
CITY COUNCIL AND SUCCESSOR AGENCY
TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY
JOINT SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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CALL TO ORDER

The Joint Special Meeting of the City Council and the Successor Agency to the Industry Urban-Development Agency of the City of Industry, California, was called to order by Mayor/Chair Cory C. Moss at 9:04 a.m., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California.

FLAG SALUTE

The flag salute was led by Mayor/Chair Moss.

AB 2449 VOTE ON EMERGENCY CIRCUMSTANCES (IF NECESSARY)

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

ROLL CALL

PRESENT: Cory C. Moss, Mayor/Chair
Michael Greubel, Council/Board Member
Mark Radecki, Council/Board Member
Newell W. Ruggles, Council/Board Member

ABSENT: Cathy Marcucci, Mayor Pro Tem/Vice-Chair

STAFF PRESENT: Josh Nelson, City Manager/Executive Director; Bing Hyun, Assistant City Manager/Executive Director; James M. Casso, City Attorney/Legal Counsel; Bianca Sparks, Assistant City Attorney/Legal Counsel; and Lynn Thompson, Administrative Technician III.

City Attorney/Legal Counsel, James M. Casso, indicated that Mayor Pro Tem/Vice-Chair Cathy Marcucci may participate remotely, but should she not be able to attend, would Mayor/Chair Cory Moss excuse her absence in advance? Mayor/Chair Cory Moss approved.

PRESENTATIONS

There were none.

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CITY COUNCIL CONSENT CALENDAR

Council Member Ruggles asked for a staff report on Item Nos. 6.4, 6.5, 6.6, 6.8, 6.10, and 6.12.

Council Member Radecki asked for a staff report on Item No. 6.7.

Mayor Moss asked for a staff report on Item No. 6.9, and 6.11.

6.1 CONSIDERATION OF THE CITY COUNCIL REGISTER OF DEMANDS SUBMITTED BY THE FINANCE DEPARTMENT FOR NOVEMBER 23, 2023

RECOMMENDED ACTION: *Ratify the meeting minutes for November 23, 2023.*

6.2 CONSIDERATION OF THE CITY COUNCIL REGISTER OF DEMANDS FOR DECEMBER 14, 2023

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

6.3 CONSIDERATION OF THE CITY COUNCIL MINUTES OF THE SEPTEMBER 14, 2023 SPECIAL MEETING, SEPTEMBER 14, 2023 REGULAR MEETING AND THE SEPTEMBER 28, 2023 REGULAR MEETING

RECOMMENDED ACTION: *Approve as submitted.*

6.4 CONSIDERATION OF GROUNDWATER PUMPING AND SUPPLY AGREEMENT WITH ROWLAND WATER DISTRICT AND THE WALNUT VALLEY WATER DISTRICT

RECOMMENDED ACTION: *Approve the Agreement.*

City Manager Josh Nelson spoke in detail on the background of this project that we have been working on for quite some time. Engineering Manager Mat Hudson then provided a staff report along with slides discussing the final language and terms of the agreement

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with Rowland Water District and the Walnut Valley Water District. All three utilities potentially will be utilizing some of the recycled water and are working together very well and have a great partnership. Both were available to answer any questions.

6.5 CONSIDERATION OF A COOPERATIVE AGREEMENT WITH CALTRANS FOR TRAFFIC DETOURS FROM STATE HIGHWAY ROUTE 605

RECOMMENDED ACTION:

Approve the Agreement.

Engineering Manager, Mat Hudson, provided a staff report regarding the traffic detours expected on state highway Route 605, for the Pavement Re-Hab Project. Council Member Ruggles asked about the timeline for construction and Mat Hudson replied that it will go out to bid this year with construction starting sometime next year. It may have been delayed due to our project on Kella. Mayor Moss asked how long the pavement stretch was and Mat Hudson replied it was quite long, starting around Santa Fe Springs, going through the city and ending at Baldwin Park. Mat Hudson was available to answer any questions.

6.6 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS (FORMERLY KNOWN AS IBI GROUP), REVISING THE SCOPE, RATE SCHEDULE, EXTENDING THE TERM THROUGH DECEMBER 14, 2025, INCREASING COMPENSATION BY \$127,865.00, AND ASSIGNING THE AGREEMENT TO ARCADIS

RECOMMENDED ACTION:

Approve the Amendment.

Engineering Manager, Mat Hudson, provided a staff report and explained the need for the amendment to extend the term through December 14, 2025, and the additional scope of services necessary.

6.7 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1502, CITYWIDE LICENSE PLATE CAMERA READER INSTALLATION, TO ELECNOR BELCO ELECTRIC, INC., IN AN AMOUNT NOT TO EXCEED \$2,410,693.00, AND ADOPT NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION:

Award the Contract to Elecnor Belco Electric, Inc. in the amount of \$2,410,693.00, and adopt a Notice of Exemption for the project.

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Senior Project Manager, Upendra Joshi from CNC Engineering provided a staff report regarding the award of contract to Elecnor Belso Electric, Inc. to furnish and install License Plate Camera Readers including trenching, conduit installation and wires. Elecnor's bid is nearly 100 percent higher than the engineer's estimate due to cost increases in current labor and material. The engineer's estimate was developed using the average cost of recently bid projects.

Discussion ensued as to why the costs were so much higher, why are we going with this contractor vs. Flock, retention policy, pending request for a \$800,000.00 grant and looking at other alternatives.

Mayor Moss asked about a retention policy and Assistant City Attorney/Legal Counsel Bianca Sparks answered that a retention policy & privacy issue would need to be developed.

Council Member Ruggles motioned to reject all the bids. Council Member Radecki seconded the motion and said it would be wise to postpone and review a little bit more.

City Manager, Josh Nelson presented options available to the Council. Presently we are waiting for more information from the Contractor on an update of pricing which we may hear back from before the end of this meeting. Also, we have the potential for a \$800,000.00 grant from the DOJ (Department of Justice), which could give us more direction. We could pull this item back and re-address after Closed Session.

It was agreed to pull this back until after today's Closed Session.

6.8 CONSIDERATION OF AMENDMENT NO. 7 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STILLWATER ECOSYSTEM, WATERSHED & RIVERINE SCIENCES, FOR ENVIRONMENTAL CONSULTING SERVICES AT FOLLOWS CAMP, REVISING THE SCOPE OF SERVICES AND INCREASING COMPENSATION BY \$21,000.00

RECOMMENDED ACTION:

Approve the Amendment.

City Manager Josh Nelson provided a staff report reviewing Amendment No. 7 with Stillwater Ecosystem, Watershed & Riverine Sciences for environmental consulting services at Follows Camp, revising the scope of services and increasing the compensation. City Manager Josh Nelson was available to answer any questions.

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6.9 CONSIDERATION OF RESOLUTION NO. CC 2023-50 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT, IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00), FOR ITS GIFT CARD PROGRAM

RECOMMENDED ACTION:
50.

Adopt Resolution No. 2023-

Assistant City Manager, Sam Pedroza provided a brief staff report regarding the annual donation to this Gift Card Policy and mentioned this was already included in the budget, under Outreach, and has been a very successful program. He then introduced Maritza Cabezas, District Counselor for Equity & Access, with the HLPUSD (Hacienda La Puente Unified School District), who made a presentation to the Council. Assistant City Manager Sam Pedroza was available for questions.

6.10 CONSIDERATION OF THE ENGAGEMENT OF JONES MAYER TO PROVIDE LEGAL SERVICES FOR LITIGATION RELATED TO ZERO BAIL INJUNCTION

RECOMMENDED ACTION:

Approve the Agreement.

City Attorney Casso provided a staff report explaining the retention of Jones Mayer Law to provide legal representation to the City ("Agreement") to represent the City in commencing litigation in connection with a legal challenge to the Los Angeles County Zero Bail Program. The costs and expenses will be shared on a pro-rata basis between all the cities that join the matter.

Council Member Ruggles asked how this firm was selected of which City Attorney Casso said the city of Whittier was the first to challenge the policy and was authorized to go out and solicit other cities.

6.11 CONSIDERATION OF AMENDMENT NO. 1 TO THE AMENDED AND RESTATED DESIGN-BUILD AGREEMENT WITH SKYBRIDGE RENEWABLES, LLC, REVISING THE SCOPE OF WORK AND INCREASING COMPENSATION BY \$403,728.15 (CIP-CC-18-019-B)

RECOMMENDED ACTION:

Approve the Amendment.

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City Manager Josh Nelson provided a staff report and Dev Birla, Operations Manager at CNC Engineering, provided additional information along with slides, and both were available for questions.

6.12 CONSIDERATION OF A LICENSE AGREEMENT WITH THE CITY OF LA PUENTE, FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-025-943, FOR A COMMUNITY EVENT

RECOMMENDED ACTION: *Approve the License Agreement.*

City Manager Josh Nelson provided a staff report and was available to answer any questions. City Attorney Casso mentioned that the City of La Puente, at the conclusion of the agreement, would restore the property to its prior condition.

There were no public comments.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR MOSS TO APPROVE THE CITY COUNCIL CONSENT CALENDAR ITEM NOS. 6.1 THROUGH 6.6 and ITEM NOS. 6.8 THROUGH 6.12. 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

SUCCESSOR AGENCY CONSENT CALENDAR

Chair Moss asked for a staff report on Item Nos. 7.4 and 7.5.

Board Member Ruggles asked for a staff report on Item No. 7.6.

7.1 CONSIDERATION OF THE SUCCESSOR AGENCY REGISTER OF DEMANDS SUBMITTED BY THE FINANCE DEPARTMENT FOR NOVEMBER 9, 2023 AND NOVEMBER 23, 2023

RECOMMENDED ACTION: *Ratify the Register of Demands*

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for November 9, 2023 and November 23, 2023.

**7.2 CONSIDERATION OF THE SUCCESSOR AGENCY REGISTER OF DEMANDS
SUBMITTED BY THE FINANCE DEPARTMENT DECEMBER 14, 2023**

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

**7.3 CONSIDERATION OF THE SUCCESSOR AGENCY MINUTES OF THE JULY
27, 2023 REGULAR MEETING, SEPTEMBER 6, 2023 SPECIAL MEETING,
SEPTEMBER 28, 2023 REGULAR MEETING AND THE OCTOBER 26, 2023
REGULAR MEETING**

RECOMMENDED ACTION: Approve as submitted.

**7.4 CONSIDERATION OF RESOLUTION NO. SA 2023-08 – A RESOLUTION OF
THE SUCCESSOR AGENCY OF THE FORMER INDUSTRY URBAN-DEVELOPMENT
AGENCY ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR
THE PERIOD OF JULY 1, 2024 TO JUNE 30, 2025 (ROPS 24-25) PURSUANT TO
HEALTH AND SAFETY CODE SECTION 34177**

*RECOMMENDED ACTION: Adopt Resolution No. SA 2023-
08.*

Director of Operations, Sean Calvillo, with CNC Engineering, said they do their best each year to project future costs. He provided a staff report, reviewing the ongoing projects to the Agency and stated there was a final minor addition to line item 282 on the payment schedule (ROPS 24-25), and provided a handout. This item will go to the Oversight Board for approval, then to the Department of Finance for their final review. Sean Calvillo was available to answer any questions.

**7.5 CONSIDERATION OF RESOLUTION NO. SA 2023-09 – A RESOLUTION OF
THE SUCCESSOR AGENCY OF THE FORMER INDUSTRY URBAN-DEVELOPMENT
AGENCY APPROVING AN ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY
1, 2024 TO JUNE 30, 2025**

*RECOMMENDED ACTION: Adopt Resolution No. SA 2023-
09.*

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Finance Director Yamini Pathak provided an online review of the Administrative Budget and recommends that the board adopt Resolution No. SA 2023-09, for the proposed budget reflecting the estimated costs to perform the administrative functions for the purpose of winding down the Agency's affairs for the ROPS 24-25 period. Finance Director Yamini Pathak was available to answer any questions.

7.6 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR CONTRACT NO. IBC-0390, IMPROVEMENTS TO MAINTENANCE ACCESS ROADS, OLD BREA CANYON ROAD, DETENTION BASINS AND FINAL ASPHALT CAP TO INDUSTRY WAY, MARCELLIN DRIVE AND GRAND CROSSING PARKWAY, FOR AN ESTIMATED COST OF \$12,200,000.00

RECOMMENDED ACTION: *Approve the plans and specifications and authorize the solicitation of public bids.*

Director of Engineering, James Cramsie, from CNC Engineering provided a staff report along with slides and reviewed the scope of work. He recommended the Board approve the plans and specifications and authorize the solicitation of public bids. Conversation and questions ensued between James Cramsie, Executive Director Josh Nelson, and the Board Members. All questions were sufficiently answered in detail.

There were no public comments.

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

AYES:	COUNCIL MEMBERS:	GREUBEL, RADECKI, RUGGLES, C/MOSS
NOES:	COUNCIL MEMBERS:	NONE
ABSENT	COUNCIL MEMBERS:	VC/MARCUCCI
ABSTAIN	COUNCIL MEMBERS:	NONE

CITY COUNCIL ACTION ITEMS

8.1 CONSIDERATION OF RESOLUTION NO. CC 2023-51, APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, AND RESOLUTION NO. CC 2023-52, APPROVING DEVELOPMENT

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PLAN APPLICATION NO. 22-03 WITH CONDITIONS OF APPROVAL, FOR THE DEMOLITION OF FIVE EXISTING INDUSTRIAL BUILDINGS TOTALING 22,040 SQUARE FEET, AND THE CONSTRUCTION OF A NEW 147,691 SQUARE-FOOT INDUSTRIAL BUILDING, FOR THE PROPERTY LOCATED AT 15010 AND 15100 NELSON AVENUE, CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:
51 and CC 2023-52.

Adopt Resolution Nos. CC 2023-

Contract Senior Planner, Dina Lomeli provided a staff report with slides and provided a handout to the Council with the Conditions of Approval that were not included in the agenda packet. Council Member Ruggles asked if this was two separate properties. Dina Lomeli responded, yes and there is an existing 20-foot shared easement on the other tenant's property. She was available to answer any questions.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NOS. CC 2023-51 AND CC 2023-52. 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

PUBLIC HEARINGS-NONE

CITY COUNCIL CLOSED SESSION

There were no public comments.

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

- 10.1 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Coraline Rivera Martino, et al. v. City of Industry, et al.
Los Angeles Superior Court Case No. 22STCV30742

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10.2 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

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

Case: *Joseph P. Ruiz v. City of Industry*

Superior Court of California, County of Los Angeles

Case No. 20STCV29058

10.3 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

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

Zarazua v. Hernandez, et al.

Los Angeles Superior Court Case No. 21STCV44219

(Consolidated with *Hernandez, et al. v. Zarazua, et al.*, Los Angeles

Superior Court Case No. 22STCV05262)

10.4 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation; Pursuant to Government Code Section 54956.9(d)(2) One potential case

10.5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation; Pursuant to Government Code Section 54956.9(d)(2) One potential case

10.6 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

10.7 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

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

10.8 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: Joshua 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

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

10.10 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation; Pursuant to Government Code Section 54956.9(d)(2) Seven potential cases

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10.11 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Concerned Citizens of City of Industry, LLC v. Mark Radecki, et al.
Los Angeles Superior Court, Case No. BC700716
Court of Appeal, Case No. B311627

Mayor Moss, recessed the meeting into Closed Session at 10:17 a.m.

Mayor Moss reconvened the meeting at 3:06 p.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 No. 10.1, 10.2, 10.3, 10.4,10.5, 10.9, 10.10, and 10.11, direction was given to the City Attorney's office, no final action taken. Nothing further to report.

With regard to Closed Session Item No. 10.6, 10.7, 10.8, direction was given to the Agency Negotiators, no final action taken. Nothing further to report.

6.7 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1502, CITYWIDE LICENSE PLATE CAMERA READER INSTALLATION, TO ELECNOR BELCO ELECTRIC, INC., IN AN AMOUNT NOT TO EXCEED \$2,410,693.00, AND ADOPT NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION: *Award the Contract to Elecnor Belco Electric, Inc. in the amount of \$2,410,693.00, and adopt a Notice of Exemption for the project.*

There was no vote. It was decided to give this more time and to bring it back in January.

CITY MANAGER REPORTS

City Manager Josh Nelson thanked everyone for being here today and wished everyone a Merry Christmas and Happy New Year!

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AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS


Mayor Moss thanked Sargent Andre Kneubuhler and Team Leader Joe Nanquil from the SAO Team (Special Assignment Officers) for being here today and wished everyone a Happy Holiday.

ADJOURNMENT

There being no further business, the City Council and Successor Agency to the Industry Urban-Development Agency adjourned at 3:15 p.m.



CORY C. MOSS
MAYOR/CHAIR



JULIE GUTIERREZ-ROBLES
CITY CLERK/SECRETARY