



City of Industry Property and Housing Management Authority

**SPECIAL MEETING AGENDA
NOVEMBER 4, 2021
10:00 a.m.**

Chair Phil Cook
Vice Chair Ken Calvo
Board Member Raheleh Gorginfar
Board Member Timothy O'Gorman
Board Member Tim Seal

Location: City Council Chamber, 15651 Mayor Dave Way, City of Industry, California

Addressing the Authority:

NOTICE OF TELEPHONIC MEETING:

- ***Pursuant to AB 361 (Government Code Section 54953(e), this meeting will be held telephonically. Members of the public can attend the meeting telephonically and offer public comment, by calling the following conference call number: 657-204-3264 and entering the following Conference ID: 891 942 366#. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the IPHMA meeting (including assisted listening devices), please contact the City Clerk's Office at (626) 333-2211 by 12:00 p.m. on Wednesday, November 3, 2021, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.***

Addressing the Authority:

Public Comments (Agenda Items Only): During public comments, if you wish to address the Authority during this Special Meeting, under Government Code Section 54954.3(a), you may only address the legislative bodies concerning any item that has been described in the notice for the Special Meeting. In order to conduct a timely meeting, there will be a three-minute time limit per person for any matter listed on the Agenda.

Agendas and other writings:

In compliance with Government Code Section 54957.5(b), staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 Mayor Dave Way, City of Industry, California, at the office of the City Clerk during regular business hours, Monday through Thursday, 8:00 a.m. to 5:00 p.m., Fridays 8:00 a.m. to 4:00 p.m. City Hall doors are closed between 12:00 p.m. to 1:00 p.m. each day. 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. **BOARD MATTERS**

5.1 Consideration of Resolution No. IPHMA 2021-06 – A RESOLUTION OF THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY (“IPHMA”) AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECOMMENDED ACTION: Discuss and provide direction.

6. **CLOSED SESSION**

6.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Cruz v. Radecki, et al*
Superior Court, County of Los Angeles
Case No. 20STCV47002

7. Adjournment. Next regular meeting: Wednesday, November 10, 2021 at 10:30 a.m.

*CITY OF INDUSTRY PROPERTY AND HOUSING
MANAGEMENT AUTHORITY*

ITEM NO. 5.1

RESOLUTION NO. IPHMA 2021-06

A RESOLUTION OF THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY (“IPHMA”) AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECITALS

WHEREAS, IPHMA is committed to preserving and encouraging public access and participation in meetings of its legislative bodies; and

WHEREAS, all meetings of the IPHMA are open and public, as required by the Ralph M. Brown Act (Gov. Code §§54950 – 54963) (“Brown Act”), so that any member of the public may attend, participate, and observe the legislative bodies conduct their business; and

WHEREAS, in March 2020 as a response to the ongoing COVID-19 pandemic, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies as defined by the Brown Act to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act would continue to apply through September 30, 2021; and

WHEREAS, on September 16, 2021 Governor Newsom signed AB 361, which added subsection (e) to Government Code §54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code §54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, one of the conditions required is that a state of emergency has been declared by the Governor pursuant to Government Code §8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code §8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, in March 2020, in response to the spread of COVID-19 in the State of California, the Governor Proclaimed a State of Emergency pursuant to Government Code §8625, and issued a number of executive orders aimed at containing the COVID-19 virus, and the County of Los Angeles through various Orders of the Los Angeles County Health Officer, continues to impose or recommend measures to promote social distancing; and

WHEREAS, Los Angeles County officials have recommended and imposed measures to promote social distancing; and

WHEREAS, as a consequence of the continued state of emergency, IPHMA does hereby find and determine that the IPHMA shall continue to conduct its meetings without compliance with Government Code §54953(b)(3), as authorized by Government Code §54953(e), and that IPHMA shall continue to comply with the requirements to provide the public with access to all public meetings as prescribed in §54953(e)(2).

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1: The Board finds that all of the facts set forth in the Recitals are true and correct and are incorporated herein by reference.

SECTION 2: The Board hereby considers the existing conditions of the state of emergency, local officials in Los Angeles County have recommended or imposed measures to promote social distancing in connection with COVID-19. Based on these facts, findings, and determinations, the Board authorizes Staff to conduct remote teleconference meetings of the Board, under the provisions of Government Code §54953(e).

SECTION 4: The Executive Director is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution and AB 361, including continuing to conduct open and public meetings in accordance with the Brown Act.

SECTION 5: This Resolution shall take effect November 4, 2021 and shall be effective until the earlier of December 11, 2021, or such time as the Board adopts a subsequent resolution in accordance with Government Code §54953(e)(3) to extend the time during which the Board may continue to meet by teleconference.

PASSED, APPROVED AND ADOPTED by the City of Industry Property and Housing Management Authority at a special meeting held on November 4, 2021, by the following vote:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSTAIN:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:

Phil Cook, Chairman

ATTEST:

Julie Gutierrez-Robles, Secretary