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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
OCTOBER 26, 2023  
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**CALL TO ORDER**

The Regular Meeting of the City Council of the City of Industry, California, was called to order by Mayor Cory C. Moss at 9:01 a.m., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California.

**FLAG SALUTE**

The flag salute was led by Mayor Moss.

**AB 2449 VOTE ON EMERGENCY CIRCUMSTANCES (IF NECESSARY)**

There was no need for AB 2449 vote since there were no Council Members taking part remotely. The webcast was then terminated.

**ROLL CALL**

PRESENT: Cory C. Moss, Mayor  
Cathy Marcucci, Mayor Pro Tem  
Michael Greubel, Council Member  
Mark Radecki, Council Member  
Newell W. Ruggles, Council Member

STAFF PRESENT: Josh Nelson, City Manager; Bing Hyun, Assistant City Manager; James M. Casso, City Attorney; Bianca Sparks, Assistant City Attorney; and Julie Gutierrez-Robles, City Clerk.

**PRESENTATIONS**

Mayor Moss introduced two special guests from the Pacific Crest Youth Arts Organization who came to speak. CEO Stuart Pompel came to say thank you to the City for supporting these students along with presenting an image of the students performing during one of their performances. The group will be performing for the City of Industry at the tree lighting ceremony this Christmas at the Homestead Museum.

Steve Tye from the City of Diamond Bar and now a Board Member with Pacific Crest Youth Arts Organization also came to thank the City of Industry and stated that being a board member gives him the privilege to raise funds so we can continue to support under privileged students who perform as specialized marching bands for on-field competitions,

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parades, and other civic functions. He also thanked the City of Industry for being part of Contract Cities. Tres Hermanos wouldn't be what it is today if it weren't for the City of Industry, City of Chino Hills and Diamond Bar. We appreciate everything we have been able to accomplish.

Mayor Moss thanked them both and asked for a brief recess for photos. Mayor Moss reconvened the meeting and thanked them for coming.

Mayor Moss asked to bring forward Item No. 13, Public Comments before Consent Calendar.

### **PUBLIC COMMENTS**

Frank Sanchez, former President of Downtown La Puente Association, aka La Puente Community Foundation, came to thank the Council for their quick response to his request made just two weeks ago at this meeting. Mr. Sanchez stated Assistant City Manager Sam Pedroza approached me before leaving the Chamber and asked me for my phone number. He said it may take a while, but he would get back to me. Sam Pedroza addressed this problem immediately and the 15 to 20 criminals living within the homeless community who were destroying the engines and trailers have all been removed. The local merchants in the area are very happy. Mayor Moss said good job to staff for making this happen and thanked Frank Sanchez for the information and to please come any time should this happen again.

Mike Greenspan and Armando Herman each spoke for one minute about their first amendment freedom of speech rights, to include the tolerance of all unpleasant forms of speech. They spoke about their opposition to government policies/leadership and provided documents for the record.

### **CONSENT CALENDAR**

Council Member Radecki recused himself from voting on check number 81602 for Item 1 (Register of Demands) due to a potential or actual financial conflict of interest due to he is employed by Square Root Golf and Landscape.

Council Member Ruggles asked for a Staff Report on Item Nos. 6.3, and 6.6.

Mayor Moss asked for a Staff Report on Item No. 6.5

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**6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR OCTOBER 26, 2023**

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

**6.2 CONSIDERATION OF AMENDMENT NO. 3 TO THE LICENSE AGREEMENT WITH PACIFIC CREST YOUTH ARTS ORGANIZATION, FOR ACCESS TO ASSESSOR'S PARCEL NUMBER 8264-004-908, LOCATED AT 1123 SOUTH HATCHER AVENUE**

*RECOMMENDED ACTION:* *Approve Amendment No. 3*

**6.3 CONSIDERATION OF A FACILITIES USE AGREEMENT WITH DELHAVEN COMMUNITY CENTER, FOR ACCESS TO THE PARKING LOT LOCATED AT THE WORKMAN AND TEMPLE HOMESTEAD MUSEUM, TO UTILIZE FOR A FUNDRAISING EVENT**

*RECOMMENDED ACTION:* *Approve the Facilities Use Agreement*

Assistant City Manager Sam Pedroza provided a staff report and requested the city approve the Facilities Use Agreement with Delhaven Community Center for a non-profit fundraising event in the parking lot at the Workman and Temple Homestad Museum.

**6.4 CONSIDERATION OF THE CANCELLATION OF THE NOVEMBER 23, 2023, AND DECEMBER 28, 2023, REGULAR CITY COUNCIL MEETINGS AND THE CLOSURE OF CITY HALL FROM DECEMBER 22, 2023, THROUGH JANUARY 1, 2024**

*RECOMMENDED ACTION:* *Cancel the November 23, 2023, and December 28, 2023, regular City Council Meetings and authorize the closure of City Hall from December 22, 2023, through January 1, 2024.*

**6.5 CONSIDERATION OF A SETTLEMENT AGREEMENT AND RELEASE IN CITY OF INDUSTRY V. ABRAHAM CRUZ, LOS ANGELES SUPERIOR COURT NO. 20STCV25407**

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*RECOMMENDED ACTION:* *Approve the Settlement Agreement and Release.*

City Attorney, James M. Casso, stated that before the Council was a Settlement Agreement & Release regarding a lawsuit against Abraham N. Cruz. An agreement has been reached as dismissal of action; satisfaction of judgement should the Council agree. Within 10 court days after receipt of the Settlement Payment of \$931.35, from Abraham N. Cruz, the City shall file a Request for Dismissal, without prejudice, of its Complaint against Cruz in the Action, and file an Acknowledgement of Satisfaction of Judgement in the Cruz Lawsuit with respect to the outstanding costs amount. Should this be approved, both parties would walk away, and both lawsuits will be over.

**6.6 CONSIDERATION OF AMENDMENT NO. 3 TO THE MEMORANDUM OF AGREEMENT WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS, TO AWARD FUNDING FROM THE SAN GABRIEL VALLEY SLOWER, SAFER STREETS PROGRAM**

*RECOMMENDED ACTION:* *Approve the Amendment.*

Senior Project Manager, Upendra Joshi from CNC Engineering provided a staff report regarding the amendment to the MOA with the San Gabriel Valley Council of Governments to award funding. City Manager Josh Nelson provided additional information, and both were available to answer any questions.

Mike Greenspan and Armando Herman each spoke for one minute in opposition to the Consent Calendar.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 81602 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	GREUBEL, RADECKI, RUGGLES, MPT/MARCUCCI, M/MOSS
NOES:	COUNCIL MEMBERS:	NONE
ABSENT	COUNCIL MEMBERS:	NONE
ABSTAIN	COUNCIL MEMBERS:	NONE

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**ACTION ITEMS**

**7.1 QUARTERLY UPDATE ON THE HOMESTEAD MUSEUM**

*RECOMMENDED ACTION:* *Receive and file.*

Paul Spitzzeri, Museum Director at the Homestead Museum provided a staff report with a slide presentation regarding the past and current public events.

Mike Greenspan and Armando Herman each spoke for one minute in opposition to Item No. 7.1.

**PUBLIC HEARING-NONE**

**CLOSED SESSION**

City Clerk Gutierrez-Robles announced there was a need for Closed Session as follows:

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

Property:	1548 S Azusa Avenue; 8265-004 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

Mike Greenspan and Armando Herman each spoke for one minute in opposition to Closed Session.

Mayor Moss, recessed the meeting into Closed Session at 9:39 a.m.

Mayor Moss reconvened the meeting at 10:33 a.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present.

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With regard to Closed Session Item No. 9.1, direction was given to the Agency Negotiators, no final action taken. Nothing further to report.

**CITY MANAGER REPORTS**

There were none.

**AB 1234 REPORTS**

There were none.

**CITY COUNCIL COMMUNICATIONS**

There were none.

**ADJOURNMENT**

There being no further business, the City Council adjourned at 10:33 a.m.

  
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CORY C. MOSS  
MAYOR

  
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JULIE GUTIERREZ-ROBLES  
CITY CLERK