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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
APRIL 13, 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 9:03 a.m., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California.

**FLAG SALUTE**

The flag salute was led by Mayor Cory C. Moss.

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

There was no need for AB 2449 vote, due to having a quorum. 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 Lynn Thompson, Administrative Technician III.

**PUBLIC COMMENTS**

Mike Greenspan and Armando Herman each spoke for three minutes 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 Ruggles asked for a Staff Report on Item Nos. 6.4, 6.5, and 6.6.

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Council Member Radecki recused himself from voting on check number 80326 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.

**6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR APRIL 13, 2023**

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

**6.2 CONSIDERATION OF THE MINUTES OF THE MARCH 9, 2023 REGULAR MEETING, AND MARCH 9, 2023 SPECIAL MEETING**

*RECOMMENDED ACTION:* *Approve as submitted.*

**6.3 CONSIDERATION OF CLOSEOUT DEDUCTIVE CHANGE ORDER NO. 2, IN THE AMOUNT OF \$119,622.35, AND NOTICE OF COMPLETION FOR CONTRACT NO. CITY-1465, CITYWIDE STREETLIGHT LED UPGRADES**

*RECOMMENDED ACTION:* *Approve Closeout Change Order No. 2 and Notice of Completion.*

**6.4 RATIFICATION OF A NET ENERGY METERING AND RENEWABLE ELECTRICAL GENERATING FACILITY INTERCONNECTION AGREEMENT WITH SOUTHERN CALIFORNIA EDISON COMPANY FOR GENERATING FACILITIES SIZED ONE MEGAWATT AND SMALLER AT 15625 MAYOR DAVE WAY, 15651 MAYOR DAVE WAY AND 15660 STAFFORD STREET, AND AGGREGATE AGREEMENT FOR 15651 MAYOR DAVE WAY**

*RECOMMENDED ACTION:* *Ratify the Agreements*

City Manager, Josh Nelson provided a staff report and explained to the Council how the Net Energy Metering and Renewable Electrical Generating Facility Interconnection Agreement works with the Southern California Edison Company for generating facilities sized one megawatt and smaller. Staff recommend ratifying this agreement and Josh Nelson was available to answer any questions.

**6.5 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR CONTRACT NO. CITY-1491, FULLERTON ROAD RECONSTRUCTION WITH PCC PAVEMENT, FROM SAN JOSE AVENUE TO SAN JOSE CREEK BRIDGE, FOR AN ESTIMATED COST OF \$1,819,400.00.**

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*RECOMMENDED ACTION:* *Approve the plans and specifications and authorize the advertising and receipt of electronic bids.*

Director of Engineering James Cramsie, from CNC Engineering, provided a staff report and explained the scope of work for this project which involves the removal of the existing asphalt concrete pavement and construction of a new PCC pavement in its place. It also involves the reconstruction of sidewalks and driveways to comply with current accessibility and new signing and striping throughout. James Cramsie was available to answer any questions.

**6.6 CONSIDERATION OF CHANGE ORDERS NOS. 13-16, IN THE AMOUNT OF \$242,785.78, FOR CONTRACT NO. CITY-1494, 15710-15718 RAUSCH ROAD BUILDING AND SITE IMPROVEMENTS**

*RECOMMENDED ACTION:* *Approve the Change Orders*

Gerardo Perez, Senior Construction Manager, with CNC Engineering provided a staff report and explained each change order to the Council and was available for any questions.

**6.7 SECOND READING AND ADOPTION OF ORDINANCE NO. 823, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, REPEALING ORDINANCE NO. 801 AND APPROVING AN ADJUSTMENT TO THE COMPENSATION FOR THE MEMBERS OF THE CITY COUNCIL**

*RECOMMENDED ACTION:* *Adopt Ordinance No. 823*

**6.8 CONSIDERATION OF A LICENSE AGREEMENT WITH ANNEALTA GROUP, FOR TEMPORARY ACCESS AND LIMITED USE OF THE PROPERTY LOCATED AT 15625 MAYOR DAVE WAY, TO SUPPORT THE CITY'S ONE STOP SHOP**

*RECOMMENDED ACTION:* *Approve the License Agreement*

**6.9 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH ANNEALTA GROUP, FOR PLANNING, BUILDING, AND STORMWATER CONSULTING SERVICES, FROM JULY 1, 2023 TO JUNE 30, 2028, IN THE AMOUNT OF \$10,102,236**

*RECOMMENDED ACTION:* *Approve the Agreement.*

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Mike Greenspan and Armando Herman each spoke for three minutes in opposition of the Consent Calendar.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR PRO TEM MARCUCCI THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 80326 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

## **ACTION ITEMS**

### **7.1 PRESENTATION, DISCUSSION, AND DIRECTION REGARDING THE HOMESTEAD MUSEUM DRAFT BRIDGE PLAN**

*RECOMMENDED ACTION:*  
*Staff.*

*Discuss and provide direction to*

Assistant City Manager Sam Pedroza presented to the Council the progress between Homestead Museum Staff and the City regarding the ongoing plan to clarify the Museums future in terms of mission, vision, visitor experience, and organization structure. The potential shift from its current model to a public private partnership (“PPP”) calls for a bridge plan. Mr. Pedroza summarized the major points of the draft plan and is seeking City Council’s feedback for moving forward. Conversation ensued amongst the staff and council members to proceed with forming a committee to conduct the exploratory process and to complete a benchmark study of three museums that utilize the public-private model. No vote was taken or necessary.

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No.7.1.

### **7.2 CONSIDERATION OF RESOLUTION NO. CC 2023-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPOINTING ONE OF THE CITY’S THREE REPRESENTATIVES TO SERVE AS DIRECTOR AND ONE**

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**TO SERVE AS ALTERNATE ON THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY**

*RECOMMENDED ACTION:* *Staff seeks Council direction.*

City Manager Josh Nelson presented to the Council that because Council Member Newell Ruggles recently resigned as a Board Member of the Tres Hermanos Conservation Authority's Board of Directors, the City must now appoint a new member and, depending on which Council member is appointed, the City Council also may need to appoint an alternate. Council Member Ruggles said he wanted to give someone else the opportunity to serve if they desired. After discussion, it was agreed to appoint Council Member Mark Radecki as Director and Newell Ruggles as Alternate Director.

Mike Greenspan spoke for three minutes in opposition of Item No.7.2.

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY MAYOR PRO TEM MARCUCCI TO APPOINT COUNCIL MEMBER RADECKI AS DIRECTOR AND COUNCIL MEMBER RUGGLES AS ALTERNATE DIRECTOR ON THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY. 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

**7.3 CONSIDERATION OF ORDINANCE NO. 824, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTIONS 17.64.020 (COMPOSITION) AND 17.64.030 (TERMS) OF CHAPTER 17.64 (PLANNING COMMISSION) OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME**

*RECOMMENDED ACTION:* *Staff recommends that the City Council (1) Waive reading of Ordinance No. 824 and read by title only; and (2) introduce Ordinance No. 824.*

City Manager, Josh Nelson provided a staff report. Under the City's Municipal Code, Commissioners are appointed by the Mayor, with the approval of the City Council; and

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the City Council desires to amend the appointment process for Commissioners to simply require approval by a majority vote of the City Council.

To allow for consistency across city boards and commissions, and for administrative ease, the City Council desires to amend the City's Code to make the appointments for all of the City's boards and commissions in July, every two years; and to implement this new policy, it is necessary to extend the terms of office for all current Commissioners; and all legal prerequisites to the adoption of this Ordinance have occurred.

The term of office of each commissioner is for a period of four years. Commencing in 2025, every four years, three appointments to the planning commission shall be made at the first City Council meeting in July. Commencing in 2027, every four years, two appointments to the planning commission shall be made at the first City Council meeting in July. Notwithstanding any provision set forth in this section, the terms of office of all commissioners in office as of the effective date of this section shall be extended. The three commissioners whose existing terms expire in 2024 and 2025 are extended to August 2025, and the two commissioners whose existing terms expire in 2026 and 2027 are extended to August 2027. Each commissioner shall continue in office until his or her successor is sworn in. Commissioners shall be sworn in at the first planning commission meeting in August, after appointment by the city council.

Mike Greenspan spoke for three minutes in opposition of Item No.7.3.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI TO WAIVE READING OF ORDINANCE NO. 824 AND READ BY TITLE ONLY. 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

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR MOSS TO INTRODUCE ORDINANCE NO. 824. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

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ABSENT COUNCIL MEMBERS: NONE  
ABSTAIN COUNCIL MEMBERS: NONE

**7.4 CONSIDERATION OF RESOLUTION NO. CC 2023-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 2.03 (BOARD OF DIRECTORS) OF ARTICLE II (GENERAL PROVISIONS), OF THE CITY OF INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY'S JOINT EXERCISE OF POWERS AGREEMENT**

*RECOMMENDED ACTION:*  
19.

*Adopt Resolution No. CC 2023-*

City Manager, Josh Nelson provided a staff report. To allow for continuity across City boards and commissions, and for administrative ease, the City Council desires to amend JPA to make the appointments for all of the City's boards and commissions in July, every two years; and hereby amend to read in its entirety as follows: Board of Directors. The Authority is administered by a Board of Directors consisting of five Directors. The Directors of the Authority are four representatives selected by the City, and one representative selected by CRIA. The Board is called the "Board of Directors of the City of Industry Property and Housing Management Authority". All voting power of the Authority rests solely in the Board. The Board Members will each serve a term of four years, in staggered fashion, as set forth herein. Commencing in 2025, every four years, one appointment to the Board shall be made by Industry at the first City Council meeting in July, and one appointment shall be made by CRIA at the first CRIA meeting in July. Commencing in 2027, three appointments to the Board shall be made by Industry at the first City Council meeting in July. Notwithstanding any provision set forth in this section, the terms of office for all Board Members in office as of May 1, 2023 shall run as follows:

- A. The two Board Members whose terms expire in 2023 and 2025 shall both expire as of July 2025.
- B. The two Board Members whose terms expire in 2026 shall both expire as of July 2027.

Each Board Member shall continue in office until his or her successor is sworn in. Board Members shall be sworn in at the first IPHMA meeting in August, after appointment by the respective city council or board.

Mike Greenspan spoke for three minutes in opposition of Item No.7.4.

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MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2023-19. 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

**7.5 CONSIDERATION OF RESOLUTION NO. CC 2023-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA AMENDING SECTION 2.03 (BOARD OF DIRECTORS) OF THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY'S AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT**

*RECOMMENDED ACTION:*  
20.

*Adopt Resolution No. CC 2023-*

City Manager, Josh Nelson provided a staff report. To allow for continuity across City boards and commissions, and for administrative ease, the City Council desires to amend JPA to make the appointments for all of the City's boards and commissions in July, every two years; and hereby amend to read in its entirety as follows: Board of Directors. The Authority is administered by a Board of Directors consisting of five Directors. Industry will appoint four Directors and La Puente will appoint one Director. Directors may be employees of the Members, but none of the Directors appointed may be a member of either Party's city council. The Board is called the "Board of Directors of the Civic-Recreational-Industrial Authority". All voting power of the Authority rests solely in the Board. The Board Members will each serve a term of four years, in staggered fashion, as set forth herein. Commencing in 2025, every four years, three appointments to the Board shall be made by Industry at the first City Council meeting in July. Commencing in 2027, one appointment to the Board shall be made by Industry at the first City Council meeting in July, and one appointment shall be made by La Puente at the first City Council meeting in July. Notwithstanding any provisions set forth in this section, the terms of office for all Board Members in office as of May 1, 2023 shall run as follows:

- A. The three Board Members appointed by Industry whose terms of office expire the soonest shall all expire as of July 2025; and
- B. The Board Member appointed by Industry whose term expires the latest, along with the Board Member appointed by La Puente, shall both expire as of July 2027.



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Each Board Member shall continue in office until his or her successor is sworn in. Board Members shall be sworn in at the first CRIA meeting in August, after appointment by the respective city council.

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No.7.5.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2023-20. 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

**CLOSED SESSION**

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

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Closed Session.

8.1 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

8.2 Conference with real property negotiators pursuant to Government Code Section 54956.8:

Property:	1548 S Azusa Avenue; 8265-004-045
Agency Negotiators:	Joshua Nelson, City Manager James M. Casso, City Attorney

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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

8.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code Section 54956.8

Property: 1 Industry Hills Parkway, City of Industry, CA, 91744 also known as Assessor Parcel Numbers (portion of) 8247-014-900, (portion of) 8247-013- 908, 8262-001-900, 8262-001-902, (portion of) 8262-011-930, 8262-011- 931, 8262-012-270, 8262-012- 271, 8262-012-272, 8262-012-273, (portion of) 8262-012-274, (portion of) 8262-012- 275, 8262-012-276,(portion of) 8262- 015-900, (portion of) 8262-015-901, 8262-015-902, 8262-015-904, (portion of) 8262-015-905, 8263-008-270, 8263- 008-271, 8263-008-904 and 8263-027-270

Agency Negotiators: Josh Nelson, City Manager

James M. Casso, City Attorney

Negotiating Parties: Majestic Industry Hills, LLC, a Delaware limited liability company

Under Negotiation: Price and terms of payment

**CITY MANAGER REPORTS**

There were none.

**AB 1234 REPORTS**

There were none.

**CITY COUNCIL COMMUNICATIONS**

Mayor Moss mentioned that the city is honoring and celebrating Autism as the April Awareness Month. The next City Council meeting we will be giving out pins and bracelets and asking everyone to wear the color blue.

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We had an incredible training session yesterday with the Los Angeles County Sherriff's Department where over 30 deputies attended along with a lot of elected officials. Supervisor Janice Hahn, Congresswoman Grace Napolitano, Senator Bob Archuleta and State Representative Lisa Calderon all attended. Thank you everyone for your support, the energy was very high.

Mayor Moss recessed the meeting into Closed Session at 10:11 a.m.

Mayor Moss reconvened the meeting at 12:01 p.m.

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

With regard to Closed Session Item No. 8.1, 8.2, and 8.3, direction was given to the Agency Negotiators, no final action taken. Nothing further to report.

**ADJOURNMENT**

There being no further business, the City Council adjourned at 12:02 p.m.

  
\_\_\_\_\_  
CORY C. MOSS  
MAYOR

  
\_\_\_\_\_  
JULIE GUTIERREZ-ROBLES  
CITY CLERK