

**NOTICE AND CALL OF A SPECIAL MEETING
OF THE CITY COUNCIL OF THE
CITY OF INDUSTRY**

NOTICE IS HEREBY GIVEN that a Special Meeting of the City Council of the City of Industry is hereby called to be held on December 12, 2022, commencing at 8:30 a.m., in person and via teleconference by calling 657-204-3264, and entering the following Conference ID: 766 683 388#, for the purpose of discussing the following matters:

1. **CONSENT CALENDAR**

- 1.1 Consideration of the Register of Demands for November 24, 2022

RECOMMENDED ACTION: Ratify the Register of Demands

- 1.2 Consideration of the Register of Demands for December 8, 2022

RECOMMENDED ACTION: Approve the Register of Demands and authorize the appropriate City Officials to pay the bills.

- 1.3 Consideration of matters related to the COVID-19 pandemic:

- a. Consideration of an Amended and Restated Proclamation and Order of the City Council of the City of Industry, California Proclaiming the Existence of a Local Emergency
- b. Consideration of Resolution No. CC 2022-56 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECOMMENDED ACTION: Adopt the Amended and Restated Proclamation proclaiming existence of a local emergency, adopt the Resolution continuing the authorization of remote teleconference meetings pursuant to AB 361, and provide direction regarding the City's current COVID-19 relief programs.

- 1.4 Consideration of Resolution No. CC 2022-52 APPROVING THE DONATION OF ONE (1) 2008 FORD F-350 PASSENGER VAN TO THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT LANCASTER STATION FOR ITS DEPUTY EXPLORER PROGRAM

RECOMMENDED ACTION: Adopt Resolution No. CC 2022-52

- 1.5 Consideration of Resolution No. CC 2022-51 CASTING THE CITY COUNCIL'S VOTE FOR MAYOR PRO TEM CATHERINE MARCUCCI TO REPRESENT CITIES WITH PRESCRIPTIVE PUMPING RIGHTS AS AN ALTERNATE MEMBER ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

RECOMMENDED ACTION: Adopt Resolution No. CC 2022-51

- 1.6 Consideration of Resolution No. CC 2022-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ACCEPTING A DEDICATION OF STORM DRAIN EASEMENT AS SHOWN ON PARCEL MAP NO. 354, FOR PROPERTY LOCATED AT SOUTH SIDE OF CASTLETON STREET, EAST OF HANOVER ROAD AND WEST OF WALNUT HALL ROAD

RECOMMENDED ACTION: Adopt Resolution No. CC 2022-57

- 1.7 Consideration of Resolution No. CC 2022-50, ratifying a donation to Police Unity Tour Chapter VII of Southern California, in the amount of \$532.50, to support the Los Angeles County Sheriff's Department's participation in the Police Unity Tour

RECOMMENDED ACTION: Adopt Resolution No. CC 2022-50

- 1.8 Consideration of a License Agreement with the County of Los Angeles for Access to Assessor's Parcel No. 8208-025-940, for temporary use for the County's Mental Evaluation Team program

RECOMMENDED ACTION: Approve the Agreement.

- 1.9 Consideration of Amendment No. 3 to the Professional Services Agreement with Geo-Advantec Inc., for On-Call Geotechnical Engineering Services, extending the term through December 30, 2024, revising the rate schedule, increasing compensation by \$300,000.00, and updating the address for the City

RECOMMENDED ACTION: Approve the Agreement.

- 1.10 Consideration of Amendment No. 3 to the Professional Services Agreement with Ninyo & Moore Geotechnical and Environmental Services Consultants, for On-Call Geotechnical Engineering Services, extending the term through December 30, 2024, revising the rate schedule, revising the addresses for the City and City Attorney's office, and increasing compensation by \$200,000.00

RECOMMENDED ACTION: Approve Amendment No. 3

- 1.11 Consideration of Change Order No. 3, in the amount of \$154,227.03 to the contract with BLD Builders, Inc. (CIP-FAC-19-064-B), for El Encanto Healthcare Facility Interior Improvements

RECOMMENDED ACTION: Approve Change Order No. 3.

- 1.12 Consideration of Change Order Nos. 5, 6, and 7 in the amount of \$245,404.60, for Contract No. CITY-1456, Site Plan for Sheriff's Trailer

RECOMMENDED ACTION: Approve Change Order No.5,6, and 7

- 1.13 Consideration of Award of Contract No. CITY-1497, Industry Business Council Interior Improvements, Phase I, to M. Brey Electric, Inc., in an amount not-to-exceed \$532,370.00, and adopt a Notice of Exemption regarding same

RECOMMENDED ACTION: Award the Contract to M. Brey Electric, Inc. in the amount of \$532,370.00, and adopt a Notice of Exemption for the project

- 1.14 Consideration of matters related to Proposition A and C funding:

A. Consideration of a Capital Reserve Agreement with the Los Angeles County Metropolitan Transportation Authority for the Fairway Drive Grade Separation Project

B. Consideration of a Capital Reserve Agreement with the Los Angeles County Metropolitan Transportation Authority for the Park and Ride Lot

RECOMMENDED ACTION: Ratify the Agreements.

- 1.15 Consideration of Amendment No. 2 to the License Agreement with R C Foster Corporation, for Access to Assessor's Parcel No. 8208-024-906 and 8208-024-907, for Temporary Staging of Construction Materials for the Puente Valley Water Operable Unit Treatment Plant Project

RECOMMENDED ACTION: Approve Amendment No. 2

- 1.16 Consideration of Resolution No. CC 2022-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, DECLARING CERTAIN CITY-OWNED REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF AZUSA AVENUE AND INDUSTRY HILL PARKWAY, CITY OF INDUSTRY, CALIFORNIA (APNs: A PORTION OF PARCELS 8262-015-900 AND 8262-015-901), AS SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE SECTIONS 54220 et seq., AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION: Adopt Resolution No.CC 2022-58.

2. ACTION ITEMS

- 2.1 Consideration of a Resolution approving Development Plan Application No. 22-02, for the demolition of an existing 32,500 square foot industrial building, and construction of a new 58,500 square foot industrial building, at the property located at 530 North Baldwin Park Boulevard, Assessor's Parcel Number 8563-003-01, City of Industry, California, adopting a Notice of Exemption regarding same, and making findings thereof.

Consideration of Resolution No. CC 2022-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN APPLICATION NO. 22-02 FOR THE DEMOLITION OF AN EXISTING 32,500 SQUARE FOOT INDUSTRIAL BUILDING AND PROPOSING TO CONSTRUCT A NEW 58,500 SQUARE FOOT INDUSTRIAL BUILDING, AT THE PROPERTY LOCATED AT 530 NORTH BALDWIN PARK BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION: Adopt Resolution No. CC 2022-55

- 2.2 Consideration of a Resolution approving Development Plan Application No. 21-03, for the construction of a new 219,242 square-foot industrial building, for the property located at 15010 Don Julian Road City of Industry, California, and consideration of a mitigated negative declaration regarding same

A. Consideration of Resolution No. CC 2022-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR DEVELOPMENT PLAN APPLICATION NO. 21-03, FOR THE DEMOLITION OF AN EXISTING 103,500 SQUARE FOOT INDUSTRIAL BUILDING, AND THE PROPOSED CONSTRUCTION OF A NEW 219,242 SQUARE-FOOT INDUSTRIAL BUILDING ON A 9.75-ACRE SITE, LOCATED AT 15010 DON JULIAN ROAD, CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION: Adopt Resolution No. CC 2022-53

B. Consideration of Resolution No. CC 2022-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN APPLICATION NO. 21-03, FOR THE DEMOLITION OF AN EXISTING 103,500 SQUARE FOOT INDUSTRIAL BUILDING AND THE CONSTRUCTION OF A NEW 219,242 SQUARE-FOOT INDUSTRIAL BUILDING ON A 9.75-ACRE SITE, LOCATED AT 15010 DON JULIAN ROAD, CITY OF INDUSTRY, CALIFORNIA, AND MAKE FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Adopt Resolution No. CC 2022-54

2.3 Introduction and Consideration of an Ordinance Adopting by Reference the Los Angeles County Building Code

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, TITLE 26 OF THE LOS ANGELES COUNTY BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA BUILDING CODE 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY PLUMBING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA PLUMBING CODE 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY ELECTRICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA ELECTRICAL CODE 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY MECHANICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA MECHANICAL CODE 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY RESIDENTIAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA RESIDENTIAL CODE 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY EXISTING BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA EXISTING BUILDING CODE 2022 EDITION; AND ADOPTING LOCAL AMENDMENTS THERETO, AND MAKING FINDING FOR SAME

RECOMMENDED ACTION: 1) Waive the reading of Ordinance No. 820 and read by title only; 2) Introduce Ordinance No. 820; and 3) Set the public hearing on Ordinance No. 820 for January 12, 2023

2.4 Consideration of the Appointment of Two (2) Seats on the Industry Property and Housing Management Authority

RECOMMENDED ACTION: Discuss and make appointments to the Industry Property and Housing Management Authority and/or provide additional direction to Staff.

3. **PUBLIC HEARING**

3.1 Consideration of an urgency ordinance, adopting by reference the Los Angeles County Building Codes

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, TITLE 26 OF THE LOS ANGELES COUNTY BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA BUILDING CODE 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY PLUMBING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA PLUMBING CODE 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY ELECTRICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA ELECTRICAL CODE 2022 EDITION; TITLE 29 OF THE LOS

ANGELES COUNTY MECHANICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA MECHANICAL CODE 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY RESIDENTIAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA RESIDENTIAL CODE 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY EXISTING BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA EXISTING BUILDING CODE 2022 EDITION; ADOPTING LOCAL AMENDMENTS THERETO, AND MAKING FINDINGS FOR SAME, AND DECLARING THE URGENCY THEREOF

RECOMMENDED ACTION: 1) *Open the public hearing;* 2) *Take public testimony;* 3) *Close the public hearing;* 4) *Waive the reading and read Ordinance No. 821 U by title only;* and (5) *adopt Ordinance No. 821 U*

4. **CLOSED SESSION**

4.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: 1560, 1576, 1580, 1590, 1600, 1620, and 1630 S. Azusa Ave., City of Industry, CA, 91744 also known as Assessor Parcel Numbers 8254-004-040, 8254-004-041, 8254-004-118, 8254-004-120, and 8254-004-121

Agency Negotiator: Joshua Nelson, City Manager

Negotiating Party: Newage PHM, LLC

Under Negotiation: Price and Terms of Payment

4.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Four potential case

4.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case

4.4 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case: *Mai v. County of Los Angeles, et al.*

Superior Court of California, County of Los Angeles

Case No. 20STCV14705

4.5 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case: *Rivera Martino, et al v. City of Industry, et al.*

Superior Court of California, County of Los Angeles

Case No. 22STCV30742

4.6 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Rosa Olivares v. Industry Hills Expo Center, et al.*
Superior Court of California, County of Los Angeles
Case No. 19STCV01071

The public will be provided an opportunity to comment on these items.

Dated: December 8, 2022

/s/
Cory C. Moss, Mayor

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF INDUSTRY

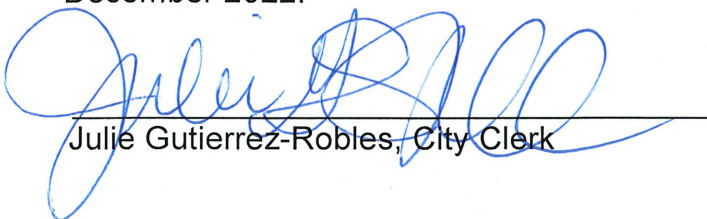
AFFIDAVIT OF POSTING

I, Julie Gutierrez-Robles, City Clerk of the City of Industry hereby certify that a copy of the Notice of the Special Meeting of the City Council of the City of Industry to be held on December 12, 2022, at the hour of 8:30 a.m., was posted at the Council Chambers, City Hall, and City's website, and delivered not less than twenty-four hours before the time of the meeting to the following:

Cory C. Moss, Mayor
Cathy Marcucci, Mayor Pro Tem
Michael Greubel, Council Member
Mark D. Radecki, Council Member
Newell Ruggles, Council Member
Josh Nelson, City Manager

Bing Hyun, Assistant City Manager
James M. Casso, City Attorney
Sam Pedroza, Assistant City Manager
Ben Montgomery, City of Chino Hills
Mayor Ray Marquez, City of Chino Hills
Jason Henry, Southern California News Group

I declare under penalty of perjury that the foregoing is true and correct. Dated this 8th day of December 2022.


Julie Gutierrez-Robles, City Clerk

DO NOT REMOVE FROM BULLETIN BOARD UNTIL AFTER DECEMBER 12, 2022