 10, 2014

CONFLICT OF INTEREST CODE FOR THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY

The Political Reform Act (Government Code Section 81000 and following) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, the regulation may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to the regulation duly adopted by the Fair Political Practices Commission, are hereby incorporated by this reference, and the current version of Section 18730 will be attached as Attachment 1. This incorporation page, Section 18730, and the Appendix with Exhibits 1, 2, 3 and 4 designating positions and establishing disclosure categories, constitutes the **Conflict of Interest Code for the Civic-Recreational-Industrial Authority**.

All officials and designated employees and consultants required to submit a statement of economic interests (Form 700) must file their statements with the City of Industry City Clerk, who will serve as the filing officer for the Civic-Recreational-Industrial Authority. Under Government Code section 87500(k), the filing officer will retain the original statements filed by all designated positions. Under Government Code section 81008, all originals or copies of statements maintained by the filing officer will be available for public inspection and reproduction upon request during regular business hours.

ATTACHMENT 1

2 CALIFORNIA CODE OF REGULATIONS § 18730

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq . The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to

which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code.

Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to

represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real

property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$440.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall,

while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date

he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of \$100 or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable

material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$440 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

2 See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4 Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in

which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5 A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).

Certificate of Compliance included.

2. Editorial correction (Register 80, No. 29).

3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).

4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).

5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).

6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No.

46).

8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).

10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).

11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.

12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).

13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).

15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
19. Editorial correction of subsection (a) (Register 98, No. 47).
20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).
23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court

of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative

11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

APPENDIX

CONFLICT OF INTEREST CODE FOR THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY

EXHIBIT 1

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

State-designated public officials, including officials who manage public investments, as that term is defined by 2 California Code of Regulations Section 18701(b), are required to file disclosure statements under Government Code section 87200 and following as well as 2 California Code of Regulations Section 18730(b)(3), and are therefore not subject to this Code. These positions are listed here for informational purposes only. Pursuant to 2 California Code of Regulations Section 18753(d), officials of the Civic-Recreational-Industrial Authority who manage public investments are directed to file original disclosure statements with the City Clerk of the City of Industry.

The following positions have been determined to be officials who file disclosure statements under Government Code section 87200:

- Board Members
- Executive Officer
- General Counsel
- Controller
- Treasurer
- Financial Consultants

EXHIBIT 2

DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES

The following positions are held by individuals involved in the making or participation in the making of decisions which may foreseeably have a material effect on their financial interests:

<u>Designated Position</u>	<u>Disclosure Categories</u>
Assistant Authority Treasurer.....	1, 3
Secretary.....	1, 3
Assistant Secretary.....	1
Director of Public Works.....	1, 2, 3
City Engineer.....	1, 2, 3
Consultant ¹	1
Deputy General Counsel.....	1
Planning Director.....	1, 2, 3
Senior Planner.....	1, 2, 3
Human Resources Director.....	1, 3
Assistant Human Resources Director.....	1, 3

¹ See Exhibit 3 for explanation of Consultant filing.

EXHIBIT 3

CONSULTANTS

2 California Code of Regulations Section 18701(b) defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or

- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants are included in the list of designated positions and must disclose pursuant to the broadest disclosure categories in the Code subject to the following limitation. The Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in the Code. (See Government Code § 82019 and FPPC Regulations § 18219 and § 18734.) Such written determination must include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and must be retained for public inspection in the same manner and location as this Conflict of Interest Code. (See Government Code § 81008.)

EXHIBIT 4

CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

Designated Persons in Category "1" Must Report:

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Authority.

Designated Persons in Category "2" Must Report:

All interests in real property which is located within, or not more than two miles outside, the jurisdiction of the Authority.

Designated Persons in Category "3" Must Report:

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, equipment, materials, supplies or vehicles of the type purchased or leased by the Authority.

CITY COUNCIL

ITEM NO. 5.5

RESOLUTION NO. IPHMA 2014-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY OF THE CITY OF INDUSTRY, ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

The Board of Directors of the Industry Property and Housing Management Authority resolves as follows:

SECTION 1. Findings. The Board of Directors finds as follows:

- A. The Political Reform Act, Government Code Section 81000 and following, requires state and local government agencies to adopt conflict of interest codes and to periodically update such codes.
- B. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 California Code of Regulations Section 18730 (Section 18730), which contains the terms of a standard conflict of interest code.
- C. The Board of Directors adopted by reference Section 18730 as the Industry Property and Housing Management Authority's ("IPHMA") Conflict of Interest Code under Resolution No. IPHMA 2012-01 on January 11, 2012.
- E. Since the last update to IPHMA's Conflict of Interest Code, IPHMA has added positions that should be included in the list of designated employees and consultants who are required to file statements of economic interest (Form 700).
- F. The Board of Directors now desires to update IPHMA's Conflict of Interest Code to list new positions of designated employees and consultants required to file statements of economic interest and to update the disclosure categories for such filers, and to make other changes and clarifications to the Code, repealing all prior versions.


SECTION 2. Repeal of Prior Version. Resolution No. IPHMA 2012-01 is hereby repealed.

SECTION 3. Adoption of Conflict of Interest Code. The Board of Directors adopts 2 California Code of Regulations Section 18730, as incorporated by reference in Attachment A, and Appendix Exhibits 1, 2, 3 and 4 of Attachment A to this Resolution, as the Conflict of Interest Code for the Industry Property and Housing Management Authority.

SECTION 4. Filing. Employees and officials designated in the Conflict of Interest Code for the Industry Property and Housing Management Authority must file statements of economic interest (Form 700) with the City Clerk of the City of Industry, who will serve as the filing officer for IPHMA.

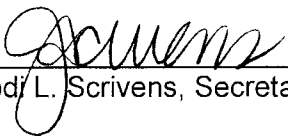
SECTION 5. Certification. The Secretary is directed to certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED on December 10, 2014.



Troy Helling, Chairman

ATTEST:



Jodi L. Scrivens, Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF INDUSTRY)

SECRETARY'S CERTIFICATION
RE: ADOPTION OF RESOLUTION


I, Jodi L. Scrivens, Secretary of the Industry Property and Housing Management Authority, do hereby certify that the foregoing Resolution No. IPHMA 2014-02 was duly passed and adopted at a regular meeting of the Industry Property and Housing Management Authority on December 10, 2014, by the following vote, to wit:

AYES: BOARD MEMBERS: CUEVAS, C/HELLING

NOES: BOARD MEMBERS: NONE

ABSENT: BOARD MEMBERS: NONE

ABSTAIN: BOARD MEMBERS: NONE



Jodi L. Scrivens, Secretary
City of Industry, California

(SEAL)

ATTACHMENT A

CONFLICT OF INTEREST CODE

CONFLICT OF INTEREST CODE

FOR THE

**INDUSTRY PROPERTY
AND HOUSING
MANAGEMENT
AUTHORITY**

Adopted December 10, 2014

CONFLICT OF INTEREST CODE FOR THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY

The Political Reform Act (Government Code Section 81000 and following) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, the regulation may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to the regulation duly adopted by the Fair Political Practices Commission, are hereby incorporated by this reference, and the current version of Section 18730 will be attached as Attachment 1. This incorporation page, Section 18730, and the Appendix with Exhibits 1, 2, 3 and 4 designating positions and establishing disclosure categories, constitutes the **Conflict of Interest Code for the Industry Property and Housing Management Authority**.

All officials and designated employees and consultants required to submit a statement of economic interests (Form 700) must file their statements with the City of Industry City Clerk, who will serve as the filing officer for the Industry Property and Housing Management Authority. Under Government Code section 87500(k), the filing officer will retain the original statements filed by all designated positions. Under Government Code section 81008, all originals or copies of statements maintained by the filing officer will be available for public inspection and reproduction upon request during regular business hours.

ATTACHMENT 1

2 CALIFORNIA CODE OF REGULATIONS § 18730

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. . The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to

which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code.

Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to

represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real

property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$440.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall,

while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date

he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of \$100 or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable

material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$440 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

2 See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4 Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in

which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5 A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).

Certificate of Compliance included.

2. Editorial correction (Register 80, No. 29).

3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).

4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).

5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).

6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No.

46).

8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).

10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).

11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.

12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).

13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).

15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).
17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).
18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).
19. Editorial correction of subsection (a) (Register 98, No. 47).
20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).
21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).
22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).
23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court

of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative

11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

APPENDIX

CONFLICT OF INTEREST CODE FOR THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY

EXHIBIT 1

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

State-designated public officials, including officials who manage public investments, as that term is defined by 2 California Code of Regulations Section 18701(b), are required to file disclosure statements under Government Code section 87200 and following as well as 2 California Code of Regulations Section 18730(b)(3), and are therefore not subject to this Code. These positions are listed here for informational purposes only. Pursuant to 2 California Code of Regulations Section 18753(d), officials of the Industry Property and Housing Management Authority who manage public investments are directed to file original disclosure statements with the City Clerk of the City of Industry.

The following positions have been determined to be officials who file disclosure statements under Government Code section 87200:

- Board Members
- Executive Director
- General Counsel
- Treasurer
- Controller
- Financial Consultants

EXHIBIT 2

DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES

The following positions are held by individuals involved in the making or participation in the making of decisions which may foreseeably have a material effect on their financial interests:

<u>Designated Position</u>	<u>Disclosure Categories</u>
Assistant Authority Treasurer.....	1, 3
Secretary.....	1, 3
Assistant Secretary.....	1
Director of Public Works.....	1, 2, 3
City Engineer.....	1, 2, 3
Consultant ¹	1
Deputy General Counsel.....	1
Planning Director.....	1, 2, 3
Senior Planner.....	1, 2, 3
Human Resources Director.....	1, 3
Assistant Human Resources Director.....	1, 3

¹ See Exhibit 3 for explanation of Consultant filing.

EXHIBIT 3

CONSULTANTS

2 California Code of Regulations Section 18701(b) defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or

- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants are included in the list of designated positions and must disclose pursuant to the broadest disclosure categories in the Code subject to the following limitation. The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in the Code. (See Government Code § 82019 and FPPC Regulations § 18219 and § 18734.) Such written determination must include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and must be retained for public inspection in the same manner and location as this Conflict of Interest Code. (See Government Code § 81008.)

EXHIBIT 4

CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

Designated Persons in Category "1" Must Report:

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Authority.

Designated Persons in Category "2" Must Report:

All interests in real property which is located within, or not more than two miles outside, the jurisdiction of the Authority.

Designated Persons in Category "3" Must Report:

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, equipment, materials, supplies or vehicles of the type purchased or leased by the Authority.

CITY COUNCIL

ITEM NO. 5.6

RESOLUTION NO. PFA 2014-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE INDUSTRY PUBLIC FACILITIES AUTHORITY, ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

The Board of Directors of the Industry Public Facilities Authority resolves as follows:

SECTION 1. Findings. The Board of Directors finds as follows:

- A. The Political Reform Act, Government Code Section 81000 and following, requires state and local government agencies to adopt conflict of interest codes and to periodically update such codes.
- B. The Fair Political Practices Commission (FPPC) has adopted a regulation, 2 California Code of Regulations Section 18730 (Section 18730), which contains the terms of a standard conflict of interest code.
- C. The Board of Directors adopted by reference Section 18730 as the Industry Public Facility Authority's ("IPFA") Conflict of Interest Code under Resolution No. IPFA 2012-02 on January 12, 2012.
- E. Since the last update to IPFA's Conflict of Interest Code, IPFA has added positions that should be included in the list of designated employees and consultants who are required to file statements of economic interest (Form 700).
- F. The Board of Directors now desires to update IPFA's Conflict of Interest Code to list new positions of designated employees and consultants required to file statements of economic interest and to update the disclosure categories for such filers, and to make other changes and clarifications to the Code, repealing all prior versions.

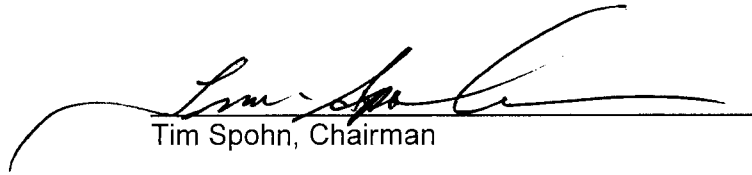
SECTION 2. Repeal of Prior Version. Resolution No. IPFA 2012-02 is hereby repealed.

SECTION 3. Adoption of Conflict of Interest Code. The Board of Directors adopts 2 California Code of Regulations Section 18730, as incorporated by reference in Attachment A, and Appendix Exhibits 1, 2, 3 and 4 of Attachment A to this Resolution, as the Conflict of Interest Code for the Industry Public Facilities Authority.

SECTION 4. Filing. Employees and officials designated in the Conflict of Interest Code for the Industry Public Facilities Authority must file statements of economic interest (Form 700) with the City Clerk of the City of Industry, who will serve as the filing officer for IPFA.

SECTION 5. Certification. The Secretary is directed to certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED on December 11, 2014.



Tim Spohn, Chairman

ATTEST:



Jodi L. Scrivens, Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF INDUSTRY)

SECRETARY'S CERTIFICATION
RE: ADOPTION OF RESOLUTION


I, Jodi L. Scrivens, Secretary of the Public Facilities Authority of the City of Industry, do hereby certify that the foregoing Resolution No. PFA 2014-02 was duly passed and adopted at a regular meeting of the Public Facilities Authority on December 11, 2014, by the following vote, to wit:

AYES: BOARD MEMBERS: Haber, Ferrero, Marcellin, Parriott, C/Spohn

NOES: BOARD MEMBERS: None

ABSENT: BOARD MEMBERS: None

ABSTAIN: BOARD MEMBERS: None



Jodi L. Scrivens, Secretary
City of Industry, California

(SEAL)

ATTACHMENT A

CONFLICT OF INTEREST CODE

CONFLICT OF INTEREST CODE

FOR THE

**INDUSTRY PUBLIC
FACILITIES AUTHORITY**

Adopted December 11, 2014

CONFLICT OF INTEREST CODE FOR THE INDUSTRY PUBLIC FACILITIES AUTHORITY

The Political Reform Act (Government Code Section 81000 and following) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, the regulation may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to the regulation duly adopted by the Fair Political Practices Commission, are hereby incorporated by this reference, and the current version of Section 18730 will be attached as Attachment 1. This incorporation page, Section 18730, and the Appendix with Exhibits 1, 2, 3 and 4 designating positions and establishing disclosure categories, constitutes the **Conflict of Interest Code for the Industry Public Facilities Authority**.

All officials and designated employees and consultants required to submit a statement of economic interests (Form 700) must file their statements with the City of Industry City Clerk, who will serve as the filing officer for the Industry Public Facilities Authority. Under Government Code section 87500(k), the filing officer will retain the original statements filed by all designated positions. Under Government Code section 81008, all originals or copies of statements maintained by the filing officer will be available for public inspection and reproduction upon request during regular business hours.

ATTACHMENT 1

2 CALIFORNIA CODE OF REGULATIONS § 18730

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq . The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to

which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code.

Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to

represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real

property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$440.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall,

while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date

he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

- a. The date the loan was made.
- b. The date the last payment of \$100 or more was made on the loan.
- c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable

material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$440 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

2 See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4 Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in

which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5 A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).

Certificate of Compliance included.

2. Editorial correction (Register 80, No. 29).

3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter (Register 81, No. 2).

4. Amendment of subsection (b)(7)(B)1. filed 1-26-83; effective thirtieth day thereafter (Register 83, No. 5).

5. Amendment of subsection (b)(7)(A) filed 11-10-83; effective thirtieth day thereafter (Register 83, No. 46).

6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).

7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No.

46).

8. Amendment of subsections (b)(8)(A) and (b)(8)(B) and numerous editorial changes filed 8-28-90; operative 9-27-90 (Reg. 90, No. 42).

9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).

10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93; operative 2-4-93 (Register 93, No. 6).

11. Change without regulatory effect adopting Conflict of Interest Code for California Mental Health Planning Council filed 11-22-93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.

12. Change without regulatory effect redesignating Conflict of Interest Code for California Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 1).

13. Editorial correction adding History 11 and 12 and deleting duplicate section number (Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(8)(A), new subsection (b)(8)(B), and amendment of subsections (b)(8.1)-(b)(8.1)(B), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).

15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(8)(A)-(B) and (b)(8.1)(A), repealer of subsection (b)(8.1)(B), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(B)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(B)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4. filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court

of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No. 7).

24. Amendment of subsections (b)(8.1)-(b)(8.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No. 3).

25. Editorial correction of History 24 (Register 2003, No. 12).

26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).

27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(8.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 1).

28. Amendment of subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

29. Amendment of subsections (a), (b)(1), (b)(3), (b)(8.1), (b)(8.1)(A) and (b)(9)(E) filed 12-18-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).

30. Amendment of subsections (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) filed 10-31-2008; operative

11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2008, No. 44).

31. Amendment of section heading and section filed 11-15-2010; operative 12-15-2010. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2010, No. 47).

32. Amendment of section heading and subsections (a)-(b)(1), (b)(3)-(4), (b)(5)(C), (b)(8.1)-(b)(8.1)(A) and (b)(9)(E) and amendment of footnote 1 filed 1-8-2013; operative 2-7-2013. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2013, No. 2).

APPENDIX

CONFLICT OF INTEREST CODE FOR THE INDUSTRY PUBLIC FACILITIES AUTHORITY

EXHIBIT 1

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

State-designated public officials, including officials who manage public investments, as that term is defined by 2 California Code of Regulations Section 18701(b), are required to file disclosure statements under Government Code section 87200 and following as well as 2 California Code of Regulations Section 18730(b)(3), and are therefore not subject to this Code. These positions are listed here for informational purposes only. Pursuant to 2 California Code of Regulations Section 18753(d), officials of the Industry Public Facilities Authority who manage public investments are directed to file original disclosure statements with the City Clerk of the City of Industry.

The following positions have been determined to be officials who file disclosure statements under Government Code section 87200:

Board Members

Executive Director

General Counsel

Treasurer

Controller

Financial Consultants

EXHIBIT 2

DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES

The following positions are held by individuals involved in the making or participation in the making of decisions which may foreseeably have a material effect on their financial interests:

<u>Designated Position</u>	<u>Disclosure Categories</u>
Assistant Treasurer.....	1, 3
Secretary.....	1, 3
Assistant Secretary.....	1
Director of Public Works.....	1, 2, 3
City Engineer.....	1, 2, 3
Consultant ¹	1
Deputy General Counsel.....	1
Planning Director.....	1, 2, 3
Senior Planner.....	1, 2, 3
Human Resources Director.....	1, 3
Assistant Human Resources Director.....	1, 3

¹ See Exhibit 3 for explanation of Consultant filing.

EXHIBIT 3

CONSULTANTS

2 California Code of Regulations Section 18701(b) defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
 - (v) Grant agency approval to a contract that requires agency approval and to which the agency is a party, or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or

- (B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in Regulation 18702.2 or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants are included in the list of designated positions and must disclose pursuant to the broadest disclosure categories in the Code subject to the following limitation. The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in the Code. (See Government Code § 82019 and FPPC Regulations § 18219 and § 18734.) Such written determination must include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and must be retained for public inspection in the same manner and location as this Conflict of Interest Code. (See Government Code § 81008.)

EXHIBIT 4

CATEGORIES OF REPORTABLE ECONOMIC INTERESTS

Designated Persons in Category "1" Must Report:

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the jurisdiction of the Authority.

Designated Persons in Category "2" Must Report:

All interests in real property which is located within, or not more than two miles outside, the jurisdiction of the Authority.

Designated Persons in Category "3" Must Report:

All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, equipment, materials, supplies or vehicles of the type purchased or leased by the Authority.

CITY COUNCIL

ITEM NO. 5.7

RESOLUTION NO. SA 2014-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY AMENDING THE AGENCY'S CONFLICT OF INTEREST CODE CONTAINING DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

RECITALS

A. The Political Reform Act (Government Code Section 81000, *et seq.*) requires the Successor Agency to the Industry Urban-Development Agency ("Successor Agency") to adopt a Conflict of Interest Code.

B. By Resolution No. SA-2012-05, the Board of Directors of the Successor Agency ("Board") adopted a Conflict of Interest Code that contains designated positions and disclosure categories.

C. On January 9, 2013, the Board amended Appendix A to the Conflict of Interest Code to revise the list of designated positions for the Successor Agency.

D. As stated in the Successor Agency's "2014 Local Agency Biennial Notice," to be filed with the Fair Political Practices Commission ("FPPC"), the Successor Agency now seeks to amend the designated positions to which the Conflict of Interest Code applies and to revise the list of designation categories. In addition, the Successor Agency now desires to add Exhibit 1 to Appendix A of the Conflict of Interest Code to clarify those officials who manage public investments, as that phrase is defined by 2 California Code of Regulations Section 18701(b).

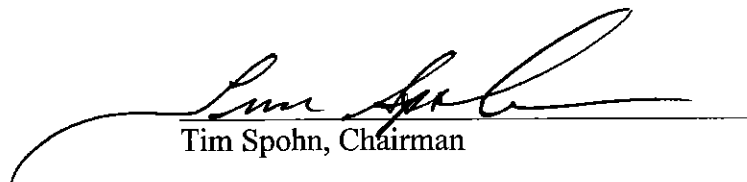
NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES, AND ORDER AS FOLLOWS:

Section 1. The Board of Directors hereby amends Appendix A to the Conflict of Interest Code adopted pursuant to Resolution No. SA-2012-05, as amended by Resolution No. SA 2013-01, to add "Senior Planner" and "Assistant Human Resources Director" to the list of Designated Positions. The Board also hereby amends the "Disclosure Categories" section of Appendix A to clarify that designated officers and employees who file a Form 700 with the City of Industry must file a separate Form 700 for the Successor Agency. Finally, the Board hereby adds Exhibit 1 to Appendix A in order to clarify those officials who manage public investments, as that phrase is defined by 2 California Code of Regulations Section 18701(b). Appendix A is attached hereto and incorporated herein by reference.

Section 2. The Assistant Secretary shall certify to the passage and adoption of this Resolution and shall submit the Successor Agency's revised Conflict of Interest Code to the City Council of the City of Industry for approval as the Code Reviewing Body.

Section 3. Except as otherwise amended by this resolution, the Conflict of Interest Code of the Successor Agency, as adopted by Resolution No. SA-2012-05 and amended by Resolution No. SA 2013-01, remains in full force and effect.

PASSED AND ADOPTED this 11th day of December, 2014.


Tim Spohn, Chairman

ATTEST:


Diane M. Schlichting, Assistant Secretary

APPENDIX A

**DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES
FOR THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-
DEVELOPMENT AGENCY**

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Agency Secretary	1, 2, 3, 4
Agency Assistant Secretary	1, 2, 3, 4
Agency Assistant General Counsel	1, 2, 3, 4
Assistant City Manager	1, 2, 3, 4
Human Resources Director	1, 2, 3, 4
Assistant Human Resources Director	1, 2, 3, 4
Agency Engineer	1, 2, 3, 4
Agency Planner	1, 2, 3, 4
Senior Planner	1, 2, 3, 4
Other Consultant(s)	5

Disclosure Categories

1. Reportable interests in real property. (Form 700, Schedule B.)
2. Reportable income and business positions. (Form 700, Schedule C).
3. Reportable investments. (Form 700, Schedules A-1 and A-2).
4. Reportable gifts and travel gifts. (Form 700, Schedules D and E).
5. For consultants who serve in a staff capacity with the Agency, the consultant shall disclose based on the disclosure categories assigned elsewhere in this Code for that staff position.

The following disclosure categories shall be used for consultants who do not serve in a staff capacity:

Persons required to disclose in this category shall disclose pursuant to categories 1, 2, 3, and 4 above unless the Executive Director determines in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in categories 1, 2, 3, and 4. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Code.

Exhibit 1
Officials Who Manage Public Investments

State-designated public officials, including officials who manage public investments, as that term is defined by 2 California Code of Regulations Section 18701(b), are required to file disclosure statements under Government Code section 87200 and following as well as 2 California Code of Regulations Section 18730(b)(3), and are therefore not subject to this Code. These positions are listed here for informational purposes only. Pursuant to 2 California Code of Regulations Section 18753(d), officials of the Successor Agency to the Industry Urban-Development Agency who manage public investments are directed to file original disclosure statements with the City Clerk of the City of Industry.

The following positions have been determined to be officials who file disclosure statements under Government Code section 87200:

Board Members

Executive Director

Agency General Counsel

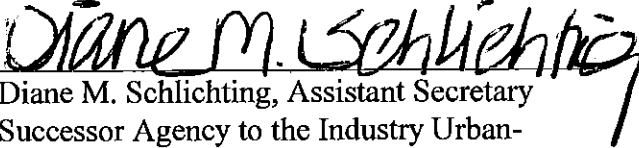
Finance Officer

Financial Consultants

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF INDUSTRY) ASSISTANT SECRETARY'S CERTIFICATION
RE: ADOPTION OF SUCCESSOR AGENCY TO
THE INDUSTRY URBAN-DEVELOPMENT
AGENCY RESOLUTION

I, Diane M. Schlichting, Assistant Secretary of the Successor Agency to the Industry Urban-Development Agency, do hereby certify that the foregoing Resolution No. SA 2014-04 was duly passed and adopted at a special meeting of the Successor Agency to the Industry Urban-Development Agency on December 11, 2014, by the following vote, to wit:

AYES:	BOARD MEMBERS:	Ferrero, Haber, Marcellin, VC/Parriott, and C/Spohn
NOES:	BOARD MEMBERS:	None
ABSENT:	BOARD MEMBERS:	None
ABSTAIN:	BOARD MEMBERS:	None


Diane M. Schlichting, Assistant Secretary
Successor Agency to the Industry Urban-
Development Agency

CITY COUNCIL

ITEM NO. 6.1



CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

MEMORANDUM

To: City Council

December 29, 2014

From: Brian James

Subject: Zone Amendment 14-1 – Emergency homeless shelters, residential care, and supportive and transitional housing

Introduction

Zone Amendment 14-1 is a request to amend Title 17 of the Industry Municipal Code to address emergency homeless shelters, residential care, and supportive and transitional housing. The proposed amendments are contained in Exhibit A of the accompanying Ordinance (Attachment 4).

Homelessness is a regional issue and the State Legislature has mandated that each jurisdiction play a role in its solution. Senate Bill 2 (effective in 2008) mandates that all cities adopt ordinances allowing for: (1) at least one-year round emergency homeless shelter, (2) transitional housing (temporary housing linked to services), and (3) permanent supportive housing (housing with no limit on the length of stay and linked to services). In response, the Housing Element adopted in February 2014 provides direction to adopt commensurate provisions within one year of its adoption.

In order to amend the Zoning Code, the City must comply with procedures set forth in California's Planning and Zoning Law, Government Code section 65800 – 65856. The minimum process authorized under the Government Code can be summarized as: (1) the Planning Commission must publish a notice of a public hearing; (2) the Planning Commission must hold a public hearing and render a written decision in the form of a recommendation to the City Council; (3) the City Council must publish a notice of a public hearing to consider the amendments; and (4) the City Council must hold at least one public hearing before approving the amendments. This amendment is being initiated by City Staff to implement the Housing Element and comply with State law.

Emergency Homeless Shelters

Per State law, every jurisdiction must identify a zone where emergency shelters are allowed as a permitted use without a discretionary permit, such as a conditional use permit (Government Code Section 65583.(a)(4)). The selected zone must be able to accommodate a homeless shelter of sufficient capacity to satisfy the homeless need identified in the adopted housing element. According to the City's adopted Housing Element, there may be approximately four to five homeless people in the City at any time.

Per State law, emergency homeless shelters may only be subject to development and management standards that apply to other developments in the same zone except that local governments are allowed to apply standards addressing the following issues:

- Maximum number of beds;
- Off-street parking based upon demonstrated need;
- Size and location of on-site waiting and intake areas;
- Provision of on-site management;
- Proximity to other shelters, provided they are not required to be more than 300 feet apart;
- Length of stay;
- Lighting; and
- Security during hours when the shelter is open.

The Housing Element identifies four vacant parcels in the Institutional Zone that are suitable for an emergency shelter. Two parcels are 1 to 1.6 acres in size; the other two are 6 to 7 acres in size and owned by the City of Industry. Each parcel is within ½ mile of City Hall and the intersection of Hacienda and Valley Boulevard, and therefore has access to Foothill Transit and existing health care services.

Proposed Amendments Related to Emergency Homeless Shelters

As proposed, this zone amendment includes: (1) adding a definition of emergency homeless shelters consistent with State law in Chapter 17.08 of the Municipal Code, and (2) amending Chapter 17.18 of the Municipal Code to allow emergency homeless shelters with approval of a Development Plan in the Institutional Zone and specifying development standards as permitted by State law. Standards include a limit of five beds and six month stay; a requirement for a management and security plan detailing services, staff training, screening, admittance and discharge procedures, site maintenance, and good neighbor policies, and; physical requirements related to lighting, parking, client-intake areas, and trash containers, among others.

Transitional and Permanent Supportive Housing

Transitional housing is a type of housing used to facilitate the movement of homeless individuals and families to permanent housing. A homeless person may live in a transitional unit for at least six months while receiving supportive services that enable independent living. Permanent supportive housing is rental housing without a limit on the length of stay and linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives.

Per State law, transitional housing and permanent supportive housing are permitted as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone (Government Code Section 65583(a)(5)). In other words, transitional housing and supportive housing are permitted in all zones allowing residential uses and are not subject to any restrictions not imposed on similar dwellings in the same zone in which the transitional housing and supportive housing is located. For example, transitional housing located in a single-family home in a single-family residential zone is permitted in the same manner as a single-family home in the same zone.

The adopted Housing Element includes direction to amend the Municipal Code to establish a Housing Overlay Zone, which would allow residential development on designated sites. The Housing Overlay Zone must accommodate a variety of housing types, including multifamily rental, mobile homes, supportive housing, and transitional housing. Densities of at least 20 units per acre must be set to accommodate these types of housing units. Per the adopted Housing Element, the Housing Overlay Zone must be established by February 2017.

Proposed Amendments Related to Transitional and Permanent Supportive Housing

The proposed zone amendments include adding definitions consistent with State law in Chapter 17.08 of the Municipal Code. Once the Housing Overlay zone is established, transitional and permanent supportive housing will be a permitted use within that zone. This proposed amendment will lay the ground work for compliance with State law.

Residential Care

State law requires that licensed residential care facilities with six or fewer persons be allowed as a by-right use in all residential zones. No conditional use permit or other zoning clearance may be required of a residential care facility serving six or fewer persons that is not required of a residential dwelling unit of the same type. Such a facility cannot be subject to any business taxes, local registration fees, use permit fees, or other fees to which other residential dwellings of the same type in the same zone are not likewise subject. Larger residential care facilities (serving seven or more persons) can be allowed with a conditional use permit.

In response, the certified Housing Element includes Program 6 calling for an amendment to the Industry Municipal Code that will: (1) allow residential care facilities serving six or fewer clients in all zones where residential uses are allowed; and (2) allow residential care facilities serving seven or more clients with an approved conditional use permit in the Institutional Zone.

Proposed Amendments Related to Residential Care

As proposed, the zone change includes: (1) adding definitions for residential care limited (six or less) and general (seven or more) in Chapter 17.08 of the Municipal Code, and (2) amending Chapter 17.18 of the Municipal Code to allow licensed residential care facilities serving seven or more clients with a conditional use permit in the Institutional Zone.

Planning Commission Action

On December 11, 2014, the Planning Commission adopted Resolution No. PC 2014-14 (Attachment 1) recommending that the City Council approve Zone Amendment 14-1.

Environmental Analysis

The proposed ordinance is exempt from compliance with the California Environmental Quality Act (CEQA) under CEQA Guidelines Sections 15232 Class 3, which exempts new construction or conversion of small structures, and Class 32, which exempts in-fill development projects. Class 3 exempts the construction and location of limited numbers of new, small facilities or structures and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Class 32 exempts in-fill projects that are consistent with the general plan and zoning requirements, on sites no more than five acres in size that are surrounded by urban uses and served by utilities and public services, on sites with no value as habitat for endangered, rare or threatened species, and if the project would not result in any significant traffic, noise, air quality, or water quality impacts. A Notice of Exemption (Attachment 2) will be prepared for the project and filed with the Los Angeles County Clerk.

Public Hearing

The public notice for the City Council hearing (Attachment 3) was posted at the City Hall, Gale Avenue fire station, and council chambers and published in the San Gabriel Valley Tribune by December 26, 2014.

Recommendation

Staff recommends that the Planning Commission approve Resolution PC 2014-14 (Attachment 4), recommending that the City Council approve Zone Amendment 14-1.

Attachments

- Attachment 1: Planning Commission Resolution PC 2014-14 recommending that the City Council approve Zone Amendment 14-1
- Attachment 2: Notice of Exemption
- Attachment 3: Public Hearing Notice
- Attachment 4: Ordinance 787 approving Zone Amendment 14-1

Attachment 1

Planning Commission Resolution PC 2014-14

RESOLUTION NO. PC 2014-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF INDUSTRY ADOPT AN ORDINANCE 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

THE PLANNING COMMISSION OF THE CITY OF INDUSTRY RESOLVES AS FOLLOWS:

SECTION 1. General Findings. The City of Industry Planning Commission finds as follows:

- A. State law requires that licensed residential care facilities with six or fewer persons be allowed as a by-right use in all residential zones. No conditional use permit, zoning variance, or other zoning clearance may be required of a residential facility which serves six or fewer persons that is not required of a residential dwelling unit of the same type. In addition, such facilities may not be subject to any business taxes, local registration fees, use permit fees, or other fees to which other residential dwellings of the same type in the same zone are not likewise subject. Larger residential care facilities may be subject to an approved conditional use permit.
- B. State law requires the City to identify at least one zone that allows for the development of at least one emergency homeless shelter as a by-right use, regardless of need. While the City may set reasonable management and operation standards for emergency shelters, the use must be subject to the same development standards as other uses in the same zone.
- C. State law requires the City to permit transitional and supportive housing as a residential use in all zones allowing residential uses, and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- D. The City's 2013-2021 Housing Element establishes housing programs to implement these state law requirements.
- E. Specifically, the implementation objectives of Program 6 of the Housing Element encourage the City to amend the Municipal Code to define licensed residential care facilities serving six or fewer clients as a

permitted “by-right” residential use in all zones allowing for residential uses. Program 6 also encourages the City to define licensed residential care facilities serving seven or more clients and allow such facilities, with an approved conditional use permit, in the Institutional Zone.

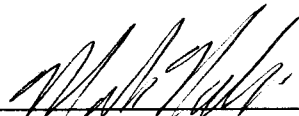
- F. In addition, the implementation objectives of Program 8 of the Housing Element encourage the City to amend the Municipal Code to permit at least one emergency shelter without a conditional use permit or other discretionary permit in the Institutional Zone with capacity to meet the City’s unmet need. Program 8 also encourages the City to define transitional and supportive housing and permit such uses as a residential use in all zones allowing residential uses, and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- G. Consistent with state law and the implementation objectives for Program 6 and Program 8 of the Housing Element, City staff has prepared a Proposed Ordinance amending Industry Municipal Code Chapters 17.08 (Definitions) and 17.18 (Institutional Zone) of Title 17 (Zoning), attached as Exhibit A.
- H. On December 11, 2014, having followed all legal prerequisites, the Planning Commission held a duly noticed public hearing to consider the Proposed Ordinance and receive testimony and reports from City staff and the public on the proposed amendments to the Municipal Code.

SECTION 2. Environmental Findings. The Planning Commission finds that the Proposed Ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Section 15332 of the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), Class 32 which exempts infill development. .

SECTION 3. Recommendation of Approval. Based on the above findings, the Industry Planning Commission recommends to the City Council adoption of the Proposed Ordinance.

SECTION 4. Certification and Transmittal to City Council. The Secretary of the Planning Commission is directed to certify to the adoption of this Resolution and transmit a copy to the City Council for further proceedings in accordance with state law.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Industry at a regular meeting held on December 11, 2014.



Mark Radecki
Vice Chairman

ATTEST:



Cecelia Dunlap
Secretary

EXHIBIT A

EXHIBIT A

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

THE CITY COUNCIL OF THE CITY OF INDUSTRY ORDAINS AS FOLLOWS:

SECTION 1. Findings.

- A. State law requires that licensed residential care facilities with six or fewer persons be allowed as a by-right use in all residential zones. No conditional use permit, zoning variance, or other zoning clearance may be required of a residential facility which serves six or fewer persons that is not required of a residential dwelling unit of the same type. In addition, such facilities may not be subject to any business taxes, local registration fees, use permit fees, or other fees to which other residential dwellings of the same type in the same zone are not likewise subject. Larger residential care facilities may be subject to an approved conditional use permit.
- B. State law requires the City to identify at least one zone that allows for the development of at least one emergency homeless shelter as a by-right use, regardless of need. While the City may set reasonable management and operation standards for emergency shelters, the use must be subject to the same development standards as other uses in the same zone.
- C. State law requires the City to permit transitional and supportive housing as a residential use in all zones allowing residential uses, and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- D. The City's 2013-2021 Housing Element establishes housing programs to implement these state law requirements.
- E. Specifically, the implementation objectives of Program 6 of the Housing Element encourage the City to amend the Municipal Code to define licensed residential care facilities serving six or fewer clients as a permitted "by-right" residential use in all zones allowing for residential uses. Program 6 also encourages the City to

define licensed residential care facilities serving seven or more clients and allow such facilities, with an approved conditional use permit, in the Institutional Zone.

- F. In addition, the implementation objectives of Program 8 of the Housing Element encourage the City to amend the Municipal Code to permit at least one emergency shelter without a conditional use permit or other discretionary permit in the Institutional Zone with capacity to meet the City's unmet need. Program 8 also encourages the City to define transitional and supportive housing and permit such uses as a residential use in all zones allowing residential uses, and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- G. City staff has prepared proposed amendments to Industry Municipal Code Chapters 17.08 (Definitions) and 17.18 (Institutional Zone) of Title 17 (Zoning) that are consistent with state law and the implementation objectives for Program 6 and Program 8 of the Housing Element.
- H. On December 11, 2014, the Planning Commission held a duly noticed public hearing at which the Commission considered the proposed amendments to the Municipal Code, received testimony and reports from City staff and the public on the proposed amendments, and recommended to the City Council adoption of this Ordinance approving the proposed amendments.
- I. On January 8, 2015, the City Council conducted and concluded a duly noticed public hearing on the subject matter of the Amendments.

SECTION 2. Environmental Review. The City Council exercises its independent judgment and finds that this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15332 of the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), Class 32 which exempts infill development. The Planning Director or his designee is hereby directed to promptly execute and file a Notice of Exemption in accordance with Section 15374 of the CEQA Guidelines.

SECTION 3. Amendment to Chapter 17.08. Chapter 17.08 (Definitions) of Title 17 (Zoning) of the Industry Municipal Code is amended as follows:

- A. Section 17.08.082 (Emergency homeless shelter) is added to read as follows:

"17.08.082 Emergency homeless shelter.

"Emergency homeless shelter" means housing with minimal supportive services operated by a provider that provides temporary accommodations to homeless persons. The term "temporary accommodations" means that a person or family will be allowed to reside at the shelter for a time period not to exceed six months.

For purpose of this definition, a “provider” means a government agency or private non-profit organization that provides or contracts with recognized community organizations to provide emergency or temporary shelter, and which may also provide meals, counseling and other services, as well as common areas for residents of the facility. Such a facility may have individual rooms, but is not developed with individual dwelling units.”

B. Section 17.08.130 (Residence) is renumbered to Section 17.08.125.

C. Section 17.08.127 (Residential care, limited) is added to read as follows:

“17.08.127 Residential care, limited.

“Residential care, limited” means twenty-four-hour, non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California. A residential facility serving six or fewer persons is considered a residential dwelling and is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.”

D. Section 17.08.129 (Residential care, general) is added to read as follows:

“17.08.129 Residential care, general.

“Residential care, general” means twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California.”

E. Section 17.08.152 (Supportive housing) is added to read as follows:

“17.08.152 Supportive housing.

“Supportive housing” is defined in the Health and Safety Code section 50675.14. Supportive housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.”

F. Section 17.08.157 (Transitional housing) is added to read as follows:

“17.08.057 Transitional housing.

“Transitional housing” is defined in the Health and Safety Code section 50675.2. Transitional housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.”

SECTION 4. Amendment to Chapter 17.18. Chapter 17.18 (Institutional Zone) of Title 17 (Zoning) of the Industry Municipal Code is amended as set forth in Exhibit A.1 attached to this ordinance and incorporated by this reference.

SECTION 5. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. Effective Date. This ordinance will become effective 30 days after its adoption.

SECTION 7. Publication. The City Clerk will certify to the adoption of this Ordinance and is directed to cause this ordinance to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED this 22nd day of January, 2015.

Tim Spohn, Mayor

ATTEST:

Jodi L. Scrivens, City Clerk

APPROVED AS TO FORM:

Michele R. Vadon, City Attorney

EXHIBIT A.1

EXHIBIT A.1

Chapter 17.08

DEFINITIONS

Sections:

17.08.005	Adult business.
17.08.007	Alcohol service.
17.08.008	Ancillary use.
17.08.009	Approved use.
17.08.010	Article.
17.08.015	Automobile.
17.08.020	Automobile storage space.
17.08.025	Bar and cocktail lounge.
17.08.030	Building.
17.08.040	Chapter.
17.08.050	Commission.
17.08.060	Dairy.
17.08.065	Dancing club.
17.08.067	Dancing school.
17.08.070	Domestic animal.
17.08.080	Dwelling unit.
17.08.082	Emergency homeless shelter.
17.08.085	Entertainment.
17.08.090	Front yard setback.
17.08.095	Industrial building.
17.08.098	Miniwarehouse/self-storage facility.
17.08.100	Parcel of land.
17.08.110	Person.
17.08.120	Required area.
17.08.125	Residence.
17.08.127	Residential care, limited
17.08.129	Residential care, general
17.08.132	Restaurant—Fast-food.
17.08.133	Restaurant—Full service.
17.08.135	Retail store.
17.08.140	Section.
17.08.142	Solid waste.
17.08.144	Solid waste handling facility.
17.08.150	Stand.
17.08.152	Supportive housing.
17.08.157	Transitional housing.
17.08.160	Use.

17.08.082 Emergency homeless shelter.

“Emergency homeless shelter” means housing with minimal supportive services operated by a provider that provides temporary accommodations to homeless persons. The term “temporary accommodations” means that a person or family will be allowed to reside at the shelter for a time period not to exceed six months. For purpose of this definition, a “provider” means a government agency or private non-profit organization that provides or contracts with recognized community organizations to provide emergency or temporary shelter, and which may also provide meals, counseling and other services, as well as common areas for residents of the facility. Such a facility may have individual rooms, but is not developed with individual dwelling units.

17.08.125 Residence.

“Residence” means a building designed as living quarters for persons doing their own cooking in such building. (Ord. 771 § 3, 2012; Ord. 178 § 137, 1961)

17.08.127 Residential care, limited.

“Residential care, limited” means twenty-four-hour, non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California. A residential facility serving six or fewer persons is considered a residential dwelling and is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.

17.08.129 Residential care, general.

“Residential care, general” means twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California.

17.08.152 Supportive housing.

“Supportive housing” is defined in the Health and Safety Code section 50675.14. Supportive housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.

17.08.057 Transitional housing.

“Transitional housing” is defined in the Health and Safety Code section 50675.2. Transitional housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.

Chapter 17.18

INSTITUTIONAL ZONE

Sections:

- 17.18.010 Intent and purpose.**
- 17.18.020 Institutional zone established.**
- 17.18.030 Uses permitted.**
- 17.18.040 Development standards.**
- 17.18.050 Emergency homeless shelters.**

17.18.010 Intent and purpose.

It is the intent and purpose of the institutional zone is to:

- A. Establish areas for public or quasi-public uses;
- B. Provide greater certainty about the future use and development of properties zoned institutional; and
- C. Ensure orderly planning and review procedures that will result in quality institutional developments. (Ord. 774 § 3, 2012)

17.18.020 Institutional zone established.

The institutional zone is hereby established to provide areas for public or quasi-public uses within the city and is applicable to such public property as may be owned, maintained, or used by the city, county, a school district, or other governmental entities as well as publically owned properties that are leased to non-public entities. (Ord. 774 § 3, 2012)

17.18.030 Uses permitted.

- A. Property zoned institutional may be used for the following uses subject to the issuance of a conditional use permit pursuant to Chapter 17.48 of this code:
 - 1. Public schools;
 - 2. Government institutions and facilities such as civic centers, post offices, fire stations, law enforcement facilities, and libraries;
 - 3. Museums and historic preservation;
 - 4. Private office and financial uses and nonprofit organizations that lease or utilize property owned, maintained, or used by the city, county, a school district, or other governmental entity;
 - 5. Public transportation facilities such as train stations, public parking lots, and park-and-ride lots;
 - 6. Hospitals, nursing homes, comprehensive subacute and skilled nursing care, and long term residential care; and

7. Licensed residential care facilities serving seven (7) or more clients.

B. The following uses are permitted to remain in their existing locations on properties zoned institutional; provided, however, that because of their nature these uses are not permitted to be moved or newly established on other properties zoned institutional unless such property is completely surrounded by similar uses as that proposed or by industrial uses:

1. Quasi-public facilities such as public utility facilities, power generation facilities, and electrical substations. (Ord. 774 § 3, 2012)

C. The following uses are permitted with approval of any necessary development permits for new construction as described in Section 17.36.020 (Development Plan-Long Form or Short-Form application as appropriate):

1. Emergency homeless shelter per Section 17.18.050.

17.18.040 Development standards.

Approval of a development plan is required for new or expanded structures on properties in the institutional zone pursuant to Chapter 17.36, Design Review. Development is subject to the following standards:

Standards	
Lot	
Minimum parcel size	• None.
Minimum parcel frontage	• None.
Building Envelope	
Maximum building square footage	• None.
Front setbacks	• 30 feet from front of curb of any street or highway, whether improved or not, to any habitable structure.
Rear and side setbacks	• None.
Maximum height	• 70 feet. • Radio towers, utility substations, electricity generating facilities, and other similar structures without habitable floor area may exceed maximum height as determined by city council during the development plan long-form application review.
Parking, Loading, and Access	
Parking	• Uses with public visitation or office use: 1 parking space per 250 sf of floor area devoted to public or office use. • Uses with no public visitation: 1 parking space per 500 sf of habitable floor area devoted to

Standards	
	<p>employee or office use.</p> <ul style="list-style-type: none"> • Transportation and parking lots: no minimum parking requirements.
Parking, drive isles, and driveways	<ul style="list-style-type: none"> • Minimum parking stall size: 9' x 19'. • Compact parking spaces (minimum stall size of 8' x 16') up to 30% of required parking. • Minimum driveway and parking-aisle width: 26 feet. • Only 90° parking allowed. • Driveways must be located in such a manner that: (1) there is an unobstructed view of the street and oncoming traffic; and (2) it does not create a hazard for vehicles entering or exiting a site.
Truck loading and maneuvering	<ul style="list-style-type: none"> • Located at the rear when possible. If located on front or side, the loading dock should be screened from unobstructed public view with permanent landscaping, masonry wall(s), or other suitable methods as approved by the planning director. • 100 feet of unobstructed clearance behind loading docks. • All truck maneuvering, stacking, and queuing must be accommodated on-site.
Grounds	
Landscaping	<ul style="list-style-type: none"> • Minimum landscape area: <ul style="list-style-type: none"> Lots up to 150,000 sf: 12% of lot area. Lots 150,001 sf to 250,000 sf: 11% of lot area or 18,000 sf whichever is greater. Lots 250,001 sf to 350,000 sf: 10% of lot area or 27,500 sf whichever is greater. Lots 350,001 sf to 450,000 sf: 09% of lot area or 35,000 sf whichever is greater. Lots greater than 450,001 sf: 8% of lot area or 40,500 sf whichever is greater. • The required landscape area must be concentrated along the public street(s) to the greatest extent possible. • Landscaping must be designed to comply with the city's water efficient landscape regulations, Chapter 13.18, and with the city's water efficient landscape guidelines.
Walls	<ul style="list-style-type: none"> • In front setback: 42 inches maximum height if a solid wall and 8 feet maximum height if wrought-iron or combination decorative masonry and wrought-iron. • A maximum 8-foot tall solid wall may be permitted in the front setback to screen utility facilities, power generation facilities, and electrical substations only if: (1) adequate landscaping is provided between the wall and the street to soften the wall (e.g., vines, trees, tall bushes); and (2) the wall is designed to eliminate a long, monotonous, unbroken plain (e.g., off-sets, pilasters); or (3) decorative wall elements are provided (e.g., split face block, bricks, public art). • A maximum 6-foot tall chain link fence may be permitted in the front setback only if the

Standards	
	<p>site is located so that it is not clearly visible to the public (e.g., at end of a cul-de-sac surrounded by industrial uses).</p> <ul style="list-style-type: none"> • Side and rear property lines: 10-foot tall maximum height. • All screen walls shall be constructed of masonry, concrete or other similar materials. Chain link is not permitted as a screen wall. • The design and materials used in the construction of fences and walls shall be compatible with the architecture of the buildings on the site and surrounding properties. • Exterior wall surfaces shall at all times be kept free from graffiti or any other marks of vandalism.
Trash and recycling bin enclosures	<ul style="list-style-type: none"> • 1 trash bin and 1 recycling bin enclosure required per building or as required by trash provider. • Each enclosure must be a minimum of 10' x 8' area with 6-foot tall walls, self-latching gate, and constructed of same materials as the main structure or masonry block.
Miscellaneous	
Outside storage	<ul style="list-style-type: none"> • Outside storage will not be permitted unless screened from view from public streets and adjacent property by a masonry screen wall or structure. • Outdoor storage is prohibited within setback areas.
Mechanical equipment	<ul style="list-style-type: none"> • With the exception of public utility facilities, power generation facilities, and electrical substations, all mechanical equipment (including roof-mounted equipment) shall be screened from public view by screening that complements in color, materials, and style, the main structure. The planning director may approve exceptions for historical structures.
Grading and drainage	<ul style="list-style-type: none"> • All site grading and drainage plans shall be approved by the city engineer. • Surface drainage must not result in surface flow onto any adjacent parcel. • Sharing surface drainage gutters among adjacent parcels is not permitted; however, underground storm drains along common property lines serving more than one parcel of land may be permitted. • Each parcel shall provide for the collection and discharge of surface runoff to an improved street, storm drain, or established watercourse independently of adjacent parcels.
Congestion management program	<ul style="list-style-type: none"> • Chapter 17.68, Congestion Management Program.

Standards	
Use permit	• Any change of occupants will be required to obtain a use permit per Chapter 17.44, Use Permit.
Signs	• Chapter 15.32, Sign Regulations.
Recycling facilities	• Chapter 17.52, Recycling Facilities.
Special events and banners	• Section 17.44.050, Special events, and approval of a special event/temporary banner permit.

Notes:

sf = square feet

17.18.050 Emergency homeless shelters.

In addition to the development standards noted in Section 17.18.040, emergency homeless shelters must comply with the following standards:

- A. No person may reside at an emergency homeless shelter for a period longer than six months in a 365-day period.
- B. The facility may not contain more than five beds or serve more than five homeless persons at any one time.
- C. A management and security plan must be submitted to the Planning Director for review and approval along with the application. The site-specific management and security plan must describe the following:
 1. Both on and off-site needs, including, but not limited to, the separation of individual male and female sleeping areas, provisions of family sleeping areas, and associated provisions of management.
 2. Good neighbor policies, including specific measures to minimize resident congregation in the vicinity of the facility during any hours that residents are not allowed inside the facility. Specific objectives are to avoid disruption of and interference with adjacent and nearby uses.
 3. Management of daily admittance and discharge.
 4. The screening of clients for admittance eligibility, including procedures for screening of potential residents to identify individuals who should be referred to medical facilities, residential care facilities, other service agencies, or law enforcement.
 5. Site maintenance and refuse collection schedules that provide the timely removal of litter and debris on and within the vicinity of the facility.
 6. Staff training and qualifications, including numbers and responsibilities of staff, shifts, and contact phone number, security, and for training, counseling, and treatment programs for residents.

7. The responsibility for the provision of an annual report to the Planning Director describing the operation and use of the facility that demonstrates compliance with the requirements of this section.

C. The following must be provided in each emergency homeless shelter:

1. Adequate external lighting for security purposes. The lighting must be stationary, directed away from adjacent properties and public rights-of-way, and positioned to maximize security at entries, parking areas, and common areas.

2. On-site client intake and waiting area in a location not adjacent to the public right-of-way, fully screened from public view, and a minimum area of five square feet per bed.

3. A minimum of 50 square feet of personal space must be allocated to each client bed and private storage area, or as may be required by the applicable building codes and fire codes.

4. Central cooking and dining room(s).

5. Child care facilities.

6. Laundry facilities or services adequate for the number of residents.

7. On-site parking must be provided at the ratio of one space per staff member, plus one space for every six beds.

8. Fencing, video cameras, and other provisions intended to enhance the security of the facility, residents, and staff.

9. Transportation provisions including pick-up and drop-off areas.

10. The provision of residential trash services.

Attachment 2

Notice of Exemption

NOTICE OF EXEMPTION

To: County Clerk
County of Los Angeles
Environmental Filings
12400 East Imperial Highway #2001
Norwalk, CA 90650

From: City of Industry
15625 E. Stafford Street, Suite 100
City of Industry, CA 91744

Project Title: Zone Amendment 14-1

Project Location - Specific: Citywide

Project Location-City: City of Industry **Project Location-County:** Los Angeles

Description of Project: Zone Amendment 14-1 is to amend the Industry Municipal Code to address emergency homeless shelters, residential care, and supportive and transitional housing and ensure consistency with State law and the Housing Element.

Name of Public Agency Approving Project: City Council

Name of Person or Agency Carrying Out Project: City of Industry

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. *State type and section number:*
- Statutory Exemptions. *State code number:* 15232 Class 3 and Class 32

Reasons why project is exempt: Pursuant to Sections 15232 Class 3, which exempts new construction or conversion of small structures, and Class 32, which exempts in-fill development projects. Class 3 exempts the construction and location of limited numbers of new, small facilities or structures and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Class 32 exempts in-fill projects that are consistent with the general plan and zoning requirements, on sites no more than five acres in size that are surrounded by urban uses and served by utilities and public services, on sites with no value as habitat for endangered, rare or threatened species, and if the project would not result in any significant traffic, noise, air quality, or water quality impacts.

Lead Agency

Contact Person: Brian James Telephone: (626) 333-2211

Signature: _____ Date: _____

Title: Planning Director

Attachment 3

Public Hearing Notice

NOTICE OF PUBLIC HEARING

Zone Amendment No. 14-1

On December 26, 2015, notice has been given that the City Council of the City of Industry will hold a public hearing to consider Zone Amendment Application 14-1. Zone Amendment 14-1 is a proposed Ordinance to amend Title 17 of the Industry Municipal Code to address emergency homeless shelters, residential care, and supportive and transitional housing in compliance with State law.

A copy of all relevant material, including the proposed Ordinance and Notice of Exemption, are on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744.

The time, date and place of such hearing shall be as follows:

Time:	9:00 a.m.
Date:	January 8, 2015
Place:	City Council Chamber 15651 East Stafford Street City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date and place.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council of the City of Industry at, or prior to, the public hearing.



Jodi Scrivens
City Clerk of the City of Industry

Attachment 4

Ordinance 787

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

THE CITY COUNCIL OF THE CITY OF INDUSTRY ORDAINS AS FOLLOWS:

SECTION 1. Findings.

- A. State law requires that licensed residential care facilities with six or fewer persons be allowed as a by-right use in all residential zones. No conditional use permit, zoning variance, or other zoning clearance may be required of a residential facility which serves six or fewer persons that is not required of a residential dwelling unit of the same type. In addition, such facilities may not be subject to any business taxes, local registration fees, use permit fees, or other fees to which other residential dwellings of the same type in the same zone are not likewise subject. Larger residential care facilities may be subject to an approved conditional use permit.
- B. State law requires the City to identify at least one zone that allows for the development of at least one emergency homeless shelter as a by-right use, regardless of need. While the City may set reasonable management and operation standards for emergency shelters, the use must be subject to the same development standards as other uses in the same zone.
- C. State law requires the City to permit transitional and supportive housing as a residential use in all zones allowing residential uses, and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- D. The City's 2013-2021 Housing Element establishes housing programs to implement these state law requirements.
- E. Specifically, the implementation objectives of Program 6 of the Housing Element encourage the City to amend the Municipal Code to define licensed residential care facilities serving six or fewer clients as a permitted "by-right" residential use in all zones allowing for residential uses. Program 6 also encourages the City to define licensed residential care facilities serving seven or more clients and allow such facilities, with an approved conditional use permit, in the Institutional Zone.

- F. In addition, the implementation objectives of Program 8 of the Housing Element encourage the City to amend the Municipal Code to permit at least one emergency shelter without a conditional use permit or other discretionary permit in the Institutional Zone with capacity to meet the City's unmet need. Program 8 also encourages the City to define transitional and supportive housing and permit such uses as a residential use in all zones allowing residential uses, and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.
- G. City staff has prepared proposed amendments to Industry Municipal Code Chapters 17.08 (Definitions) and 17.18 (Institutional Zone) of Title 17 (Zoning) that are consistent with state law and the implementation objectives for Program 6 and Program 8 of the Housing Element.
- H. On December 11, 2014, the Planning Commission held a duly noticed public hearing at which the Commission considered the proposed amendments to the Municipal Code, received testimony and reports from City staff and the public on the proposed amendments, and recommended to the City Council adoption of this Ordinance approving the proposed amendments.
- I. On January 8, 2015, the City Council conducted and concluded a duly noticed public hearing on the subject matter of the Amendments.

SECTION 2. Environmental Review. The City Council exercises its independent judgment and finds that this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15332 of the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3), Class 32 which exempts infill development. The Planning Director or his designee is hereby directed to promptly execute and file a Notice of Exemption in accordance with Section 15374 of the CEQA Guidelines.

SECTION 3. Amendment to Chapter 17.08. Chapter 17.08 (Definitions) of Title 17 (Zoning) of the Industry Municipal Code is amended as follows:

- A. Section 17.08.082 (Emergency homeless shelter) is added to read as follows:

"17.08.082 Emergency homeless shelter.

"Emergency homeless shelter" means housing with minimal supportive services operated by a provider that provides temporary accommodations to homeless persons. The term "temporary accommodations" means that a person or family will be allowed to reside at the shelter for a time period not to exceed six months. For purpose of this definition, a "provider" means a government agency or private non-profit organization that provides or contracts with recognized community organizations to provide emergency or temporary shelter, and which may also

provide meals, counseling and other services, as well as common areas for residents of the facility. Such a facility may have individual rooms, but is not developed with individual dwelling units.”

B. Section 17.08.130 (Residence) is renumbered to Section 17.08.125.

C. Section 17.08.127 (Residential care, limited) is added to read as follows:

“17.08.127 Residential care, limited.

“Residential care, limited” means twenty-four-hour, non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California. A residential facility serving six or fewer persons is considered a residential dwelling and is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.”

D. Section 17.08.129 (Residential care, general) is added to read as follows:

“17.08.129 Residential care, general.

“Residential care, general” means twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California.”

E. Section 17.08.152 (Supportive housing) is added to read as follows:

“17.08.152 Supportive housing.

“Supportive housing” is defined in the Health and Safety Code section 50675.14. Supportive housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.”

F. Section 17.08.157 (Transitional housing) is added to read as follows:

“17.08.057 Transitional housing.

“Transitional housing” is defined in the Health and Safety Code section 50675.2. Transitional housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.”

SECTION 4. Amendment to Chapter 17.18. Chapter 17.18 (Institutional Zone) of Title 17 (Zoning) of the Industry Municipal Code is amended as set forth in Exhibit A attached to this ordinance and incorporated by this reference.

SECTION 5. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 6. Effective Date. This ordinance will become effective 30 days after its adoption.

SECTION 7. Publication. The City Clerk will certify to the adoption of this Ordinance and is directed to cause this ordinance to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED this 22nd day of January, 2015.

Tim Spohn, Mayor

ATTEST:

Jodi L. Scrivens, City Clerk

APPROVED AS TO FORM:

Michele R. Vadon, City Attorney

EXHIBIT A

EXHIBIT A

Chapter 17.08

DEFINITIONS

Sections:

17.08.005	Adult business.
17.08.007	Alcohol service.
17.08.008	Ancillary use.
17.08.009	Approved use.
17.08.010	Article.
17.08.015	Automobile.
17.08.020	Automobile storage space.
17.08.025	Bar and cocktail lounge.
17.08.030	Building.
17.08.040	Chapter.
17.08.050	Commission.
17.08.060	Dairy.
17.08.065	Dancing club.
17.08.067	Dancing school.
17.08.070	Domestic animal.
17.08.080	Dwelling unit.
17.08.082	Emergency homeless shelter.
17.08.085	Entertainment.
17.08.090	Front yard setback.
17.08.095	Industrial building.
17.08.098	Miniwarehouse/self-storage facility.
17.08.100	Parcel of land.
17.08.110	Person.
17.08.120	Required area.
17.08.125	Residence.
17.08.127	Residential care, limited
17.08.129	Residential care, general
17.08.132	Restaurant—Fast-food.
17.08.133	Restaurant—Full service.
17.08.135	Retail store.
17.08.140	Section.
17.08.142	Solid waste.
17.08.144	Solid waste handling facility.
17.08.150	Stand.
17.08.152	Supportive housing.
17.08.157	Transitional housing.
17.08.160	Use.

17.08.082 Emergency homeless shelter.

“Emergency homeless shelter” means housing with minimal supportive services operated by a provider that provides temporary accommodations to homeless persons. The term “temporary accommodations” means that a person or family will be allowed to reside at the shelter for a time period not to exceed six months. For purpose of this definition, a “provider” means a government agency or private non-profit organization that provides or contracts with recognized community organizations to provide emergency or temporary shelter, and which may also provide meals, counseling and other services, as well as common areas for residents of the facility. Such a facility may have individual rooms, but is not developed with individual dwelling units.

17.08.125 Residence.

“Residence” means a building designed as living quarters for persons doing their own cooking in such building. (Ord. 771 § 3, 2012; Ord. 178 § 137, 1961)

17.08.127 Residential care, limited.

“Residential care, limited” means twenty-four-hour, non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California. A residential facility serving six or fewer persons is considered a residential dwelling and is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.

17.08.129 Residential care, general.

“Residential care, general” means twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of California.

17.08.152 Supportive housing.

“Supportive housing” is defined in the Health and Safety Code section 50675.14. Supportive housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.

17.08.057 Transitional housing.

“Transitional housing” is defined in the Health and Safety Code section 50675.2. Transitional housing is permitted, conditionally permitted, or prohibited in the same manner as other residential dwellings of the same type in the same zone under this code and applicable state law.

Chapter 17.18

INSTITUTIONAL ZONE

Sections:

- 17.18.010 Intent and purpose.**
- 17.18.020 Institutional zone established.**
- 17.18.030 Uses permitted.**
- 17.18.040 Development standards.**
- 17.18.050 Emergency homeless shelters.**

17.18.010 Intent and purpose.

It is the intent and purpose of the institutional zone is to:

- A. Establish areas for public or quasi-public uses;
- B. Provide greater certainty about the future use and development of properties zoned institutional; and
- C. Ensure orderly planning and review procedures that will result in quality institutional developments. (Ord. 774 § 3, 2012)

17.18.020 Institutional zone established.

The institutional zone is hereby established to provide areas for public or quasi-public uses within the city and is applicable to such public property as may be owned, maintained, or used by the city, county, a school district, or other governmental entities as well as publically owned properties that are leased to non-public entities. (Ord. 774 § 3, 2012)

17.18.030 Uses permitted.

- A. Property zoned institutional may be used for the following uses subject to the issuance of a conditional use permit pursuant to Chapter 17.48 of this code:
 - 1. Public schools;
 - 2. Government institutions and facilities such as civic centers, post offices, fire stations, law enforcement facilities, and libraries;
 - 3. Museums and historic preservation;
 - 4. Private office and financial uses and nonprofit organizations that lease or utilize property owned, maintained, or used by the city, county, a school district, or other governmental entity;
 - 5. Public transportation facilities such as train stations, public parking lots, and park-and-ride lots;
 - 6. Hospitals, nursing homes, comprehensive subacute and skilled nursing care, and long term residential care; and

7. Licensed residential care facilities serving seven (7) or more clients.

B. The following uses are permitted to remain in their existing locations on properties zoned institutional; provided, however, that because of their nature these uses are not permitted to be moved or newly established on other properties zoned institutional unless such property is completely surrounded by similar uses as that proposed or by industrial uses:

1. Quasi-public facilities such as public utility facilities, power generation facilities, and electrical substations. (Ord. 774 § 3, 2012)

C. The following uses are permitted with approval of any necessary development permits for new construction as described in Section 17.36.020 (Development Plan-Long Form or Short-Form application as appropriate):

1. Emergency homeless shelter per Section 17.18.050.

17.18.040 Development standards.

Approval of a development plan is required for new or expanded structures on properties in the institutional zone pursuant to Chapter 17.36, Design Review. Development is subject to the following standards:

Standards	
Lot	
Minimum parcel size	• None.
Minimum parcel frontage	• None.
Building Envelope	
Maximum building square footage	• None.
Front setbacks	• 30 feet from front of curb of any street or highway, whether improved or not, to any habitable structure.
Rear and side setbacks	• None.
Maximum height	• 70 feet. • Radio towers, utility substations, electricity generating facilities, and other similar structures without habitable floor area may exceed maximum height as determined by city council during the development plan long-form application review.
Parking, Loading, and Access	
Parking	• Uses with public visitation or office use: 1 parking space per 250 sf of floor area devoted to public or office use. • Uses with no public visitation: 1 parking space per 500 sf of habitable floor area devoted to

Standards	
	<p>employee or office use.</p> <ul style="list-style-type: none"> •Transportation and parking lots: no minimum parking requirements.
Parking, drive isles, and driveways	<ul style="list-style-type: none"> • Minimum parking stall size: 9' x 19'. • Compact parking spaces (minimum stall size of 8' x 16') up to 30% of required parking. • Minimum driveway and parking-aisle width: 26 feet. • Only 90° parking allowed. • Driveways must be located in such a manner that: (1) there is an unobstructed view of the street and oncoming traffic; and (2) it does not create a hazard for vehicles entering or exiting a site.
Truck loading and maneuvering	<ul style="list-style-type: none"> • Located at the rear when possible. If located on front or side, the loading dock should be screened from unobstructed public view with permanent landscaping, masonry wall(s), or other suitable methods as approved by the planning director. • 100 feet of unobstructed clearance behind loading docks. • All truck maneuvering, stacking, and queuing must be accommodated on-site.
Grounds	
Landscaping	<ul style="list-style-type: none"> • Minimum landscape area: <p style="margin-left: 40px;">Lots up to 150,000 sf: 12% of lot area.</p> <p style="margin-left: 40px;">Lots 150,001 sf to 250,000 sf: 11% of lot area or 18,000 sf whichever is greater.</p> <p style="margin-left: 40px;">Lots 250,001 sf to 350,000 sf: 10% of lot area or 27,500 sf whichever is greater.</p> <p style="margin-left: 40px;">Lots 350,001 sf to 450,000 sf: 09% of lot area or 35,000 sf whichever is greater.</p> <p style="margin-left: 40px;">Lots greater than 450,001 sf: 8% of lot area or 40,500 sf whichever is greater.</p>
	<ul style="list-style-type: none"> • The required landscape area must be concentrated along the public street(s) to the greatest extent possible. • Landscaping must be designed to comply with the city's water efficient landscape regulations, Chapter 13.18, and with the city's water efficient landscape guidelines.
Walls	<ul style="list-style-type: none"> • In front setback: 42 inches maximum height if a solid wall and 8 feet maximum height if wrought-iron or combination decorative masonry and wrought-iron. • A maximum 8-foot tall solid wall may be permitted in the front setback to screen utility facilities, power generation facilities, and electrical substations only if: (1) adequate landscaping is provided between the wall and the street to soften the wall (e.g., vines, trees, tall bushes); and (2) the wall is designed to eliminate a long, monotonous, unbroken plain (e.g., off-sets, pilasters); or (3) decorative wall elements are provided (e.g., split face block, bricks, public art). • A maximum 6-foot tall chain link fence may be permitted in the front setback only if the

Standards	
	<p>site is located so that it is not clearly visible to the public (e.g., at end of a cul-de-sac surrounded by industrial uses).</p> <ul style="list-style-type: none"> • Side and rear property lines: 10-foot tall maximum height. • All screen walls shall be constructed of masonry, concrete or other similar materials. Chain link is not permitted as a screen wall. • The design and materials used in the construction of fences and walls shall be compatible with the architecture of the buildings on the site and surrounding properties. • Exterior wall surfaces shall at all times be kept free from graffiti or any other marks of vandalism.
Trash and recycling bin enclosures	<ul style="list-style-type: none"> • 1 trash bin and 1 recycling bin enclosure required per building or as required by trash provider. • Each enclosure must be a minimum of 10' x 8' area with 6-foot tall walls, self-latching gate, and constructed of same materials as the main structure or masonry block.
Miscellaneous	
Outside storage	<ul style="list-style-type: none"> • Outside storage will not be permitted unless screened from view from public streets and adjacent property by a masonry screen wall or structure. • Outdoor storage is prohibited within setback areas.
Mechanical equipment	<ul style="list-style-type: none"> • With the exception of public utility facilities, power generation facilities, and electrical substations, all mechanical equipment (including roof-mounted equipment) shall be screened from public view by screening that complements in color, materials, and style, the main structure. The planning director may approve exceptions for historical structures.
Grading and drainage	<ul style="list-style-type: none"> • All site grading and drainage plans shall be approved by the city engineer. • Surface drainage must not result in surface flow onto any adjacent parcel. • Sharing surface drainage gutters among adjacent parcels is not permitted; however, underground storm drains along common property lines serving more than one parcel of land may be permitted. • Each parcel shall provide for the collection and discharge of surface runoff to an improved street, storm drain, or established watercourse independently of adjacent parcels.
Congestion management program	<ul style="list-style-type: none"> • Chapter 17.68, Congestion Management Program.

Standards	
Use permit	• Any change of occupants will be required to obtain a use permit per Chapter 17.44, Use Permit.
Signs	• Chapter 15.32, Sign Regulations.
Recycling facilities	• Chapter 17.52, Recycling Facilities.
Special events and banners	• Section 17.44.050, Special events, and approval of a special event/temporary banner permit.

Notes:

sf = square feet

17.18.050 Emergency homeless shelters.

In addition to the development standards noted in Section 17.18.040, emergency homeless shelters must comply with the following standards:

A. No person may reside at an emergency homeless shelter for a period longer than six months in a 365-day period.

B. The facility may not contain more than five beds or serve more than five homeless persons at any one time.

C. A management and security plan must be submitted to the Planning Director for review and approval along with the application. The site-specific management and security plan must describe the following:

1. Both on and off-site needs, including, but not limited to, the separation of individual male and female sleeping areas, provisions of family sleeping areas, and associated provisions of management.

2. Good neighbor policies, including specific measures to minimize resident congregation in the vicinity of the facility during any hours that residents are not allowed inside the facility. Specific objectives are to avoid disruption of and interference with adjacent and nearby uses.

3. Management of daily admittance and discharge.

4. The screening of clients for admittance eligibility, including procedures for screening of potential residents to identify individuals who should be referred to medical facilities, residential care facilities, other service agencies, or law enforcement.

5. Site maintenance and refuse collection schedules that provide the timely removal of litter and debris on and within the vicinity of the facility.

6. Staff training and qualifications, including numbers and responsibilities of staff, shifts, and contact phone number, security, and for training, counseling, and treatment programs for residents.

7. The responsibility for the provision of an annual report to the Planning Director describing the operation and use of the facility that demonstrates compliance with the requirements of this section.

C. The following must be provided in each emergency homeless shelter:

1. Adequate external lighting for security purposes. The lighting must be stationary, directed away from adjacent properties and public rights-of-way, and positioned to maximize security at entries, parking areas, and common areas.

2. On-site client intake and waiting area in a location not adjacent to the public right-of-way, fully screened from public view, and a minimum area of five square feet per bed.

3. A minimum of 50 square feet of personal space must be allocated to each client bed and private storage area, or as may be required by the applicable building codes and fire codes.

4. Central cooking and dining room(s).

5. Child care facilities.

6. Laundry facilities or services adequate for the number of residents.

7. On-site parking must be provided at the ratio of one space per staff member, plus one space for every six beds.

8. Fencing, video cameras, and other provisions intended to enhance the security of the facility, residents, and staff.

9. Transportation provisions including pick-up and drop-off areas.

10. The provision of residential trash services.

CITY COUNCIL

ITEM NO. 6.2



CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

MEMORANDUM

To: City Council

December 29, 2014

From: Brian James

Subject: Zone Amendment 14-3 to amend the Industry Municipal Code to establish the Recreation and Open Space Zone

Introduction

Zone Amendment 14-3 is a request to amend Title 17 of the Industry Municipal Code to incorporate the new Recreation and Open Space Zone (Chapter 17.26), which would establish areas and standards for commercial recreation, open space, and commercial nursery uses and ensure consistency with the General Plan.

In order to amend the Zoning Code, the City must comply with procedures set forth in California's Planning and Zoning Law, Government Code section 65800 – 65856. The minimum process authorized under the Government Code can be summarized as: (1) the Planning Commission must publish a notice of a public hearing; (2) the Planning Commission must hold a public hearing and render a written decision in the form of a recommendation to the City Council; (3) the City Council must publish a notice of a public hearing to consider the amendments; and (4) the City Council must hold at least one public hearing before approving the amendments. This amendment is being initiated by City staff to create consistency with the General Plan.

Background

State Law

- California Government Code Section 65850 allows cities to adopt ordinances that regulate the use of buildings and structures and create civic districts, public parks, public buildings/grounds, and establish regulations for those civic districts.
- California Government Code Section 65851 allows cities to establish any zones it deems necessary; however, per Section 65852, the regulations of the zone must be uniformly applied within that zone.

General Plan

The General Plan, which was adopted in 2014, contains four land use designations: Employment, Commercial, Recreation/Open Space, and Institutional. The General Plan defines the Recreation/Open Space designation as an area that accommodates commercial recreation such as golf courses, resorts, equestrian facilities, exposition centers; open space such as parks, trails, bikeways, indoor and outdoor recreational facilities, and interpretive centers; and commercial nurseries. The General Plan Land Use Map (Attachment 1) assigns 794 acres with the Recreation/Open Space designation.

Proposed Zone Amendment

The proposed Recreation and Open Space Zone would mirror the areas and uses of the equivalent General Plan designation and therefore create consistency with the General Plan. The proposed Zone would implement the direction of the General Plan by providing certainty about the future use and development within the Zone and ensure orderly planning and review procedures that will maintain areas for open space and recreational uses.

The proposed Recreation and Open Space Zone (Chapter 17.26) and associated amendments are contained in Attachment 7. The properties that are proposed to be changed from a Commercial or Industrial Zone to the new Recreation and Open Space Zone are listed in Attachment 2 and amendments to the zoning map are shown on Attachment 3. In summary, the proposed amendments would change Title 17, Zoning, to:

- Insert the new Recreation and Open Space Zone (Chapter 17.26).
- Make appropriate edits to various sections of the Municipal Code to incorporate the new zone.
- Add the new Recreation and Open Space (ROS) zoning designation to the zoning map.
- Designate certain properties depicted in Attachment 3 with the ROS Zone.

The new Recreation and Open Space Zone would allow the following uses. The establishment of any of these uses within areas zoned as Recreation and Open Space would require approval of conditional use permit pursuant to Chapter 17.48, Conditional Use Permits/Exceptions, and approval of a Development Plan per Chapter 17.36, Design Review, for new construction.

- Golf courses, driving ranges, course maintenance facilities, golf club houses.
- Parks, public and private.
- Resorts, including spas, dining facilities, restaurants, gyms, pro-shops, conference facilities, recreational amenities, and other similar uses.
- Equestrian facilities.
- Indoor and outdoor recreational facilities.
- Exposition centers.
- Commercial nurseries.
- Interpretive centers.
- Reservoirs.

New hotels are not permitted except as allowed pursuant to Chapter 17.24, Planned Development Overlay Zone (P-D Overlay).

Under the proposed ROS Zone, the existing publicly and privately owned homes that would be located within the proposed zone would become permitted uses and would become conforming uses.

Planning Commission Action

On December 11, 2014, the Planning Commission adopted Resolution No. PC 2014-13 (Attachment 4) recommending that the City Council approve Zone Amendment 14-3.

Environmental Analysis

The proposed Zone Amendment is not subject to the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines. A Notice of Exemption (Attachment 5) will be prepared for the project and filed with the Los Angeles County Clerk.

The proposed zone amendment is exempt from CEQA because: 1) it establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone are more restrictive than the existing standards and zoning designations, which allow commercial and industrial development, and; 4) industrial development would be precluded.

Public Hearing

The required public hearing notice (Attachment 6) was posted at the City Hall, Gale Avenue fire station, and council chambers and published in the San Gabriel Valley Tribune by December 26, 2014. At the same time, the hearing notice was sent to each property owner noted in Attachment 2.

Recommendation

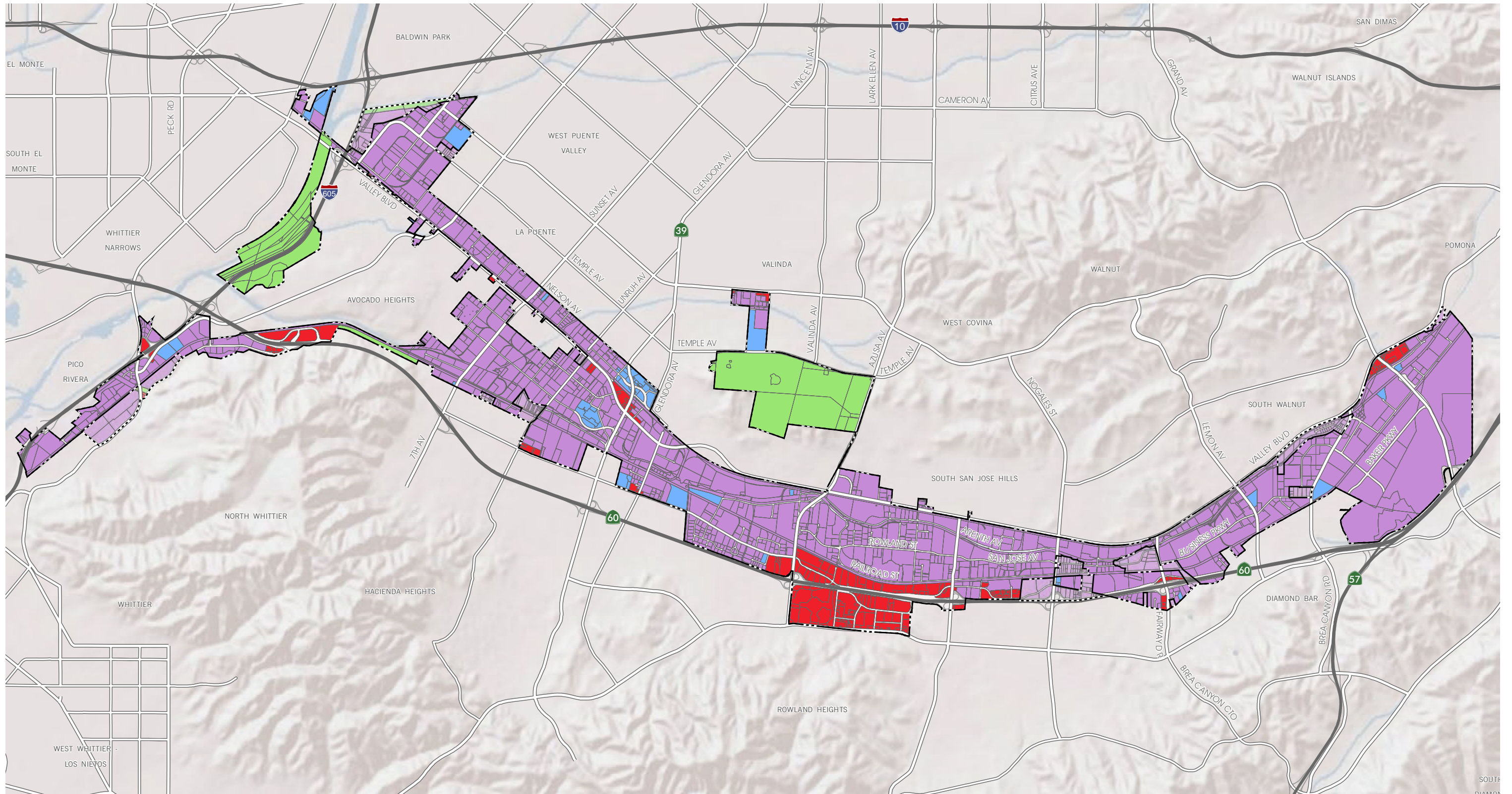
Staff recommends that the City Council approve Zone Amendment 14-3 by adopting Ordinance 786 (Attachment 7).

Attachments

- Attachment 1: General Plan Map
- Attachment 2: List of properties proposed to be changed to Recreation and Open Space
- Attachment 3: Proposed Zoning Map Amendments
- Attachment 4: Planning Commission Resolution PC 2014-13
- Attachment 5: Notice of Exemption
- Attachment 6: Public Hearing Notice
- Attachment 7: Ordinance 786

Attachment 1

General Plan Map



0 1,625 3,250 6,500 Feet



6.12.14

General Plan

- Employment
- Commercial
- Institutional
- Recreation & Open Space

General Plan Sphere

- Employment
- Commercial
- Recreation & Open Space

- City of Industry
- Sphere of Influence Boundary

FIGURE 4
General Plan Land Use

Attachment 2

List of properties proposed to be changed to Recreation and Open Space

ATTACHMENT 2

List of Properties Proposed to be changed to Recreation and Open Space

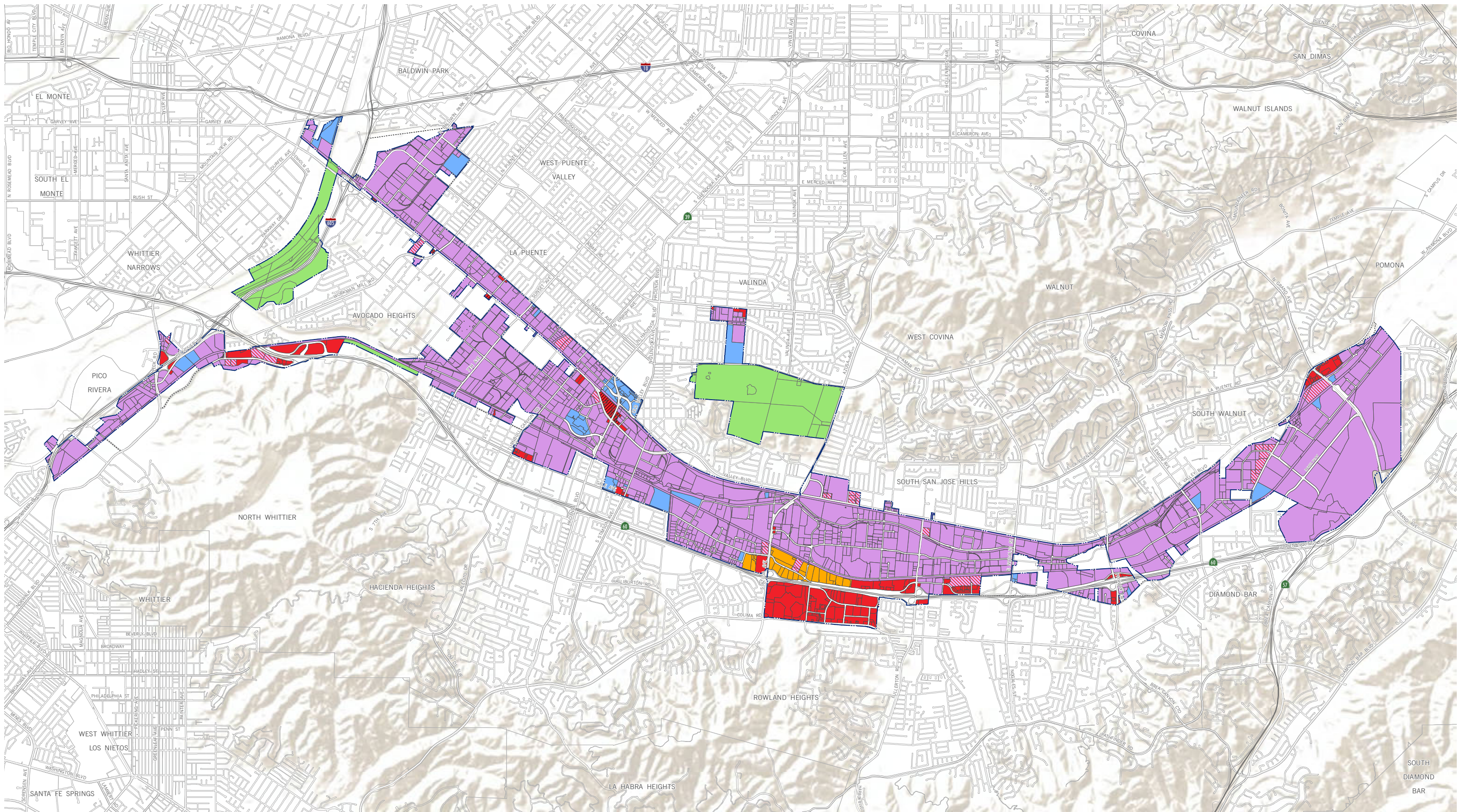
As shown on the Proposed Zoning Map Amendments (Attachment 3 of the report), the following sites are proposed to be changed from an existing industrial or commercial zoning designation to the new Recreational and Open Space zoning designation.

APN(s)	Owner	Area
8113025900	L A Co Flood Control District	San Gabriel River Area
8564012804	Southern Pac Trans Co	San Gabriel River Area
8564012913	L A Co Flood Control District	San Gabriel River Area
8564014906	L A Co Flood Control District	San Gabriel River Area
8564012806	Southern Pac Trans Co	San Gabriel River Area
8564012806	Southern Pac Trans Co	San Gabriel River Area
8115002901	L A Co Flood Control District	San Gabriel River Area
8115002908	Watershed Conservation	San Gabriel River Area
8115002903	L A Co Flood Control District	San Gabriel River Area
8115002907	Watershed Conservation	San Gabriel River Area
8115001900	L A Co Flood Control District	San Gabriel River Area
8115002904	Watershed Conservation	San Gabriel River Area
8115001909	Watershed Conservation	San Gabriel River Area
8115002905	Watershed Conservation	San Gabriel River Area
8115002902	L A Co Flood Control District	San Gabriel River Area
8115003008	Sr Mutual Investment Corp	California Country Club
8115002801	So California Edison Co	San Gabriel River Area
8115003007	Sr Mutual Investment Corp	California Country Club
8115003003	Sr Mutual Investment Corp	California Country Club
8115001800	So California Edison Co	San Gabriel River Area
8115001908	Watershed Conservation	San Gabriel River Area
8115003005	Sr Mutual Investment Corp	California Country Club
8115001801	So California Edison Co	San Gabriel River Area
8115003006	Sr Mutual Investment Corp	California Country Club
8110029900	L A Co Flood Control District	San Gabriel River Area
8110029901	L A Co Flood Control District	San Gabriel River Area
8247036900	City of Industry	Industry Hills
8247003038	Perez, Manuel Tr	Industry Hills
8247003016	Perez, Manuel V Co Tr	Industry Hills
8247003040	Perez, David Tr	Industry Hills
8247003039	Perez, Patrick Tr	Industry Hills
8247003041	Perez, Manuel Tr	Industry Hills
8247014900	City of Industry	Industry Hills
8206034017	Trico Trading Co Inc	Wildwood
8206034800	Union Pacific R R Co	Wildwood
8262001900	City of Industry	Industry Hills
8262001011	Suburban Water Systems	Industry Hills
8262001010	Suburban Water Systems	Industry Hills
8262001902	City of Industry	Industry Hills
8262011011	Suburban Water Systems	Industry Hills
8262011930	City of Industry	Industry Hills
8262011931	City of Industry	Industry Hills
8262015905	City of Industry	Industry Hills
8262015903	City of Industry	Industry Hills
8262015902	City of Industry	Industry Hills
8262015900	City of Industry	Industry Hills
8262015001	Hillside Southern Baptist	Industry Hills
8262015901	City of Industry	Industry Hills
8262015904	City of Industry	Industry Hills
8115002006	Sr Mutual Investment Corp	San Gabriel River Area

8115002900	L A Co Flood Control District	San Gabriel River Area
8115002800	So California Edison Co	San Gabriel River Area
8110029902	L A Co Flood Control District	San Gabriel River Area
8115002906	Watershed Conservation	San Gabriel River Area
8115003001	Sr Mutual Investment Corp	California Country Club
8115002270	L A City Department Of Water And Power	San Gabriel River Area
8247013905	City of Industry	Industry Hills
8247013908	City of Industry	Industry Hills
8247013907	City of Industry	Industry Hills
8247013906	City of Industry	Industry Hills
8115002006	Sr Mutual Investment Corp	San Gabriel River Area

Attachment 3

Proposed Zoning Map Amendments



0 2,500 5,000 10,000 Feet



Date: 11/7/2014

Zoning

- Industrial (I)
- Commercial (C)
- Institutional (INST)
- Automobile Zone (AZ)
- Proposed Recreation and Open Space Zone (ROS)
- Industry SOI Boundary

Commercial - Adult Business Overlay (AB)

Industry Boundary

PROPOSED ZONING



Attachment 4

Planning Commission Resolution PC 2014-13

RESOLUTION NO. PC 2014-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE ADDING A NEW CHAPTER 17.26 TO THE INDUSTRY MUNICIPAL CODE PERTAINING TO A RECREATION AND OPEN SPACE ZONE

WHEREAS, the State Planning and Zoning Law (California Government Code §§ 65000 *et seq.*), allows cities to establish zones and to regulate the use and development of property, buildings and structures within such zones; and,

WHEREAS, Title 17 of the Industry Municipal Code (the "Zoning Code") currently sets forth the regulations for the use and development of property within the zoned areas of the City; and

WHEREAS, the Industry General Plan was recently amended to include, among other matters, a land use designation for Recreation/Open Space. The amended General Plan defines the Recreation/Open Space designation as an area that accommodates commercial recreation such as golf courses, resorts, equestrian facilities, exposition centers; open space such as parks, trails, bikeways, indoor and outdoor recreational facilities, and interpretive centers, and; commercial nurseries; and,

WHEREAS, because of the addition of the General Plan Recreation/Open Space land use designation, it is in the best interest of the City to amend the Zoning Code to add a new Chapter 17.26 to provide the regulations and standards for property within the new Recreation and Open Space Zone (the "Amendment"); and,

WHEREAS, attached hereto, marked as Exhibit "A," and incorporated by this reference is the proposed Ordinance to amend the Zoning Code by adoption of the Amendment; and,

WHEREAS, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, 14 California Code of Regulations section 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Industry, the project represented by the Amendment was found to be exempt from the requirements of CEQA pursuant to State CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because the Amendment: 1) establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are

already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone are more restrictive than the existing standards and zoning designations, which allow commercial and industrial development, and; 4) industrial development would be precluded. Accordingly, the Amendment has no potential to result in a physical change to the environment, directly or indirectly, and can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment; and,

WHEREAS, any related environmental documents forming the basis for this CEQA exemption and the Amendment are located in, and in the custody of, the Office of the City Clerk, City of Industry; and,

WHEREAS, on December 11, 2014 the Planning Commission conducted a duly noticed public hearing regarding the Amendment and the exemption from CEQA and considered all written, oral and public testimony presented; and,

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDUSTRY DOES RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The Planning Commission hereby finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

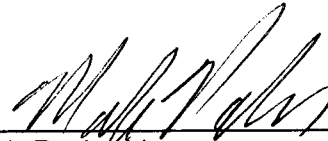
SECTION 2. The Planning Commission hereby exercises its independent judgment and recommends that the City Council find that Amendment is exempt from the requirements of CEQA pursuant to State CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because the Amendment: 1) establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone are more restrictive than the existing standards and zoning designations, which allow commercial and industrial development, and; 4) industrial development would be precluded. Accordingly, the Amendment has no potential to result in a physical change to the environment, directly or indirectly, and can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment.

SECTION 3. The Planning Commission finds that the Amendment is in conformity with, and furthers the goals of, the General Plan of the City of Industry.

SECTION 4. The Planning Commission does hereby recommend that the City Council adopt an Ordinance approving the Amendment and the exemption from CEQA as referenced in Exhibit "A."

SECTION 5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and transmit a copy of this Resolution to the City Clerk of the City of Industry.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Industry at a regular meeting held on December 11, 2014.



Mark Radecki
Vice Chairman

ATTEST:




Cecelia Dunlap
Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) **ss.**
CITY OF INDUSTRY)

**PLANNING COMMISSION
SECRETARY'S CERTIFICATION
RE: ADOPTION OF PLANNING
COMMISSION RESOLUTION**

I, Cecelia Dunlap, Secretary of the City of Industry Planning Commission, do HEREBY CERTIFY that the foregoing Resolution No. PC 2014-13 was duly passed and adopted at a regular meeting of the Planning Commission of the City of Industry held on the 11th day of December, 2014 by the following vote to wit:

AYES:	COMMISSIONERS:	Contreras, Spivey, Welch, VC/Radecki
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	C/Perez
ABSTAINED:	COMMISSIONERS:	None



Cecelia Dunlap, Secretary
Planning Commission
City of Industry, California

(SEAL)

EXHIBIT A

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

WHEREAS, the State Planning and Zoning Law (California Government Code §§ 65000 *et seq.*), allows cities to establish zones and to regulate the use and development of property, buildings and structures within such zones; and,

WHEREAS, Title 17 of the Industry Municipal Code (the "Zoning Code") currently sets forth the regulations for the use and development of property within the zoned areas of the City; and

WHEREAS, the Industry General Plan was recently amended to include, among other matters, a land use designation for Recreation/Open Space. The amended General Plan defines the Recreation/Open Space designation as an area that accommodates commercial recreation such as golf courses, resorts, equestrian facilities, exposition centers; open space such as parks, trails, bikeways, indoor and outdoor recreational facilities, and interpretive centers, and; commercial nurseries; and,

WHEREAS, because of the addition of the General Plan Recreation/Open Space land use designation, it is the desire of the City Council to amend the Zoning Code to add a new Chapter 17.26 to provide the regulations and standards for property within the new Recreation and Open Space Zone (the "Amendment"); and,

WHEREAS, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, 14 California Code of Regulations section 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Industry, the project represented by the Amendment was found to be exempt from the requirements of CEQA pursuant to State CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because the Amendment: 1) establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone

are more restrictive than the existing standards and zoning designations, which allow commercial and industrial development, and; 4) industrial development would be precluded. Accordingly, the Amendment has no potential to result in a physical change to the environment, directly or indirectly, and can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment; and,

WHEREAS, any related environmental documents forming the basis for this CEQA exemption and the Amendment are located in, and in the custody of, the Office of the City Clerk, City of Industry.

WHEREAS, the Planning Commission conducted a duly noticed public hearing on December 11, 2014 regarding the Amendment and, after considering all written, oral and public testimony presented, adopted their Resolution recommended that the City Council adopt the Amendment and the exemption from CEQA; and,

WHEREAS, on January 8, 2015, the City Council conducted and concluded a duly noticed public hearing on the subject matter of the Amendment; and,

WHEREAS, the City Council finds that the Amendment is (1) is consistent with, and furthers the goals of, the General Plan of the City of Industry, the requirements of the State Planning and Zoning Laws (California Government Code §§ 65000 *et seq.*), and the Industry Zoning Ordinance, (2) is in the interests of the general community welfare, and (3) is consistent with good zoning and planning practices; and,

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Ordinance.

THE CITY COUNCIL OF THE CITY OF INDUSTRY DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that all the facts, findings and conclusions set forth above in the Recitals of this Ordinance are true and correct.

SECTION 2. Based upon the environmental review of the project referenced in the Amendment, the City Council finds that the project proposed in the Amendment is exempt from CEQA pursuant to State CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, , because the Amendment: 1) establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are

already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone are more restrictive than the existing standards and zoning designations, which allow commercial and industrial development, and; 4) industrial development would be precluded. Accordingly, the Amendment has no potential to result in a physical change to the environment, directly or indirectly, and can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment.

SECTION 3. Chapter 17.26 is hereby added to the Industry Municipal Code to read, as follows:

“Chapter 17.26

RECREATION AND OPEN SPACE ZONE

Sections:

- 17.26.010 Purpose.**
- 17.26.020 Uses permitted.**
- 17.26.030 Development standards.**

17.26.10 Purpose.

It is the purpose and intent of the Recreation and Open Space Zone (ROS) to:

- A. Establish areas for commercial recreation, open space, and commercial nursery uses;
- B. Provide greater certainty about the future use and development of properties zoned ROS;
- C. Ensure consistency with the General Plan and orderly planning and review procedures that will maintain areas for open space and recreational uses in the City.

17.26.020 Uses permitted.

A. Property zoned ROS may be used for the following uses subject to the issuance of a conditional use permit pursuant to Chapter 17.48, Conditional Use Permits/Exceptions:

- 1. Golf courses, driving ranges, course maintenance facilities, golf club houses;
- 2. Parks, public and private;
- 3. Resorts, including spas, dining facilities, restaurants, gyms, pro-shops, conference facilities, recreational amenities, and other similar uses;

4. Equestrian facilities;
5. Indoor and outdoor recreational facilities;
6. Exposition centers;
7. Commercial nurseries;
8. Interpretive centers;
9. Reservoir.

B. Approval of a development plan pursuant to Section 17.36.020, Development plan review required, will be required for any structures and physical improvements deemed significant by the Planning Director.

C. Trails, bikeways, and similar minor improvements do not require separate planning approvals but, if included, will be reviewed as part of the Conditional Use Permit and/or Development Plan application process. Stand-alone proposals for trails and bikeways require approval by the City Engineer.

D. New hotels are not permitted except as allowed pursuant to Chapter 17.24, Planned Development Overlay Zone (P-D Overlay).

E. Housing units existing as of the effective date of this chapter (XX, 2015) are permitted and considered legal conforming uses. The like-for-like replacement of, enlargement of, and improvements/modifications to existing housing may be permitted with approval of a Development Plan Short-Form application.

17.26.030 Development standards.

Approval of a Development Plan is required for new or expanded structures in the ROS zone pursuant to Chapter 17.36, Design Review. Development on a property zoned ROS is subject to the following standards:

	Standards
Lot	
Minimum parcel size	• None
Minimum parcel frontage	• None
Building Envelope	
Maximum building square footage	• None.
Front setbacks to structures	• 30' from front of curb of any street or highway, whether improved or not, to any habitable structure.
Rear and side	• None.

Standards	
setbacks	
Maximum height	• 55'
Parking, Loading, and Access	
Parking	<ul style="list-style-type: none"> • Parking to be determined on a case-by-case basis depending upon the nature of the proposed use and expected demands using the Municipal Code standards as a guide.
Parking, drive isles, and driveways	<ul style="list-style-type: none"> • Minimum parking stall size: 9' x 19'. • Compact parking spaces (minimum stall size of 8' x 16') up to 30% of required parking. • Minimum driveway and parking-aisle width: 26'. • Only 90° parking allowed. • Driveways must be located in such a manner that: 1) there is an unobstructed view of the street and oncoming traffic, and 2) it does not create a hazard for vehicles entering or exiting a site.
Grounds	
Landscaping	<ul style="list-style-type: none"> • Minimum landscape area: <ul style="list-style-type: none"> · Lots up to 150,000 sf: 12% of lot area. · Lots 150,001 sf to 250,000 sf: 11% of lot area or 18,000 sf whichever is greater. · Lots 250,001 sf to 350,000 sf: 10% of lot area or 27,500 sf whichever is greater. · Lots 350,001 sf to 450,000 sf: 09% of lot area or 35,000 sf whichever is greater. · Lots greater than 450,001 sf: 8% of lot area or 40,500 sf whichever is greater. • The required landscape area must be concentrated along the public street(s) to the greatest extent possible. • Landscaping must be designed to comply with the city's water efficient landscape regulations, Chapter 13.18, and with the city's water efficient landscape guidelines.
Walls	<ul style="list-style-type: none"> • In front setback: 42" maximum height if a solid wall and 8' maximum height if wrought-iron or combination decorative masonry and wrought-iron. • An maximum 8' tall solid wall may be permitted in the front setback to screen utility facilities, power generation facilities, and electrical substations only if: 1) adequate landscaping is provided between the wall and the street to soften the wall (e.g., vines, trees, tall bushes); and 2) the wall is designed to eliminate a long, monotonous, unbroken plain (e.g. off-sets, pilasters); or 3) decorative wall elements are provided (e.g. split face block, bricks, public art). • A maximum 6' tall chain link fence may be permitted in the front setback only if the site is located so that it is not clearly visible to the

	Standards
	<p>public (e.g. at end of a cul-de-sac surrounded by industrial uses).</p> <ul style="list-style-type: none"> • Side and rear property lines: 10' tall maximum height. • All screen walls shall be constructed of masonry, concrete or other similar materials. Chain link is not permitted as a screen wall. • The design and materials used in the construction of fences and walls shall be compatible with the architecture of the buildings on the site and surrounding properties. • Exterior wall surfaces shall at all times be kept free from graffiti or any other marks of vandalism.
Trash and recycling bin enclosures	<ul style="list-style-type: none"> • As determined necessary depending upon the nature of the proposed use and expected demands using the Municipal Code standards as a guide and in consultation with the trash provider.
Miscellaneous	
Outside storage	<ul style="list-style-type: none"> • Outside storage will not be permitted unless screened from view from public streets and adjacent property by a masonry screen wall or structure. • Outdoor storage is prohibited on/within setback areas, parking, drive aisles, landscaping, and emergency aisles.
Mechanical equipment	<ul style="list-style-type: none"> • With the exception of public utility facilities, power generation facilities, and electrical substations, all mechanical equipment (including roof-mounted equipment) shall be screened from public view by screening that complements in color, materials, and style, the main structure. The Planning Director may approve exceptions for historical structures.
Grading and drainage	<ul style="list-style-type: none"> • All site grading and drainage plans shall be approved by the City Engineer. • Surface drainage must not result in surface flow onto any adjacent parcel. • Sharing surface drainage gutters among adjacent parcels is not permitted; however, underground storm drains along common property lines serving more than one parcel of land may be permitted. • Each parcel shall provide for the collection and discharge of surface runoff to an improved street, storm drain, or established watercourse independently of adjacent parcels.
Use permit	<ul style="list-style-type: none"> • Any change of occupants shall be required to obtain a Use Permit per Chapter 17.44, Use Permit.
Signs	<ul style="list-style-type: none"> • Per Chapter 15.32, Sign Regulations.
Special events and banners	<ul style="list-style-type: none"> • Per 17.44.050, Special Events, and approval of a Special Event/Temporary Banner Permit.
Notes:	
<ul style="list-style-type: none"> • sf = square feet 	

SECTION 4. Section 17.04.120 of the Industry Municipal Code is hereby amended to read, as follows:

“17.04.010 Zones—Classifications.

In order to classify land uses and to restrict the location of trades, industries and buildings designed for various uses, and the use of area and premises within the city, the area within the city may be divided into zones as follows:

- A. C—Commercial;
- B. M—Manufacturing;
- C. M-A—Manufacturing-Agricultural;
- D. I—Institutional;
- E. ROS—Recreation and Open Space
- F. M-C Overlay—Manufacturing-Commercial Overlay;
- G. P-D Overlay—Planned-Development Overlay;
- H. A-B Overlay—Adult Business Overlay.”

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. The City Clerk shall certify as to the adoption of this Ordinance and shall cause the same to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 22nd day of January, 2015.

Tim Spohn, Mayor

ATTEST:

Jodi Scrivens, City Clerk

APPROVED AS TO FORM:

Michele R. Vadon, City Attorney

Attachment 5

Notice of Exemption

NOTICE OF EXEMPTION

To: County Clerk
County of Los Angeles
Environmental Filings
12400 East Imperial Highway #2001
Norwalk, CA 90650

From: City of Industry
15625 E. Stafford Street, Suite 100
City of Industry, CA 91744

Project Title: Zone Amendment 14-3

Project Location - Specific: Citywide

Project Location-City: City of Industry

Project Location-County: Los Angeles

Description of Project: Zone Amendment 14-3 is to amend the Industry Municipal Code to incorporate the Recreation and Open Space Zone (Chapter 17.26), which would establish areas and standards for commercial recreation, open space, and commercial nursery uses and ensure consistency with the General Plan.

Name of Public Agency Approving Project: City Council

Name of Person or Agency Carrying Out Project: City of Industry

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. *State type and section number:*
- Statutory Exemptions. *State code number: 15060(c)(2) and 15060(c)(3)*

Reasons why project is exempt: Pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because: 1) it establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone are more restrictive than the existing standards and zoning designations, which allow commercial and industrial development, and; 4) industrial development would be precluded.

Lead Agency

Contact Person: Brian James

Telephone: (626) 333-2211

Signature: _____

Date: _____

Title: Planning Director

Attachment 6

Public Hearing Notice

NOTICE OF PUBLIC HEARING

Zone Amendment No. 14-3

On December 26, 2014, notice has been given that the City Council of the City of Industry will hold a public hearing to consider Zone Amendment Application 14-3. Zone Amendment 14-3 is a proposed Ordinance to amend Title 17 of the Industry Municipal Code to incorporate the new Recreation and Open Space Zone (Chapter 17.26), which would establish areas and standards for commercial recreation, open space, and commercial nursery uses and ensure consistency with the General Plan. Existing homes within in the proposed ROS Zone would be permitted uses and considered legal conforming uses. The properties proposed to be changed to the new Recreation and Open Space Zone are shown on the attached map.

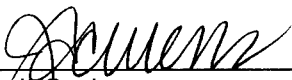
A copy of all relevant material, including the proposed Ordinance and Notice of Exemption, are on file in the City Administrative Offices, 15625 East Stafford Street, Suite 100, City of Industry, California 91744.

The time, date and place of such hearing shall be as follows:

Time:	9:00 a.m.
Date:	January 8, 2015
Place:	City Council Chamber 15651 East Stafford Street City of Industry, CA 91744

Any person wishing to be heard regarding this matter may appear at the above time, date and place.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council of the City of Industry at, or prior to, the public hearing.



Jodi Scrivens
City Clerk of the City of Industry

Attachment 7

Ordinance 786

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

WHEREAS, the State Planning and Zoning Law (California Government Code §§ 65000 *et seq.*), allows cities to establish zones and to regulate the use and development of property, buildings and structures within such zones; and,

WHEREAS, Title 17 of the Industry Municipal Code (the "Zoning Code") currently sets forth the regulations for the use and development of property within the zoned areas of the City; and

WHEREAS, the Industry General Plan was recently amended to include, among other matters, a land use designation for Recreation/Open Space. The amended General Plan defines the Recreation/Open Space designation as an area that accommodates commercial recreation such as golf courses, resorts, equestrian facilities, exposition centers; open space such as parks, trails, bikeways, indoor and outdoor recreational facilities, and interpretive centers, and; commercial nurseries; and,

WHEREAS, because of the addition of the General Plan Recreation/Open Space land use designation, it is the desire of the City Council to amend the Zoning Code to add a new Chapter 17.26 to provide the regulations and standards for property within the new Recreation and Open Space Zone (the "Amendment"); and,

WHEREAS, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 *et seq.*, the State CEQA Guidelines, 14 California Code of Regulations section 15000 *et seq.*, and the Environmental Impact Report Guidelines of the City of Industry, the project represented by the Amendment was found to be exempt from the requirements of CEQA pursuant to State CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because the Amendment: 1) establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone are more restrictive than the existing standards and zoning designations, which allow commercial and industrial development, and; 4) industrial development would be precluded. Accordingly, the Amendment has no potential to result in a

physical change to the environment, directly or indirectly, and can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment; and,

WHEREAS, any related environmental documents forming the basis for this CEQA exemption and the Amendment are located in, and in the custody of, the Office of the City Clerk, City of Industry.

WHEREAS, the Planning Commission conducted a duly noticed public hearing on December 11, 2014 regarding the Amendment and, after considering all written, oral and public testimony presented, adopted their Resolution recommended that the City Council adopt the Amendment and the exemption from CEQA; and,

WHEREAS, on January 8, 2015, the City Council conducted and concluded a duly noticed public hearing on the subject matter of the Amendment; and,

WHEREAS, the City Council finds that the Amendment is (1) is consistent with, and furthers the goals of, the General Plan of the City of Industry, the requirements of the State Planning and Zoning Laws (California Government Code §§ 65000 *et seq.*), and the Industry Zoning Ordinance, (2) is in the interests of the general community welfare, and (3) is consistent with good zoning and planning practices; and,

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Ordinance.

THE CITY COUNCIL OF THE CITY OF INDUSTRY DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that all the facts, findings and conclusions set forth above in the Recitals of this Ordinance are true and correct.

SECTION 2. Based upon the environmental review of the project referenced in the Amendment, the City Council finds that the project proposed in the Amendment is exempt from CEQA pursuant to State CEQA Guidelines section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, because the Amendment: 1) establishes a zone that allows for open space and recreational uses; 2) the uses permitted in the new Recreation and Open Space Zone are already existing and permitted in the existing and underlying Commercial and Industrial zones; 3) the new development standards contained within the zone are more restrictive than the existing standards and zoning designations, which

allow commercial and industrial development, and; 4) industrial development would be precluded. Accordingly, the Amendment has no potential to result in a physical change to the environment, directly or indirectly, and can be seen with certainty that there is no possibility that the activity will have a significant effect on the environment.

SECTION 3. Chapter 17.26 is hereby added to the Industry Municipal Code to read, as follows:

“Chapter 17.26

RECREATION AND OPEN SPACE ZONE

Sections:

- 17.26.010 Purpose.**
- 17.26.020 Uses permitted.**
- 17.26.030 Development standards.**

17.26.10 Purpose.

It is the purpose and intent of the Recreation and Open Space Zone (ROS) to:

- A. Establish areas for commercial recreation, open space, and commercial nursery uses;
- B. Provide greater certainty about the future use and development of properties zoned ROS;
- C. Ensure consistency with the General Plan and orderly planning and review procedures that will maintain areas for open space and recreational uses in the City.

17.26.020 Uses permitted.

A. Property zoned ROS may be used for the following uses subject to the issuance of a conditional use permit pursuant to Chapter 17.48, Conditional Use Permits/Exceptions:

- 1. Golf courses, driving ranges, course maintenance facilities, golf club houses;
- 2. Parks, public and private;
- 3. Resorts, including spas, dining facilities, restaurants, gyms, pro-shops, conference facilities, recreational amenities, and other similar uses;
- 4. Equestrian facilities;
- 5. Indoor and outdoor recreational facilities;
- 6. Exposition centers;

7. Commercial nurseries;
8. Interpretive centers;
9. Reservoir.

B. Approval of a development plan pursuant to Section 17.36.020, Development plan review required, will be required for any structures and physical improvements deemed significant by the Planning Director.

C. Trails, bikeways, and similar minor improvements do not require separate planning approvals but, if included, will be reviewed as part of the Conditional Use Permit and/or Development Plan application process. Stand-alone proposals for trails and bikeways require approval by the City Engineer.

D. New hotels are not permitted except as allowed pursuant to Chapter 17.24, Planned Development Overlay Zone (P-D Overlay).

E. Housing units existing as of the effective date of this chapter (XX, 2015) are permitted and considered legal conforming uses. The like-for-like replacement of, enlargement of, and improvements/modifications to existing housing may be permitted with approval of a Development Plan Short-Form application.

17.26.030 Development standards.

Approval of a Development Plan is required for new or expanded structures in the ROS zone pursuant to Chapter 17.36, Design Review. Development on a property zoned ROS is subject to the following standards:

Standards	
Lot	
Minimum parcel size	• None
Minimum parcel frontage	• None
Building Envelope	
Maximum building square footage	• None.
Front setbacks to structures	• 30' from front of curb of any street or highway, whether improved or not, to any habitable structure.
Rear and side setbacks	• None.
Maximum height	• 55'
Parking, Loading, and Access	

Standards	
Parking	<ul style="list-style-type: none"> • Parking to be determined on a case-by-case basis depending upon the nature of the proposed use and expected demands using the Municipal Code standards as a guide.
Parking, drive isles, and driveways	<ul style="list-style-type: none"> • Minimum parking stall size: 9' x 19'. • Compact parking spaces (minimum stall size of 8' x 16') up to 30% of required parking. • Minimum driveway and parking-aisle width: 26'. • Only 90° parking allowed. • Driveways must be located in such a manner that: 1) there is an unobstructed view of the street and oncoming traffic, and 2) it does not create a hazard for vehicles entering or exiting a site.
Grounds	
Landscaping	<ul style="list-style-type: none"> • Minimum landscape area: <ul style="list-style-type: none"> · Lots up to 150,000 sf: 12% of lot area. · Lots 150,001 sf to 250,000 sf: 11% of lot area or 18,000 sf whichever is greater. · Lots 250,001 sf to 350,000 sf: 10% of lot area or 27,500 sf whichever is greater. · Lots 350,001 sf to 450,000 sf: 09% of lot area or 35,000 sf whichever is greater. · Lots greater than 450,001 sf: 8% of lot area or 40,500 sf whichever is greater. • The required landscape area must be concentrated along the public street(s) to the greatest extent possible. • Landscaping must be designed to comply with the city's water efficient landscape regulations, Chapter 13.18, and with the city's water efficient landscape guidelines.
Walls	<ul style="list-style-type: none"> • In front setback: 42" maximum height if a solid wall and 8' maximum height if wrought-iron or combination decorative masonry and wrought-iron. • An maximum 8' tall solid wall may be permitted in the front setback to screen utility facilities, power generation facilities, and electrical substations only if: 1) adequate landscaping is provided between the wall and the street to soften the wall (e.g., vines, trees, tall bushes); and 2) the wall is designed to eliminate a long, monotonous, unbroken plain (e.g. off-sets, pilasters); or 3) decorative wall elements are provided (e.g. split face block, bricks, public art). • A maximum 6' tall chain link fence may be permitted in the front setback only if the site is located so that it is not clearly visible to the public (e.g. at end of a cul-de-sac surrounded by industrial uses). • Side and rear property lines: 10' tall maximum height. • All screen walls shall be constructed of masonry, concrete or other

	Standards
	<p>similar materials. Chain link is not permitted as a screen wall.</p> <ul style="list-style-type: none"> • The design and materials used in the construction of fences and walls shall be compatible with the architecture of the buildings on the site and surrounding properties. • Exterior wall surfaces shall at all times be kept free from graffiti or any other marks of vandalism.
Trash and recycling bin enclosures	<ul style="list-style-type: none"> • As determined necessary depending upon the nature of the proposed use and expected demands using the Municipal Code standards as a guide and in consultation with the trash provider.
Miscellaneous	
Outside storage	<ul style="list-style-type: none"> • Outside storage will not be permitted unless screened from view from public streets and adjacent property by a masonry screen wall or structure. • Outdoor storage is prohibited on/within setback areas, parking, drive aisles, landscaping, and emergency aisles.
Mechanical equipment	<ul style="list-style-type: none"> • With the exception of public utility facilities, power generation facilities, and electrical substations, all mechanical equipment (including roof-mounted equipment) shall be screened from public view by screening that complements in color, materials, and style, the main structure. The Planning Director may approve exceptions for historical structures.
Grading and drainage	<ul style="list-style-type: none"> • All site grading and drainage plans shall be approved by the City Engineer. • Surface drainage must not result in surface flow onto any adjacent parcel. • Sharing surface drainage gutters among adjacent parcels is not permitted; however, underground storm drains along common property lines serving more than one parcel of land may be permitted. • Each parcel shall provide for the collection and discharge of surface runoff to an improved street, storm drain, or established watercourse independently of adjacent parcels.
Use permit	<ul style="list-style-type: none"> • Any change of occupants shall be required to obtain a Use Permit per Chapter 17.44, Use Permit.
Signs	<ul style="list-style-type: none"> • Per Chapter 15.32, Sign Regulations.
Special events and banners	<ul style="list-style-type: none"> • Per 17.44.050, Special Events, and approval of a Special Event/Temporary Banner Permit.
<p>Notes:</p> <ul style="list-style-type: none"> • sf = square feet 	

SECTION 4. Section 17.04.120 of the Industry Municipal Code is hereby amended to read, as follows:

“17.04.010 Zones—Classifications.

In order to classify land uses and to restrict the location of trades, industries and buildings designed for various uses, and the use of area and premises within the city, the area within the city may be divided into zones as follows:

- A. C—Commercial;
- B. M—Manufacturing;
- C. M-A—Manufacturing-Agricultural;
- D. I—Institutional;
- E. ROS—Recreation and Open Space
- F. M-C Overlay—Manufacturing-Commercial Overlay;
- G. P-D Overlay—Planned-Development Overlay;
- H. A-B Overlay—Adult Business Overlay.”

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. The City Clerk shall certify as to the adoption of this Ordinance and shall cause the same to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 22nd day of January, 2015.

Tim Spohn, Mayor

ATTEST:

Jodi Scrivens, City Clerk

APPROVED AS TO FORM:

Michele R. Vadon, City Attorney

CITY COUNCIL

ITEM NO. 7.1




CITY OF INDUSTRY

P.O. Box 3366 • 15625 E. Stafford St. • City of Industry, CA 91744-0366 • (626) 333-2211 • FAX (626) 961-6795

MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Radecki, City Manager 

DATE: December 29, 2014

SUBJECT: Puente Hills Auto Center Message Board Lease Agreement

Attached for the City Council's consideration is a Message Board Lease Agreement ("Agreement") by and between the City, Puente Hills Imports, dba Puente Hills Toyota and Scion, and Puente Hills Auto Center Association (West) for the refurbishment of the auto message board sign. The term of the lease is for ten years.

Per the proposed Agreement, the City will pay \$597,000 for the refurbishment of the sign. In return, the City will be entitled to 15% of the sign's operating time for the purpose of displaying City messages such as City-wide events, recreation programs, and public service announcements. The Association will be responsible for the ongoing maintenance and repair of the sign.

Back in 2012, the City Council approved a similar agreement to refurbish the auto center sign, east of Azusa Avenue. This refurbishment will complete the phasing of establishing a uniformed continuity of all three auto center message board signs.

Staff recommends that the Council approve the Agreement.

PUENTE HILLS AUTO CENTER MESSAGE BOARD LEASE AGREEMENT

This PUENTE HILL AUTO CENTER MESSAGE BOARD LEASE AGREEMENT ("Agreement") is dated as of the day of November 2014 ("Effective Date") by and between the CITY OF INDUSTRY a California municipal corporation ("City") and, PUENTE HILLS IMPORTS DBA PUENTE HILLS TOYOTA AND SCION, a California corporation ("Toyota") and the PUENTE HILLS AUTO CENTER ASSOCIATION (WEST) ("Association")

A. Recitals.

This Lease is entered into based upon the following facts, circumstances and understandings:

1. Toyota owns and operates an electronic Auto Center Message Board ("Auto Center Message Board") on that certain real property owned by an affiliate of Toyota in the City of Industry, California ("Property"), which Property is further described in Exhibit "A" attached to this Agreement and incorporated herein by this reference.

2. Toyota, and Association and City each desire to refurbish the existing Auto Center Message Board, which refurbishing will include installation of new Auto Center Message Board panels, as further described in Exhibit "B" attached to this Agreement and incorporated herein by this reference. City is willing to participate in the cost to refurbish the Auto Center Message Board in return for the City obtaining a leasehold interest to display certain messages as provided for hereunder on the Auto Center Message Board.

3. Association has entered into a contract, dated April 25, 2013, to refurbish the Auto Center Message Board with Electra-Media, Inc. as set forth in Exhibit "B." A rendering detailing the conversion of the existing LED Sign to the proposed Auto Center Message Board is attached hereto as Exhibit "C."

B. Lease.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Toyota and Association and City agree as follows:

1. Lease. For a period of ten (10) years from the filing of a Notice of Completion for the refurbishment of the Auto Center Message Board (the "Term"), Toyota, hereby leases to the City, and City hereby leases from Toyota, fifteen percent (15%) of the Auto Center Message Board's operating time each hour ("City Operating Time") for purposes of displaying the City's Permitted Messages (as defined in Section 3 below) prepared by City, which message content shall not be subject to edit or modification by Association ("Lease"). Upon the expiration of the Term, unless extended by mutual agreement of the parties, this Agreement shall automatically terminate and no additional instrument, consent or action by any party shall be required to terminate this Agreement. Upon the termination of this Agreement, the City shall execute any document and take any action as may be reasonably necessary to evidence such termination. All parties to this Agreement acknowledge and agree that the status of Toyota as the owner of the Auto Center Message Board is not altered or modified in any manner as a result of this Agreement or the refurbishment of the Auto Center Message Board.

1.1 EDIS Service Messages. The City Operating Time may include use of the Auto Center Message Board to publish messages from the State of California's Emergency Digital Information Service ("EDIS"). Association agrees to work cooperatively and in good faith with

the City, by providing reasonable technical assistance, in the event that the City desires to publish EDIS messages during the City Operating Time.

2. Consideration. In consideration for the Lease, and subject to the City's confirmation that the Auto Center Message Board is in conformance with (i) the sign panel as described in Exhibits "B" and "C"; (ii) all Regulations, as defined herein below, City shall pay to the Association the lesser amount of the Actual Costs to refurbish the Auto Center Message Board or an amount not to exceed Five Hundred Ninety Seven Thousand Dollars (\$597,000) ("City Payment"), which shall be paid in installments as set forth in Exhibit "B." "Actual Costs" shall mean the direct cost to refurbish the Auto Center Message Board, including, without limitation, any payments to a third party licensed contractor to refurbish the Auto Center Message Board, but excluding Association overhead and/or profit.

3. City Use of Auto Center Message Board. The Auto Center Message Board shall be operative every hour of every calendar day of each year during the Term, except when inoperative due to mechanical or electrical failure and/or required maintenance. The City shall be responsible for providing notice of the City's desired message content for the Auto Center Message Board to Association or its designee at least seven (7) business days in advance of the date and time for publication ("Notice of Content"), except in the case of an emergency; provided, however, that the City's message content shall only pertain to (i) City sponsored events, (ii) events held at City facilities, (iii) City recreation programs, or (iv) public service announcements (including EDIS messages); and provided further that no City message content shall relate to any auto sales, auto services or auto products (the message content permitted hereunder is referred to herein as "Permitted Messages"). If the Notice of Content is timely provided by City, Association shall endeavor to provide timely publication of the Permitted Messages at the City designated date, time and period of publication ("Publication Time"), subject to (i) Association's consent to the Publication Time, which shall not be unreasonably withheld in light of the City's targeted audience and purposes for publication, and (ii) Association's determination that the message content contained in the Notice of Content are Permitted Messages. In the event that Association does not consent to the City's proposed Publication Time or the message content, Association shall provide written notice to the City, stating the reasons for withholding consent ("Notice of Refusal"), within three (3) business days of receiving the City's Notice of Content, after which City shall have the option to either provide alternative content for publication at the Publication Time or to select a new date and time for content to be published.

4. Maintenance and Repair. Toyota shall be responsible to maintain the Auto Center Message Board in good and operable condition during the Term and any authorized extension thereto. City shall have no obligation to maintain and/or repair, or cause the maintenance and/or repair of, the Auto Center Message Board. Any period during which the Auto Center Message Board is inoperative, including any inoperative periods during maintenance and/or repair, shall not be considered as City Operating Time.

5. Installation, Construction and Removal. City shall bear no responsibility for installation, construction, and/or removal of the Auto Center Message Board. Toyota and Association shall be responsible for obtaining and/or complying with all regulations, approvals and/or permits required by any government agency having jurisdiction therefore ("Required Approvals"), including any permits and/or regulations required by the Outdoor Advertising Act (California Business and Professions Code sections 5200-5231). Toyota and Association understand and agree that the City's approval of this Agreement shall not constitute a Required Approval and Association's failure to obtain all Required Approvals shall constitute a default hereunder.

6. Costs and Expenses. Toyota shall be responsible for installing and/or providing all utility services for operation of the Auto Center Message Board in accordance with this Agreement. Except for the City Payment, City shall not be responsible for any costs or expenses associated with the Auto Center Message Board or the surrounding property including, without limitation, installing and/or providing utility services for operation of the Auto Center Message Board and any and all real or personal property taxes and other charges (including any increase caused by a change in the tax rate or by a change in assessed valuation) of any description levied or assessed on or against the Property or the Auto Center Message Board.

7. Assignment.

7.1 Assignment by Toyota and/or Association. Toyota and/or Association shall not assign any rights under this Agreement to any individual, partnership, limited partnership, trust, estate, association, corporation, limited liability company, or other entity, domestic or foreign (collectively, "Person") without the prior written consent of the City or authorized designee. In the event that Association is to assign this Agreement (or any portion hereto), the City may require the assignee to enter into an assignment and assumption agreement.

7.2 Assignment by City. City shall not assign, license, lease, sell or otherwise transfer any rights under this Agreement. This section 7.2 shall be deemed to prohibit City from, in any manner, (i) assigning, licensing, leasing, selling or otherwise transferring the City Operating Time, and any portion thereof, to any Person; and (ii) including in any Notice of Content any message content prepared or requested by any Person other than the parties to this Agreement or for which the City will receive any consideration of any kind whatsoever from any Person other than the parties to this Agreement. The foregoing subsection (ii) shall not be interpreted to prohibit the City from providing message content related to events held at City facilities, notwithstanding consideration provided to the City under a facilities lease or use agreement that includes provisions relating to publicity on the Auto Center Message Board.

8. Indemnification.

8.1 Toyota and Association shall defend, indemnify and hold harmless (collectively, "Indemnify") the City and its elected and appointed officers, employees, contractors, representatives, and agents (collectively, "City Indemnitees") from and against all claims, liability, loss, damage, costs or expenses (including attorneys' fees and court costs) (collectively, "Claims") arising from the acts or omissions of Toyota and Association, its officers, employees, contractors, representatives, and agents (collectively, "Indemnitors") in connection with the Toyota's and Association's use, repair, maintenance, and refurbishing of the Auto Center Message Board; provided, however, that Toyota and Association shall have no duty to Indemnify the City Indemnitees against any Claims arising from any act or omission of the City Indemnities.

8.2 City shall Indemnify the Toyota and Association and its officers, employees, contractors, representatives, and agents (collectively, "Association Indemnitees") from and against all Claims arising from the acts or omissions of City, its officers, employees, contractors, representatives, and agents (collectively, "City Indemnitors") in connection with the City's use of the Auto Center Message Board; provided, however, that City shall have no duty to Indemnify the Association Indemnitees against any Claims arising from any act or omission of the Association Indemnities.

9. Insurance. During the Term, and without diminishing its responsibilities to Indemnify the City Indemnitees or Association Indemnitees, Toyota shall obtain and maintain the following insurance coverage:

9.1 Liability Insurance. Commercial general liability insurance insuring against claims for bodily injury, personal injury, death or property damage occurring upon, on or about the Auto Center Message Board, with a minimum liability limit of Two Million Dollars (\$2,000,000) for anyone occurrence and Two Million Dollars (\$2,000,000) aggregate.

9.2 Property Insurance. Insurance providing coverage for the Auto Center Message Board insuring against loss, damage, or destruction by fire or other hazards encompassed under the broadest form of property insurance coverage then customarily used for like properties in Los Angeles County, in an amount equal to one hundred percent (100%) of the replacement value (without deduction for depreciation) of the Sign (excluding excavations and foundations) and in any event sufficient to avoid co-insurance and with no co-insurance penalty provision, with "ordinance or law" coverage. To the extent customary for like properties in Los Angeles County at the time, such insurance shall include an "increased cost of construction" endorsement and an endorsement of debris removal.

9.3 Toyota may provide any insurance required hereunder through a "blanket" or "umbrella" insurance policy. All insurance obtained and maintained by Toyota in satisfaction of the requirements of this Agreement shall be fully paid for and non-assessable. The Property Insurance policy shall name City as a "loss payee." The Liability Insurance policy shall name the City Indemnities as "additional insured." The coverage afforded to the City Indemnities shall be at least as broad as that afforded to Toyota and may not contain any terms, conditions, exclusions, or limitations applicable to the City Indemnities that do not apply to Toyota. Any insurance or self-insurance maintained by the City Indemnities shall be excess of all insurance required to be maintained by Toyota under this Agreement and shall not contribute with any insurance required to be maintained by Toyota under this Agreement. Toyota shall furnish, or cause to be furnished, to the City evidence of the insurance required to be maintained by Association under this Agreement.

10. Compliance with Law. Toyota and Association shall erect, re-erect, construct, enlarge, alter, repair, move, improve, convert, equip, use, operate, and/or maintain the Auto Center Message Board in compliance with all applicable laws, rules and regulations, including, but not limited to, all applicable federal and state labor laws (collectively, "Regulations"). Toyota and Association hereby expressly acknowledges and agrees that City has never previously affirmatively represented to Toyota and Association or its contractor for the Auto Center Message Board, in writing or otherwise, in a call for bids or otherwise, that the work to be covered by the bid or contract for installation of the Auto Center Message Board is not a "public work," as defined in Section 1720 of the Labor Code. Toyota and Association hereby agrees that Association shall have the obligation to provide any and all disclosures, representations, statements, rebidding, and/or identifications which may be required by Labor Code Sections 1726 and 1781, as the same may be enacted, adopted or amended from time to time, or any other provision of law. Association hereby agrees that Association shall have the obligation to provide and maintain any and all bonds to secure the payment of contractors (including the payment of wages to workers performing any public work) which may be required by Labor Code Section 1781 as the same may be enacted, adopted or amended from time to time, or any other provision of law. Toyota and Association shall defend, hold harmless and indemnify the City and its respective officials, officers, employees, contractors and agents, from and against any and any loss, liability, damage, claim, cost, expense, and/or "increased costs" (including labor costs, penalties, reasonable attorneys fees, court and litigation costs,

and fees of expert witnesses) which, in connection with the refurbishing of the Auto Center Message Board, including, without limitation, any and all public works (as defined by applicable law), results or arises in any way from any of the following: (1) the noncompliance by Association of any applicable local, state and/or federal law, including, without limitation, any applicable federal and/or state labor laws (including, without limitation, if applicable, the requirement to pay state prevailing wages); (2) the implementation of Sections 1726 and 1781 of the Labor Code, as the same may be enacted, adopted or amended from time to time, or any other similar law; (3) failure by Toyota and Association to provide any required disclosure representation, statement, rebidding and/or identification which may be required by Labor Code Sections 1726 and 1781, as the same may be enacted, adopted or amended from time to time, or any other provision of law; and/or (4) failure by Toyota and Association to provide and maintain any and all bonds to secure the payment of contractors (including the payment of wages to workers performing any public work) which may be required by Labor Code Section 1781, as the same may be enacted, adopted or amended from time to time, or any other provision of law. It is agreed by the parties that, in connection with the refurbishing of the Auto Center Message Board, including, without limitation, any public work (as defined by applicable law), Toyota and Association shall bear all risk of payment or non-payment of state prevailing wages and/or the implementation of Labor Code Sections 1726 and 1781, as the same may be enacted, adopted or amended from time to time, and/or any other provision of law. "Increased costs" as used in this Section shall have the meaning ascribed to it in Labor Code Section 1781, as the same may be enacted, adopted or amended from time to time.

11. No Encumbrances. Toyota and Association shall pay any mechanics', materialmen's, contractors' or subcontractors' liens or any claim for damage arising from the use of the Auto Center Message Board.

12. Notices. Any notice to be given or other document to be delivered by either party to the other may be delivered in person or may be deposited in the United States mail, with first class postage prepaid, and addressed as follows:

City: 15625 East Stafford Street, Suite 100 Industry, California 91744

Attention: City Manager

Toyota: Puente Hills Imports, dba Puente Hills Toyota, 17070 East Gale Avenue,
Industry, California 91745

Association: Puente Hills Auto Center Association West, 17070 East Gale Avenue,
Industry, California 91745

13. City Default. Failure or delay by City to perform or comply with any term or provision of this Agreement constitutes a default under this Agreement. In the event of any failure or delay by City to make payment when due, Toyota, or Association may immediately seek any available remedy. With respect to any other default, the following shall apply: Toyota, or Association shall give written notice of default to the City in the event of such default by City, specifying the default complained of by Toyota, or Association; If the default is reasonably capable of being cured within thirty (30) days after such notice is received or deemed received, City shall have such period to effect a cure prior to exercise of remedies by Toyota, or Association; If the default is such that it is not reasonably capable of being cured within thirty (30) days, and City (a) initiates corrective action within said 30-day period, and (b) diligently, continually, and in good faith works to effect a cure as soon as possible, then City shall have such additional time as is reasonably necessary to cure the default prior to exercise of any

remedies by Toyota, or Association; provided, however, in no event shall Association be precluded from exercising remedies if the event of default is not cured within ninety (90) days or otherwise become or are about to become materially jeopardized by any failure to cure a default. In the event that City fails to cure a default (other than any failure or delay by City to make payment when due) in accordance with the provisions of this Section 13, Toyota, or Association may exercise any or all of the following remedies: (i) institute a legal action to seek specific performance of City's obligations under this Agreement; or (ii) terminate this Agreement.

14. Association Default. Failure or delay by Toyota, or Association to perform or comply with any term or provision of this Agreement constitutes a default under this Agreement. City shall give written notice of default to Association, specifying the default complained of by City. If the default is reasonably capable of being cured within thirty (30) days after such notice is received or deemed received, Toyota, or Association shall have such period to effect a cure prior to exercise of remedies by the City. If the default is such that it is not reasonably capable of being cured within thirty (30) days, and Toyota, or Association (a) initiates corrective action within said 30-day period, and (b) diligently, continually, and in good faith works to effect a cure as soon as possible, then Toyota, or Association shall have such additional time as is reasonably necessary to cure the default prior to exercise of any remedies by City; provided, however, in no event shall City be precluded from exercising remedies if the event of default is not cured within ninety (90) days or City's rights under this Agreement or otherwise become or are about to become materially jeopardized by any failure to cure a default. In the event that Toyota, or Association fails to cure a default in accordance with the provisions of this Section City may exercise any or all of the following remedies: (i) institute a legal action to seek specific performance of the obligations under this Agreement; or (ii) terminate this Agreement.

15. Waiver of Certain Damages. The parties hereto hereby agree to waive the right to lost profits, speculative, consequential, and special and punitive damages.

16. Association's Duty of Restoration. Association shall be responsible for the restoration of the Auto Center Message Board in accordance with the damage and destruction clauses in this Section 16.

16.1 In case of any damage to or destruction of the Auto Center Message Board, or any part thereof, Toyota, or Association shall commence the restoration, replacement or rebuilding of the Auto Center Message Board with such alterations and additions as may be approved by the City Manager (such restoration, replacement, rebuilding alterations and additions, together with any temporary repairs and property protection pending completion of the work being herein called "Restoration") within thirty (30) days of such damage or destruction or such longer time as may be reasonably approved, in writing, by the City Manager, plus any additional period reasonably determined by the City Manager to be required to obtain any Net Insurance Proceeds, as hereinafter defined, to be used to pay all or a portion of the cost of such Restoration, and shall complete such Restoration within a reasonable period of time thereafter. As used herein, the term "Net Insurance Proceeds" means the gross insurance proceeds paid by an insurer to Association for loss or damage to the Auto Center Message Board, less any and all costs and expenses (including, but not limited to reasonable attorney fees) incurred to recover said proceeds. Association agrees to promptly commence prosecute to completion the settlement of insurance proceeds with respect to any event of damage or destruction of the Auto Center Message Board.

16.2 Toyota, and Association agree that notwithstanding any other provision of this Agreement, upon any event of damage to or destruction of the Auto Center Message Board, Toyota, and Association shall, at their sole cost and expense, immediately take or cause to be taken such actions and to complete such work as is necessary to reasonably minimize further damage to the Auto Center Message Board pending the ultimate disposition of the Auto Center Message Board.

16.3 Insurance proceeds which are received on account of any damage to or destruction of the Auto Center Message Board, or any portion thereof (less the costs, fees and expenses incurred in the collection thereof, including without limitation attorney's fees and expenses) shall be applied as follows:

1. Within a reasonable time and in any event within 180 days after the damage to or destruction of the Auto Center Message Board, Toyota, and Association shall furnish, or cause to be furnished to City evidence reasonably satisfactory to City (a) of the total cost of Restoration of the damaged or destroyed Auto Center Message Board and (b) that the total amount of money available will, when added to the Net Insurance Proceeds received and available to pay for the Restoration, be sufficient to pay the cost of such Restoration.
2. Net Insurance Proceeds received on account of any damage to or destruction of the Auto Center Message Board, or any part thereof, shall be paid to Toyota, or Association or as Toyota and Association may direct from time to time, as Restoration progresses, solely to payor reimburse Toyota and Association for the cost of Restoration.

17. City Contract Administration. The City Manager shall administer this Agreement on behalf of City. Except as otherwise expressly provided in this Agreement, the City Manager has the authority to approve or consent to those matters in this Agreement requiring City's approval or consent and to make all other decisions on behalf of City, subject to the City Manager's retained and reserved sole and absolute discretion to seek City Council's approval on any such matter.

18. Further Documents. The parties hereto hereby agree to execute such other documents and to take such other action as may be reasonably necessary to further the purposes of this Agreement.

19. Time of the Essence. Time is of the essence in this Agreement.

20. Governing Law and Venue. This Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California. The Parties each acknowledge and agree that this Agreement is entered into and is to be fully performed in the City of Industry, County of Los Angeles, State of California, and that all legal actions arising from this Agreement shall be filed in the Superior Court of the State of California in and for the County of Los Angeles, California, or the United States District Court with jurisdiction in the County of Los Angeles, California.

21. No Limitation on City Authority. Nothing in this Agreement shall be deemed to limit, modify or abridge the governmental police power or other legal authority (whether direct or delegated) of City regarding the Property, the Auto Center Message Board, or the Association.

22. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their permitted successors and assigns.

23. Third Party Beneficiaries. The parties to this Agreement acknowledge and agree that the provisions of this Agreement are for the sole benefit of City and Association, and not for the benefit, directly or indirectly, of any other person or entity.

24. Severance. If any provision of this Agreement is determined by a court of competent jurisdiction to be illegal, invalid or unenforceable, such provision will be deemed to be severed and deleted from this Agreement as a whole and neither such provision, or its severance and deletion shall in any way affect the validity of the remaining provisions of this Agreement.

25. Counterparts. This Agreement may be executed in counterparts and when so executed, each such counterpart will constitute an original document and such counterparts will constitute one and the same agreement.

IN WITNESS WHEREOF, the City and Toyota and Association have executed and entered into this Agreement as of the date first written above.

By: _____
Name: _____
Date: _____

By: _____
Name: _____
Date: _____

Puente Hills Imports
DBA Puente Hills Toyota
17070 E. Gale Avenue
City of Industry, CA 91745

City of Industry
15625 E. Stafford Street
#100
City of Industry, CA 91744

By: _____
Name: _____
Date: _____

Puente Hills Auto Center Association West
17070 E. Gale Avenue
City of Industry, CA 91745

Exhibit "A"

Legal Description of Property

Puente Hills Imports DBA Puente Hills Toyota and Scion

17070 E. Gale Avenue
City of Industry, CA 91745
Parcel #267-7-9

Exhibit "B"

Agreement with EMI for Message Board

EMI

ELECTRA-MEDIA, INC.

SALE AGREEMENT

Customer
 Puente Hills Auto Center Association (West)
 17070 E. Gale Ave.
 City of Industry, CA 91745

Equipment Address:
 Puente Hills Toyota 60 Freeway
 Puente Hills VW
 60 Freeway
 City of Industry, CA

Product Description: Upgrade existing Puente Hills Toyota / VW freeway sign to conform with Puente Hills Auto Center freeway signs with new 25MM LED technology. **Note:** Existing 38MM display is reaching end of life expectancy, which is 1st generation color LED product no longer being manufactured. Remove existing Puente Hills Toyota sign identification cabinet, old 38MM 96 x 272 LED display, and brand panel faces. Reuse existing pylon structure and existing brand panel cabinet. Fabricate and install new identification display, new brand panel faces and repaint pole covers. Also fabricate and install full color LED display (192 pixels high by 432 pixels long) 25mm resolution with modern and remote controller, multiple character fonts & graphics, time & temperature, automatic dimming circuit and ventilation system. Does not include modification or upgrade to existing steel pylon structure.

Note: All removal, fabrication, installation and permits to be performed by "Young Electric Sign Company" (YESCO) State Contractors License C45 #250739. (EMI License #815508)

Maintenance Contract: (Equally divided between 2 Auto Dealers, listed below), Five year factory warranty on all LED parts, \$698.00/ month commencing upon activation for crane labor for changing out LED parts (LED modules, power supplies, rectifier boards, interface cards, ribbon cables, temp sensor and remote controller) along with furnishing ID parts and labor (HID metal halide lamps sockets, and ballasts) for "Puente Hills Auto Center" on ID portion of freeway sign along with furnishing parts and labor to maintain the brand panel portion of the sign. Also includes preventative maintenance calls once per month over and above emergency calls.

Programming Contract: (Equally divided between 2 Auto Dealers, listed below), \$325.00 per month. Includes daily updates, unlimited changes, video graphic transfer, internet downloads, e-mail confirmations, holiday graphics, and Ad Express forms.

Power and Phone Bill: (Equally divided between 2 Auto Dealers, listed below), Estimated power to operate the LED sign is approximately \$575.00/Mo. to \$875.00/Mo. based on 18 hours per day of operation and subject to Edison's charge per kilowatt hour. Estimated phone /DSL \$35.00/Mo. Dealers to pay Edison and Phone Company direct. **Electrical & Phone:** Electrical and phone line exists, dealers to upgrade phone line to dedicated DSL.

City Funding and Permit: Includes coordinating and processing 100% City Funding and building permit. **Delivery:** 90-120 days from date permits are obtained and down payment/funding is received. **Note:** Actual building permit fees to be billed separately to Toyota and VW.

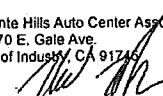
Contingencies:

- 1) This agreement is contingent upon EMI obtaining 100% funding from the City of Industry with each dealer approving terms of funding agreement.
- 2) Auto Dealers responsible for ongoing maintenance, insurance, programming, power, and DSL phone line.
- 3) City shall give the sign to the dealers.

Deposit :			
Equipment	\$596,829.00	\$298,414.50	50% down upon City approval / funding
Applicable Sales Tax:	Included	\$149,207.25	Upon delivery of display
Total With Tax:	\$596,829.00	\$149,207.25	Upon completion

IN WITNESS WHEREOF, Owner and EMI have executed this agreement this 25th day of April, 2013.

Customer:

Puente Hills Auto Center Association (West)
 17070 E. Gale Ave.
 City of Industry, CA 91745
 By 
 Howard Hakes

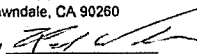
Electra-Media, Inc.
 4737 W. 156th Street
 Lawndale, CA 90260
 By 
 Rod Wilson

Exhibit "C"

Rendering of Message Board

CITY COUNCIL

ITEM NO. 8.1

ACCESS AND INDEMNIFICATION

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, Water Replenishment District of Southern California (WRD) hereby agrees to indemnify and hold the City of Industry, State of California harmless from and against any and all injury or damages, or claims by third parties for injury or damage, attributable to the installation, maintenance and/or removal of one (1) monitoring well to be installed by Kehoe Testing and Engineering Inc. on behalf of WRD on the east side of Capitol Avenue approximately 420 feet south of Mission Mill Road, City of Industry, State of California; however, this shall not apply to the negligence or willful misconduct of the City of Industry. WRD further confirms that with access granted by the City of Industry (i) the foregoing well will be maintained and, if required, be removed by WRD at no cost to the City of Industry, (ii) that WRD has and will maintain Comprehensive General Liability insurance coverage of not less than \$1,000,000 per occurrence/\$2,000,000 aggregate, and will cause the City of Industry to be named as an additional insured with respect thereto, during the period of installation, testing, operation, and monitoring of the foregoing well, and during the process of its removal, if such well is removed.

Water Replenishment District of Southern California

By: Robb Whitaker, General Manager



Signature

11/20/2014

Date

Mayor of the City of Industry, California

City Clerk of the City of Industry, California

