
CITY COUNCIL REGULAR MEETING MINUTES
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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; Bing Hyun, Assistant City Manager; James M. Casso, City Attorney; and Julie Gutierrez-Robles, City Clerk.

PRESENTATION

There were none.

Mayor Moss asked to bring forward Item No. 7, Action Items and Item No. 8, Public Hearing before Consent Calendar. There were no objections.

ACTION ITEMS

7.1 CONSIDERATION OF A RESOLUTION APPROVING DEVELOPMENT PLAN APPLICATION NO. 21-04, WITH CONDITIONS OF APPROVAL, FOR THE CONSTRUCTION OF A 39,471 SQUARE FOOT EXPANSION TO AN EXISTING 60,896 SQUARE FOOT COLD STORAGE WAREHOUSE BUILDING AND ASSOCIATED SITE IMPROVEMENTS, AT THE PROPERTY LOCATED AT 710 EPPERSON DRIVE, CITY

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OF INDUSTRY, CALIFORNIA, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: Adopt Resolution No. CC 2024-46 approving Development Plan Application No. 21-04, with the Standard Requirements and Conditions of Approval contained in the Resolution and Notice of Exemption regarding same.

Contract Associate Planner Eduardo Manriquez provided a staff report regarding the Development Plan and was available to answer any questions.

Council Member Ruggles asked about the height of the existing building vs. the height of the new building. He also asked if additional cold storage was to be added. Eduardo Manriquez replied that the new building would be around 40 feet high, and the existing building is about 60 feet high. The cold storage will be added next to the existing cold storage and this plan meets all standards.

Armando Herman spoke for one minute in opposition to Item No. 7.1.

MOTION BY MAYOR PRO TEM GREUBEL, AND SECOND BY COUNCIL MEMBER MARCUCCI TO ADOPT RESOLUTION NO. CC 2024-46 APPROVING DEVELOPMENT PLAN APPLICATION NO. 21-04, WITH THE STANDARD REQUIREMENTS AND CONDITIONS OF APPROVAL CONTAINED IN THE RESOLUTION AND NOTICE OF EXEMPTION REGARDING SAME. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

7.2 CONSIDERATION OF A RESOLUTION APPROVING DEVELOPMENT PLAN APPLICATION NO. 23-09 WITH CONDITIONS OF APPROVAL, FOR THE DEMOLITION OF AN EXISTING 7,838 SQUARE FOOT COMMERCIAL BUILDING AND THE CONSTRUCTION OF A 3,588 SQUARE-FOOT CAR WASH AND ASSOCIATED SITE IMPROVEMENTS, AT THE PROPERTY LOCATED AT 17411 COLIMA ROAD, CITY OF INDUSTRY CALIFORNIA, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

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RECOMMENDED ACTION: *Adopt Resolution No. CC 2024-48 approving DP No. 23-09, with the conditions shown in Attachment 1 and adopting a Notice of Exemption regarding same.*

Contract Associate Planner Eduardo Manriquez provided a staff report regarding the Development Plan and was available to answer any questions.

Armando Herman spoke for one minute in opposition to Item No. 7.2.

MOTION BY MAYOR PRO TEM GREUBEL, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2024-48 APPROVING DP NO. 23-09, WITH THE CONDITIONS SHOWN IN ATTACHMENT 1 AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

7.3 CONSIDERATION OF A RESOLUTION APPROVING DEVELOPMENT PLAN APPLICATION NO. 23-08 WITH CONDITIONS OF APPROVAL, FOR THE CONSTRUCTION OF A 40,163 SQUARE FOOT EXPANSION AND ASSOCIATED IMPROVEMENTS TO AN EXISTING 104,212 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT 17355 RAILROAD STREET, CITY OF INDUSTRY, CALIFORNIA, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION: *Adopt Resolution No. CC 2024-47 approving Development Plan No. 23-08, with the Standard Requirements and Conditions of Approval contained in the Resolution and Notice of Exemption regarding same.*

Contract Senior Planner, Dina Lomeli provided a staff report regarding the Development Plan and was available to answer any questions.

Armando Herman spoke for one minute in opposition to Item No. 7.3.

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MOTION BY MAYOR PRO TEM GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2024-47 APPROVING DEVELOPMENT PLAN NO. 23-08, WITH THE STANDARD REQUIREMENTS AND CONDITIONS OF APPROVAL CONTAINED IN THE RESOLUTION AND NOTICE OF EXEMPTION REGARDING SAME. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

PUBLIC HEARINGS

8.1 CONSIDERATION OF AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; GENERAL PLAN AMENDMENT NO. 22-02 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM COMMERCIAL TO EMPLOYMENT, AND ZONE CHANGE NO. 22-02 TO CHANGE THE ZONING CLASSIFICATION FROM COMMERCIAL (C) TO INDUSTRIAL (M), FOR PROPERTIES LOCATED AT 15940 AND 16016 AMAR ROAD (ASSESSOR'S PARCEL NUMBERS 8250-001-011 AND 8250-001-012); TENTATIVE PARCEL MAP NO. 22-01 (TPM 083978) TO MERGE SEVEN (7) EXISTING PARCELS LOCATED AT 15940-16016 AMAR ROAD AND 15940-16040 KAPLAN AVENUE INTO A SINGLE 10.09-ACRE PARCEL; AND DEVELOPMENT PLAN APPLICATION NO. 22-07, FOR THE PROPOSED CONSTRUCTION OF A 205,460 SQUARE-FOOT TILT-UP CONCRETE INDUSTRIAL BUILDING AND ASSOCIATED IMPROVEMENTS AT THE PROPERTY GENERALLY LOCATED AT 15940 AND 16016 AMAR ROAD AND 16023, 15941, 15940, 16000, 16040 KAPLAN ROAD

RECOMMENDED ACTION: 1. Open the public hearing and take public testimony. 2. Adopt Resolution No. CC 2024-36 adopting the IS/ MND; and 3. Adopt Resolution No. CC 2024-37 approving General Plan Amendment No, 22-02; and 4. Adopt Resolution No. CC 2024-39 approving Tentative Parcel Map 22-01(TPM 083978)/ PM 22-01 Conditions of Approval; and 5. Adopt Resolution No. CC 2024-40 approving Development Plan No. 22-07/DP No. 22-07 Conditions of Approval; and 6. Waive the reading of Ordinance No. 831; and 7. Introduce Ordinance No. 831 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

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of Industry Municipal Code, to change the existing zoning designation of assessor's parcel numbers 8250-001-011 and 8250-001-012 from commercial to industrial.

Contract Senior Planner, Dina Lomeli provided a staff report and then introduced Frank Coyle, California Environmental Quality Act (CEQA) Consultant, Frank Coyle Director of Planning with CASC Engineering and Consulting, Inc., who provided more information and details on the project along with a brief overview of two comment letters that were received by the City. One was from Blum, Collins & Ho LLP representing the Golden State Environmental Justice Alliance (GSEJA). The other comment letter was received from Lozeau Drury LLP representing the Supporters Alliance for Environmental Responsibility (SAFER). Both comment letters believe that the proposed Initial Study/Mitigated Negative Declaration (IS/MND) is flawed and that an Environment Impact Report (EIR) should be prepared for the Project. Staff has reviewed the comments and does not agree with the commenters' statements that an EIR must be prepared to analyze the impacts associated with the proposed Project. Staff believes the Draft IS/MND provides substantial evidence that implementation of the proposed Project would not create significant and unavoidable environmental impacts. Staff's response to the comment letters is attached to the Draft IS/MND in the agenda.

Frank Coyle mentioned that a third letter was received on July 7, 2024, directly from Steven Piepkorn with Golden State Environmental Justice Alliance, reiterating their belief that the MND is flawed, and a full Environment Impact Report (EIR) should be drafted and circulated for public review.

A fourth comment letter was received on August 18th, via email from Steven Piepkorn with Golden State Environmental Justice Alliance.

Frank Coyle read a summary of the comments received, along with responses from CASC, recognizing that these comments made no impact on the project and no changes deemed necessary. Frank Coyle also noted that all letters and corresponding responses are part of the agenda packet or recorded with the City Clerk.

Contract Senior Planner, Dina Lomeli said based on this analysis, staff recommends that the Commission adopt these resolutions.

Conversation ensued amongst Council Members, City Manager Josh Nelson, Senior Project Manager Upendra Joshi from CNC Engineering regarding traffic mitigation, truck routes and where there were multiple entrances to the facility, etc. All questions were sufficiently answered.

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Mayor Moss asked what the estimated timeframe was and Spencer B. Kallick with Allen Matkins who is representing the applicant Hines Global Industrial said Plan Check is complete and we are ready and anxious to get started upon approval. The construction portion will take approximately nine to ten months.

Mayor Moss opened the public hearing at 10:13 a.m.

Armando Herman spoke for one minute in opposition to Item No. 8.1.

Mayor Moss closed the public hearing at 10:15 a.m.

MOTION BY MAYOR PRO TEM GREUBEL, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2024-36 ADOPTING THE IS/MND. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY MAYOR MOSS TO ADOPT RESOLUTION NO. CC 2024-37 APPROVING GENERAL PLAN AMENDMENT NO. 22-02. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2024-39 APPROVING TENTATIVE PARCEL MAP 22-01(TPM 083978)/ PM 22-01 CONDITIONS OF APPROVAL. 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

MOTION BY COUNCIL MEMBER MARCUCCI, AND SECOND BY MAYOR PRO TEM GREUBEL TO ADOPT RESOLUTION NO. CC 2024-40 APPROVING DEVELOPMENT PLAN NO. 22-07/DP NO. 22-07 CONDITIONS OF APPROVAL. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

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

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER MARCUCCI TO WAIVE THE READING OF ORDINANCE NO.831. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

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

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO INTRODUCE ORDINANCE NO. 831 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 8250-001-011 AND 8250-001-012 FROM COMMERCIAL TO INDUSTRIAL. 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

CONSENT CALENDAR

Mayor Moss asked for a staff report for Item Nos. 6.2 and 6.3.

Council Member Ruggles asked for a staff report on Item Nos. 6.4.

With regards to the Consent Calendar, Council Member Radecki recused himself from voting on check number 83592 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.

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR AUGUST 22, 2024

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

6.2 CONSIDERATION OF RESOLUTION NO. CC 2024-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE INDUSTRY SHERIFF'S YOUTH ATHLETIC LEAGUE, IN THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00), FOR ITS FALL FESTIVAL PROGRAM

RECOMMENDED ACTION: *Adopt Resolution No. CC 2024-41.*

Assistant City Manager, Sam Pedroza provided a staff report regarding a donation to the Industry Sheriff's Youth Athletic League and its fall festival program and was available to answer any questions.

6.3 CONSIDERATION OF RESOLUTION NO. CC 2024-45 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, EXPRESSING THE INTENT TO VACATE KAPLAN AVENUE IN THE CITY OF INDUSTRY, AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING

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RECOMMENDED ACTION:
2024-45.

Adopt Resolution No. CC

Engineering Manager, Mat Hudson, provided a staff report and was available to answer any questions.

6.4 CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH NV5, INC., FOR ON-CALL ELECTRICAL ENGINEERING SERVICES, IN AN AMOUNT NOT-TO-EXCEED \$300,000.00 THROUGH AUGUST 21, 2027

RECOMMENDED ACTION:

Approve the Agreement.

Dev Birla, Operations Manager at CNC Engineering, provided a staff report regarding on-call electrical engineering services for several capital improvement projects and was available to answer any questions.

Armando Herman 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 83592 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	MARCUCCI, RADECKI, RUGGLES, MPT/GREUBEL, M/MOSS
NOES:	COUNCIL MEMBERS:	NONE
ABSENT	COUNCIL MEMBERS:	NONE
ABSTAIN	COUNCIL MEMBERS:	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 to the Closed Session items.

9.1 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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9.2 PUBLIC EMPLOYMENT PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
TITLE: CITY MANAGER

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

Property:	555 S. El Encanto Road, City of Industry, California 91745, also known as Assessor Parcel Numbers 8208-27-901, 902, 906, 907, and 918.
Agency Negotiators:	Josh Nelson, City Manager James M. Casso, City Attorney
Negotiating Parties:	El Encanto Healthcare & Habilitation Center
Under Negotiation:	Price and terms of payment

Mayor Moss, recessed the meeting at 10:30 a.m.
Mayor Moss reconvened the meeting at 10:38 a.m.

Mayor Moss, recessed the meeting into Closed Session at 10:41 a.m.
Mayor Moss reconvened the meeting at 12:14 p.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present and it was noted that Mayor Pro Tem Greubel left early, but did participate in all matters.

With regard to Closed Session Item No. 9.1, direction was given to the City Attorney's office, no final action.

With regard to Closed Session Item No. 9.2, there was no discussion on this item and will be agendaized at the September 12th meeting.

With regard to Closed Session Item Nos. 9.3, direction was given to Agency Negotiators, no final action.

Nothing further to report at this time.

CITY MANAGER REPORTS

There were none.

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AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

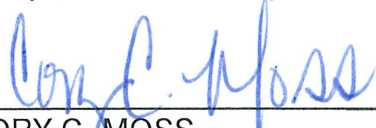
There were none.

PUBLIC COMMENTS

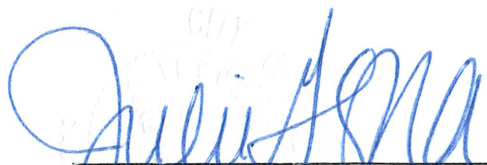
Mayor Moss acknowledged one speaker card from Armando Herman, but he was no longer present. Mayor Moss asked if there were any other public comments. There were none.

ADJOURNMENT

There being no further business, the City Council adjourned at 12:16 p.m.



CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK