
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JUNE 13, 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 9:00 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, Mayor Pro Tem
Steve Marcucci, Council Member
Mark Radecki, Council Member
Newell W. Ruggles, Council Member

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

PRESENTATIONS

There were none.

CONSENT CALENDAR

With regards to the Consent Calendar, Council Member Radecki recused himself from voting on check number 83097 for item 1 (Register of Demands) due to a potential or actual financial conflict of interest due to he is currently employed by Square Root Golf and Landscape.

Council Member Ruggles asked for a staff report on Item Nos. 6.3, 6.6, 6.8, and 6.10.

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6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR JUNE 13, 2024

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

6.2 CONSIDERATION OF THE MINUTES OF APRIL 11, 2024 SPECIAL MEETING, APRIL 25, 2024 REGULAR MEETING, AND THE APRIL 25, 2024 SPECIAL MEETING

RECOMMENDED ACTION: *Approve as submitted.*

6.3 CONSIDERATION OF RESOLUTION NO. CC 2024-28 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, CONFIRMING THE CONTINUED EXISTENCE OF AN EMERGENCY CONDITION AT TONNER CANYON, AND DECLARING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE CERTAIN WORK TO BE PERFORMED WITHOUT COMPETITIVE BIDDING PURSUANT TO CALIFORNIA PUBLIC CONTRACT CODE SECTION 22050 AND SECTION 3.52.110 OF THE CITY'S MUNICIPAL CODE

RECOMMENDED ACTION: *Adopt Resolution No. CC 2024-28.*

Engineering Manager, Mat Hudson, provided a staff report regarding the continued existence of emergency conditions at Tonner Canyon along with photos of the washed-out roads and said they were expecting to be done by the end of June. He was available to answer any questions.

6.4 CONSIDERATION OF APPLICATIONS FROM THE FOLLOWING ORGANIZATIONS TO SELL SAFE AND SANE FIREWORKS IN THE CITY: CATHEDRAL HIGH SCHOOL, CORY LIDLE FOUNDATION, COVINA VIKINGS YOUTH FOOTBALL ORGANIZATIONS, DAVION MICHAEL BROWN FOUNDATION, HIGH IMPACT TRAINING 626, WORKMAN QUARTERBACK CLUB, KIWANIS OF HACIENDA HEIGHTS, KNIGHTS OF COLUMBUS MSGR MULCAHY COUNCIL 16034, LA PUENTE HIGH SCHOOL CHEER AND DANCE BOOSTERS, LOS ALTOS QUARTERBACK CLUB, VIKINGS WRESTLING BOOSTERS CLUB, INC., ROWLAND HIGH SCHOOL RAIDER HUDDLE CLUB, SHINING LIGHT MINISTRIES, THE CALIFORNIA ALLIANCE FOR FAMILY JUSTICE, AND THE JENNIFER LENIHAN MEMORIAL SCHOLARSHIP FOUNDATION.

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RECOMMENDED ACTION: *Approve the list of applicants to sell safe and sane fireworks beginning June 28, 2024 and ending July 5, 2024 as conditioned.*

6.5 RATIFICATION OF LEGAL SERVICES AGREEMENT FOR THE PURPOSE OF INVESTIGATING AND ASSESSING POTENTIAL CLAIMS ARISING OUT OF THE PRESENCE OF PER- AND POLYFLUOROALKYL SUBSTANCES (“PFAS”) CONTAMINANTS IN WATER SUPPLY WELLS AFFECTING THE CITY’S WATERWORKS SYSTEM

RECOMMENDED ACTION: *Ratify the Agreement.*

6.6 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JOE A. GONSALVES & SON, FOR GOVERNMENTAL RELATIONS SERVICES, EXTENDING THE TERM THROUGH JUNE 30, 2029, UPDATING THE SCOPE OF SERVICES, UPDATING THE RATE SCHEDULE, AND UPDATING THE INDEMNITY PROVISIONS CONSISTENT WITH BEST PRACTICES

RECOMMENDED ACTION: *Approve Amendment No. 2.*

Assistant City Manager, Sam Pedroza provided a staff report on the updated scope of work and said this was covered under our current budget. Sam Pedroza was available to answer any questions.

6.7 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH D.S. EWING ARCHITECTS, INC., TO PROVIDE ARCHITECTURAL DESIGN SERVICES FOR THE CITY COUNCIL CHAMBERS AND IBC BUILDING IMPROVEMENTS PROJECT, IN AN AMOUNT NOT-TO-EXCEED \$100,000.00, THROUGH JUNE 13, 2025

RECOMMENDED ACTION: *Approve the Agreement.*

Director of Operations, Sean Calvillo, from CNC Engineering, provided a staff report on the IBC Building improvements and was available to answer any questions.

6.8 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1509, CITYWIDE SIGN REPLACEMENT PROJECT, TO SUPERIOR PAVEMENT MARKINGS, INC. IN AN AMOUNT NOT TO EXCEED \$369,260.00, AND ADOPT A NOTICE OF EXEMPTION REGARDING SAME

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RECOMMENDED ACTION: *Award the Contract to Superior Pavement Markings, Inc. in the amount of \$369,260.00, and adopt a Notice of Exemption for the project.*

Senior Project Manager, Upendra Joshi from CNC Engineering provided a staff report regarding the award of Contract No. CITY-1509, Citywide Sign Replacement Project, to Superior Pavement Markings, Inc., in an amount not to exceed \$369,260.00, and adopt a notice of exemption regarding same. Upendra Joshi was available to answer any questions.

6.9 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CASC ENGINEERING AND CONSULTING INC., FOR ON-CALL ENVIRONMENTAL PLANNING SERVICES, EXTENDING THE TERM THROUGH JUNE 30, 2029, AND UPDATING THE RATE SCHEDULE

RECOMMENDED ACTION: *Approve Amendment No. 2.*

6.10 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLACEWORKS, INC., FOR ON-CALL ENVIRONMENTAL PLANNING SERVICES, EXTENDING THE TERM THROUGH JUNE 30, 2029, AND UPDATING THE RATE SCHEDULE

RECOMMENDED ACTION: *Approve Amendment No. 2.*

Development Services Manager, Kathy Tai provided a staff report regarding the Amendment to the Professional Services Agreement with Placeworks, Inc., for on-call Environmental Planning Services, extending the term through June 30, 2029, and updating the rate schedule. Kathy Tai was available to answer any questions.

Armando Herman spoke for one minute in opposition of the Consent Calendar.

Mayor Moss asked if anyone else from the public had comments on the Consent Calendar. There were none.

MOTION BY MAYOR PRO TEM GREUBEL, 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 83097 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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AYES: COUNCIL MEMBERS: MARUCCCI, RADECKI, RUGGLES,
MPT/GREUBEL,
M/MOSS

NOES: COUNCIL MEMBERS: NONE
ABSENT COUNCIL MEMBERS: NONE
ABSTAIN COUNCIL MEMBERS: NONE

ACTION ITEMS – NONE

PUBLIC HEARINGS – NONE

CLOSED SESSION

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

Armando Herman spoke for one minute in opposition of Closed Session.

Mayor Moss asked if anyone else from the public had comments on Closed Session. There were none.

9.1 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

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9.2 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

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

Property: 2 vacant lots on E Nelson Avenue, west of
Maypop Ave
Assessor Parcel Numbers 8208-024-906 and
8208-024-907
City Negotiators: Joshua Nelson, City Manager
James M. Casso, City Attorney
Negotiating Parties: HKTSNTRLT LLC
Under Negotiation: Price and terms of payment

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

Property: 17545 Gale Ave, Assessor Parcel Number 8264-
012-919
City Negotiators: Joshua Nelson, City Manager
James M. Casso, City Attorney
Negotiating Parties: Best Buy Co., Inc.
Under Negotiation: Price and terms of payment

9.5 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
LLC, 1552 Azusa Two LLC, 1552 Azusa
Three LLC

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Under Negotiation: Price and terms of payment

- 9.6 PUBLIC EMPLOYMENT PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
TITLE: CITY TREASURER
- 9.7 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation; Pursuant to Government Code Section
54956.9(d)(2) One potential case
- 9.8 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One
potential case

Mayor Moss, recessed the meeting into Closed Session at 9:16 a.m.

Mayor Moss reconvened the meeting at 11:58 a.m.

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

With regard to Closed Session Item Nos. 9.1, 9.2, 9.3, and 9.5 direction was given to Agency Negotiators.

With regard to Closed Session Item No. 9.4, direction was given to the City Negotiators.

With regard to Closed Session Item No. 9.6, direction was given to the City Manager.

With regard to Closed Session Item Nos. 9.7 and 9.8, direction was given to the City Attorney's Office.

No final action taken on any of these matters.

CITY MANAGER REPORTS

There were none.

AB 1234 REPORTS

There were none.

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CITY COUNCIL COMMUNICATIONS

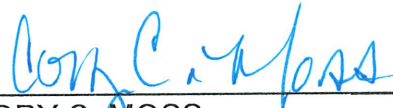
Mayor Moss explained that she has the ability to appoint herself to the Vector Control Board and will bring back later an agenda item to fill the alternate position. The meetings are once a month on a Friday.

PUBLIC COMMENTS

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

ADJOURNMENT

Mayor Moss adjourned today's meeting in memory of Keith Bowman, a longtime employee of La Puente Valley County Water District at 12:02 p.m.



CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK