
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JANUARY 25, 2024
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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
Michael Greubel, Council Member
Mark Radecki, Council Member
Newell W. Ruggles, Council Member

ABSENT: Cathy Marcucci, Mayor Pro Tem

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

Mayor Moss stated if there are no objections, that we excuse Mayor Pro Tem Cathy Marcucci from today's meeting. There were no objections.

PRESENTATIONS

Employee Milestone Recognition: City Manager Josh Nelson recognized Julie Gutierrez-Robles, Sam Pedroza, Kathy Tai, Ashley Trieu, and Bing Hyun for five years of dedicated service to the City of Industry, and the retirement of Carman Cooper who worked for the City of Industry for seven years with an additional 15 years through our consultant, Frazier, LLP. He expressed his gratitude for their hard work and unwavering commitment to the City.

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Quarterly Update on Homestead Museum: Paul Spitzzeri, Museum Director at the Homestead Museum, provided an update along with slides, on the recent events throughout the holiday season as well as upcoming events. The social media approach we are using is very effective in drawing people to the museum and its tours.

CONSENT CALENDAR

There were no public comments.

Mayor Moss asked for a staff report on Item Nos. 6.7, 6.8, and 6.9.

Council Member Ruggles also asked for a staff report on Item Nos. 6.7, 6.8, 6.9, and 6.10. In addition, Council Member Ruggles asked to be recused from Item No., 6.3, due to a conflict of interest in that a family member is the owner of three properties listed on the Ordinance.

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR JANUARY 25, 2024

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

6.2 SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO AMEND CHAPTER 17.08 (DEFINITIONS) AND ADD CHAPTER 17.58 (FAIR HOUSING REASONABLE ACCOMMODATIONS), AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: *Adopt Ordinance No. 826.*

6.3 SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 17.28.060 (MAP-ADOPTED) OF CHAPTER 17.28 (ZONED DISTRICTS) OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO CHANGE THE EXISTING ZONING DESIGNATION OF ASSESSOR'S PARCEL NUMBERS 8760-002-030, 8565-024-009, 8565-024-010, 8125-018-913, 8125-018-914, 8565-024-902, 8565-024-905, 8208-025-030, 8208-025-031, 8208-024-028, 8112-007-053, 8112-007-080, 8112-007-081, 8245-001-917, 8245-001-918 AND 8245-001-003, CITY OF INDUSTRY, CALIFORNIA

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RECOMMENDED ACTION:

Adopt Ordinance No. 827.

6.4 SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO ADD SECTION 17.04.130 (EXEMPTIONS FOR CITY PROJECTS) TO CHAPTER 17.04 (GENERAL PROVISIONS), TO EXEMPT CITY PROJECTS FROM THE REQUIREMENTS OF THE CITY'S ZONING CODE, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION:

Adopt Ordinance No. 828.

6.5 CONSIDERATION OF A LICENSE AGREEMENT WITH INDEPENDENT MEDIA, INC., FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-027-902, EL ENCANTO ROAD PARKING LOT LOCATED AT EL ENCANTO HEALTHCARE AND REHABILITATION CENTER, FOR USE AS A TEMPORARY OVERFLOW PARKING AREA

RECOMMENDED ACTION:

Approve the License Agreement.

6.6 CONSIDERATION OF AMENDMENT NO. 1 TO THE WIRELESS COMMUNICATION FACILITY GROUND LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC LOCATED AT 1123 SOUTH HATCHER AVENUE

RECOMMENDED ACTION:

Approve Amendment No. 1.

6.7 CONSIDERATION OF A COOPERATIVE AGREEMENT WITH LOS ANGELES COUNTY FOR COST SHARING FOR IMPROVEMENTS ALONG TEMPLE AVENUE FROM VINELAND AVENUE TO 955 FEET WEST OF VINELAND AVENUE, AND ALONG PECK ROAD FROM ROOKS ROAD TO 877 FEET SOUTH OF ROOKS ROAD

RECOMMENDED ACTION:

Approve the Agreement.

Director of Engineering James Cramsie, from CNC Engineering, provided a staff report regarding cost sharing with Los Angeles County for improvements along Temple Avenue, and was available to answer any questions.

6.8 CONSIDERATION OF DEDUCTIVE CHANGE ORDER NO. 2, IN THE AMOUNT OF \$208,501.83, AND NOTICE OF COMPLETION FOR CONTRACT NO. CITY-1497, IBC INTERIOR IMPROVEMENTS (PHASE 1) WITH M. BREY ELECTRIC, INC.

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RECOMMENDED ACTION: *Approve Change Order No. 2 and authorize the Engineering Manager to execute the Notice of Completion.*

Construction Manager Chris Lum at CNC Engineering provided a staff report and explained to the Council the deductive Change Order No. 2 and provided a summary of extra costs. The total change orders represent a 34.77 percent decrease in costs. Chris Lum was available to answer any questions.

6.9 CONSIDERATION OF CLOSEOUT CHANGE ORDER NO. 3, IN THE AMOUNT OF \$17,965.00, AND NOTICE OF COMPLETION, FOR CONTRACT NO. CITY-1488, ANNUAL PAVEMENT REHABILITATION FY22 WITH LCR EARTHWORK & ENGINEERING, CORP.

RECOMMENDED ACTION: *Approve Change Order No. 3 and Authorize the Engineering Manager to execute the Notice of Completion.*

Construction Manager Chris Lum at CNC Engineering provided a staff report and explained to the Council the Closeout change order No. 3 and provided a summary of extra costs. The total change orders represent a 2.33 percent increase in costs. Chris Lum was available to answer any questions.

6.10 ACCEPTANCE OF AN APPROVED PARCEL MAP NO. 355, FOR PROPERTY LOCATED AT NORTH SIDE OF COLIMA ROAD AND EAST OF AZUSA AVENUE, FOR ASSESSOR PARCEL NUMBER 8265-004-045, OWNED BY 1600 AZUSA SB ONE, LLC., 1552 AZUSA ONE, LLC., 1552 AZUSA TWO, LLC., AND 15522 AZUSA THREE, LLC.

RECOMMENDED ACTION: *Accept and approve Parcel Map No. 355.*

Engineering Manager, Mat Hudson, provided a staff report along with slides regarding Parcel Map N. 355, which includes several property owners. The owners desire to subdivide the existing parcel. The City's survey team have examined this map and determined that it conforms substantially to the Tentative Map TPM No. 93235 and all approved alterations. It was determined that all provisions of the state law and subdivision ordinance of the City have been complied with and satisfied that this map is technically correct. Council Member Ruggles asked about parcel #2 and if it was now a separate parcel. Mat Hudson responded that it is now a separate parcel but still the same owner.

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MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO APPROVE THE CONSENT CALENDAR. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

CLOSED SESSION

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

There were no public comments.

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

Property:	15550 Tonner Canyon Rd. APN 306-021-02
Agency Negotiators:	Joshua Nelson, City Manager James M. Casso, City Attorney
Negotiating Parties:	USA BMX, Justin Travis
Under Negotiation:	Price and terms of payment

9.2 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

9.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation; Pursuant to Government Code Section 54956.9(d)(2) One potential case

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9.4 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
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

9.5 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *City of Whittier et al. v Superior Court, et al.*
Superior Court of California, County of Los Angeles
Case No. 23STCP03579

Mayor Moss, recessed the meeting into Closed Session at 9:50 a.m.

Mayor Moss reconvened the meeting at 10:55 a.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present except for Mayor Pro Tem Marcucci.

With regard to Closed Session Item Nos. 9.1, 9.2, and 9.4, direction was given to the Agency Negotiators, no final action taken.

With regard to Closed Session Item Nos. 9.3, no final action was taken.

With regard to Closed Session Item No. 9.5, direction was given to the City Attorney's office, no final action taken.

Nothing further to report at this time, on any of these items.

ACTION ITEMS-NONE

PUBLIC HEARINGS - NONE

CITY MANAGER REPORTS

There were none.

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AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS


Mayor Cory Moss reported that Mayor Pro Tem Cathy Marcucci is in Houston today along with 10 other patients taking part in a new study procedure. She will be in the hospital for 2 ½ weeks, with a total of 6 weeks in Houston. "She is doing well, and I will get more information later today."

PUBLIC COMMENTS

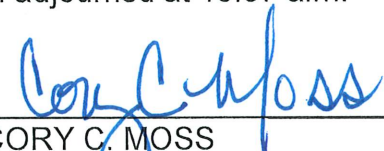
There were none.

ADJOURNMENT

There being no further business, the City Council adjourned at 10:57 a.m.



JULIE GUTIERREZ-ROBLES
CITY CLERK



CORY C. MOSS
MAYOR