

CITY OF INDUSTRY

CITY COUNCIL SPECIAL MEETING AGENDA

SEPTEMBER 6, 2023
9:00 AM



Mayor Cory C. Moss
Mayor Pro Tem Cathy Marcucci
Council Member Michael Greubel
Council Member Mark D. Radecki
Council Member Newell Ruggles

Addressing the Council:

- ▶ **Agenda Items:** Members of the public may address the Council on any matter listed on the Agenda. Anyone wishing to speak to the 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 form should be submitted to the City Clerk prior to the Agenda item being called and prior to the individual being heard by the Council.
- ▶ **Public Comments (Agenda Items Only):** During public comments, if you wish to address the City Council during this Special Meeting, under Government Code Section 54954.3(a), you may only address the City Council concerning any item that has been described in the notice for the Special Meeting.

At the time of publication, no Councilmembers intend to take part in the meeting remotely under the provisions of AB 2449. Should that change between the time of publication and the start of the meeting, a live webcasting of the meeting will be accessible via the link, meeting ID, and meeting passcode listed below. Whenever possible, an announcement will be made at the start of the meeting via the live webcast to confirm whether or not a Councilmember will join remotely. If they will not be joining remotely, then the live webcast will terminate after the announcement.

www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: **227 725 049 195**

Meeting Passcode: **fsz4zT**

Or call in (audio only)

+1 657-204-3264,

Phone Conference ID: **714 312 384#**

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 Thursday 8:00 a.m. to 5:00 p.m., Friday 8:00 a.m. to 4:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.
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1. Call to Order
2. Flag Salute
3. AB 2449 Vote on Emergency Circumstances (if necessary)
4. Roll Call
5. Public Comments
6. **ACTION ITEM**

6.1 Consideration of Resolution No. CC 2023-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RESCINDING ANY AND ALL PRIOR RESOLUTION(S) ESTABLISHING THE ORDER OF THE CITY COUNCIL MEETING AGENDA AND/OR TIME LIMITS FOR ORAL COMMUNICATION, AND ADOPTING RULES REGARDING SAME

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-47.

7. **CLOSED SESSION**

7.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8:

Property: Assessor Parcel Numbers 8262-015-901, 8262-012-274 and 8262-012-275

Agency Negotiators:	Josh Nelson, City Manager James M. Casso, City Attorney
Negotiating Parties:	Beach Street Development LLC
Under Negotiation:	Price and terms of payment

7.2 *CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION*
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case

7.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8:

Property:	8205-025-943
Agency Negotiators:	Joshua Nelson, City Manager James M. Casso, City Attorney
Negotiating Parties:	La Puente County Valley Water District
Under Negotiation:	Price and terms of payment

7.4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property:	1548 S Azusa Avenue, also known as
Assessor Parcel Number	8265-004-045
Agency Negotiators:	Joshua Nelson, City Manager James M. Casso, City Attorney
Negotiating Parties:	1600 Azusa SB One LLC, 1552 Azusa One LLC, 1552 Azusa Two LLC, 1552 Azusa Three LLC
Under Negotiation:	Price and terms of payment

8. Adjournment. The next regular City Council Meeting will be Thursday, September 14, 2023 at 9:00 a.m.

CITY COUNCIL

ITEM NO. 6.1

RESOLUTION NO. CC 2023-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RESCINDING ANY AND ALL PRIOR RESOLUTION(S) ESTABLISHING THE ORDER OF THE CITY COUNCIL MEETING AGENDA AND/OR TIME LIMITS FOR ORAL COMMUNICATION, AND ADOPTING RULES REGARDING SAME

RECITALS

WHEREAS, under the Brown Act (Government Code Section 54950 *et seq.*) the City is required to have an agenda to conduct City Council meetings; and

WHEREAS, pursuant to Government Code Section 54954.3, the City Council is permitted to adopt reasonable regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker; and

WHEREAS, the City Council desires to establish an order for the agenda, and a time limit for public testimony for each individual speaker.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

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

SECTION 2: The City Council hereby rescinds any and all prior Resolution(s) establishing the order of the City Council meeting agenda and/or time limits for oral communications.

SECTION 3: The City Council declares that the order of the City Council meeting agenda shall be as follows:

1. Call to Order
2. Flag Salute
3. AB 2449 Vote on Emergency Circumstances (if necessary)
4. Roll Call
5. Presentations
6. Consent Calendar
7. Action Items
8. Public Hearings
9. Closed Session
10. City Manager Reports
11. AB 1234 Reports
12. City Council Communications
13. Public Comment
14. Adjournment

Notwithstanding the foregoing, the City Council may change the order in which items are heard

during a meeting by providing direction to City Staff during the meeting.

SECTION 4: The City Council declares that the time limit for public testimony on any matter before the City Council, as well as general public comment, is one minute per person, per item.

SECTION 5: The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

SECTION 6: That the City Clerk shall certify the adoption of this Resolution and that the same shall be in full force and effect.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Industry at a special meeting held on September 6, 2023 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Cory C. Moss, Mayor

ATTEST:

Julie Gutierrez-Robles, City Clerk