
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 1

CALL TO ORDER

The Regular Meeting of the City Council of the City of Industry, California, was called to order by Mayor Mark D. Radecki at 9:00 a.m. in the City of Industry Council Chamber, 15651 East Stafford Street, California.

FLAG SALUTE

The flag salute was led by Mayor Mark D. Radecki.

ROLL CALL

PRESENT: Mark D. Radecki, Mayor
Cory C. Moss, Mayor Pro Tem
Abraham N. Cruz, Council Member
Roy Haber, Council Member
Newell W. Ruggles, Council Member

STAFF PRESENT: Paul J. Philips, City Manager; James M. Casso, City Attorney; Cecelia Dunlap, Deputy City Clerk; Alex Gonzalez, Director of Development Services and Administration; Troy Helling, Senior Planner; and Clem Calvillo, City Engineer.

PUBLIC COMMENTS

There were no public comments.

PRESENTATION BY ERIC J. SCRIVEN, FINANCIAL ADVISOR WITH NHA ADVISORS, LLC

Mr. Eric J. Scriven, Financial Advisor with NHA Advisors, LLC, provided a presentation to the City Council regarding the refunding of the 2010 Sales Tax Revenue Bonds and responded to questions.

CONSENT CALENDAR

Mayor Radecki recused himself from check number 64334 for item 1 (Register of Demands) because he had a potential or actual financial conflict of interest in that he is employed by Square Root Golf and Landscape.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 2

Council Member Cruz recused himself from check number 64334 for item 1 (Register of Demands) because he had a potential or actual financial conflict of interest in that he is employed by Square Root Golf & Landscape.

Mayor Pro Tem Moss recused herself from check number 64278 for item 1 (Register of Demands) because she had a potential or actual financial conflict of interest in that she is employed by CNC Engineering.

Council Member Ruggles recused himself from check number 64290 for item 1 (Register of Demands) because he had a potential or actual financial conflict of interest in that he is employed by Haddick's Auto Body.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES, THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH MAYOR PRO TEM MOSS RECUSING FROM CHECK NUMBER 64278 ON ITEM 1 (REGISTER OF DEMANDS) WITH MAYOR RADECKI AND COUNCIL MEMBER CRUZ BOTH RECUSING FROM CHECK NUMBER 64334 ON ITEM 1 (REGISTER OF DEMANDS), AND WITH COUNCIL MEMBER RUGGLES RECUSING FROM CHECK NUMBER 64290 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT	COUNCIL MEMBERS:	NONE
ABSTAIN	COUNCIL MEMBERS:	NONE

1. CONSIDERATION OF REGISTER OF DEMANDS

APPROVED THE REGISTER OF DEMANDS AND AUTHORIZED THE APPROPRIATE CITY OFFICIALS TO PAY THE BILLS.

2. CONSIDERATION OF RESOLUTION NO. CC 2016-43 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, IN SUPPORT OF THE LOS ANGELES COUNTY DEPARTMENT OF PARKS AND RECREATION PUENTE HILLS LANDFILL PARK MASTER PLAN

ADOPTED RESOLUTION NO. CC 2016-43.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 3

3. CONSIDERATION OF A CONFLICT WAIVER FOR CASSO & SPARKS, LLP, REGARDING SKYSCRAPER BREWING COMPANY, INC. v. THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY, ET AL. (LASC KC068505)

APPROVED THE CONFLICT WAIVER.

CONSIDERATION OF RESOLUTION NO. CC 2016-44 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT, AND FIXING THE EMPLOYER’S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS

Deputy City Clerk Dunlap advised the City Council that there was a revision to the title of the resolution. Let the record reflect that the title now reads as follows: “CONSIDERATION OF RESOLUTION NO. CC 2016-44 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ELECTING TO BE SUBJECT TO THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS

City Manager Philips provided a staff report to the City Council and responded to questions.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2016-44. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

CONSIDERATION OF RESOLUTION NO. CC 2016-45 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING AN INCREASE TO THE FISCAL YEAR 2015-16 GENERAL FUND BUDGET OF \$194,350 FOR PAYMENT OF THE CALIFORNIA STATE CONTROLLER’S OFFICE REVIEW SERVICES

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRO TEM MOSS TO ADOPT RESOLUTION NO. CC 2016-45. MOTION CARRIED 5-0, BY THE

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 4

FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE

CONSIDERATION OF RESOLUTION NO. CC 2016-46 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, DECLARING MEMBERSHIP IN THE MUNICIPAL INSURANCE COOPERATIVE JOINT POWERS AUTHORITY (MIC JPA) AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELEVANT DOCUMENTS FOR INCLUSION AND BINDING OF PROPERTY, LIABILITY AND WORKER’S COMPENSATION INSURANCE FOR FISCAL YEAR 2016-2017

City Manager Philips provided a staff report to the City Council and responded to questions.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY MAYOR PRO TEM MOSS TO ADOPT RESOLUTION NO. CC 2016-46. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE

CONSIDERATION OF ORDINANCE NO. 794 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA AMENDING SECTION 10.40.010 (PORTION OF VINELAND AVENUE) AND REPEALING SECTIONS 10.40.020 (BALDWIN PARK BOULEVARD AND RAILROAD AVENUE), 10.40.030 (VALLEY BOULEVARD), 10.40.040 (HACIENDA BOULEVARD), 10.40.050 (CERTAIN STREETS), 10.40.060 (PROCTOR AVENUE, DON JULIAN ROAD AND TURNBULL CANYON ROAD), 10.40.070 (GALE AVENUE), 10.40.080 (PASS AND COVINA ROAD), 10.40.090 (SAN GABRIEL RIVER PARKWAY), 10.40.100 (AZUSA AVENUE), 10.40.110 (PORTION OF VALLEY BOULEVARD), 10.40.120 (PORTION OF TEMPLE AVENUE), 10.40.130 (PORTION OF AMAR ROAD), 10.40.140 (PORTION OF TEMPLE AVENUE), 10.40.150 (PORTION OF BREA CANYON ROAD), 10.40.160 (PORTION OF GALE AVENUE), 10.40.170 (PORTION OF MOHR AVENUE), 10.40.180 (PORTION OF WALNUT DRIVE), 10.40.190 (PORTION OF GALE AVENUE), AND 10.40.200

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 5

**(PORTION OF GRAND AVENUE) OF CHAPTER 10.40 (SPEED LIMITS) OF TITLE 10
(VEHICLES AND TRAFFIC) OF THE CITY OF INDUSTRY MUNICIPAL CODE
(SECOND READING)**

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT ORDINANCE NO. 794. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

CONSIDERATION OF AMENDMENT NO. 1 TO THE BETTERMENT AGREEMENT BETWEEN THE CITY OF INDUSTRY AND ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY (ACE) REGARDING THE INSTALLATION OF INTERSECTION IMPROVEMENTS TO FAIRWAY DRIVE AND WALNUT DRIVE IN CONJUNCTION WITH THE FAIRWAY DRIVE GRADE SEPARATION PROJECT

City Engineer Calvillo provided a staff report to the City Council.

Deputy City Engineer Nelson provided additional background information on the project and responded to questions.

Mr. Mark Christoffels, Chief Executive Officer of the Alameda Corridor-East Construction Authority, responded to questions regarding the timing.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER HABER TO APPROVE AMENDMENT NO. 1. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

CONSIDERATION OF AMENDMENT NO. 1 TO THE BETTERMENT AGREEMENT BETWEEN THE CITY OF INDUSTRY AND ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY (ACE) REGARDING THE FULLERTON GRADE SEPARATION PROJECT

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 6

City Engineer Calvillo provided a staff report to the City Council.

Deputy City Engineer Nelson provided additional background information on the project and responded to questions.

Mr. Mark Christoffels, Chief Executive Officer of the Alameda Corridor-East Construction Authority, responded to questions regarding the timing of the project and traffic congestion with the upcoming holiday, and the retail/commercial shopping in the area.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER CRUZ TO APPROVE AMENDMENT NO. 1. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

DISCUSSION AND DIRECTION OF A DRAFT CONCEPT FOR THE PROPOSED TURNBULL CANYON GRADE SEPARATION PROJECT BY THE ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY (ACE), FOR A TWO LANE OVERPASS STRUCTURE

Mr. Mark Christoffels, Chief Executive Officer of the Alameda Corridor-East Construction Authority, provided background information on the project. The Turnbull Canyon Grade Separation was part of the original program with the twenty grade-separations to be constructed in the San Gabriel Valley program. This is the fourteenth worst railroad crossing in the State of California.

Discussion was held regarding concerns with a single lane going in each direction, and the underpass versus an overpass.

Mayor Radecki suggested to move forward with this project.

CONSIDERATION OF RESOLUTION NO. CC 2016-47 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY APPROVING THE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND CHALMERS SOUTH MISSION ROAD LLC, FOR THE 0.60-ACRE SOUTHERLY PORTION OF PARCEL 71 AND MAKING THE REQUISITE CEQA FINDINGS

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 7

City Attorney Casso provided background information on the property. The Developer will be reimbursing the City for the cost of the appraisal and legal services.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT RESOLUTION NO. CC 2016-47. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

CONSIDERATION OF A DONATION FOR THE ANNUAL CITY APPRECIATION LUNCH

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER HABER TO APPROVE THE DONATION. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, RUGGLES, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

DISCUSSION AND CONSIDERATION OF APPOINTMENT OF TWO (2) REPRESENTATIVES TO SERVE ON THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY

MOTION BY MAYOR RADECKI, AND SECOND BY COUNCIL MEMBER CRUZ TO APPOINT LARRY HARTMANN AND CATHERINE MARCUCCI TO SERVE ON THE CIVIC-RECREATIONAL-INDUSTRIAL AUTHORITY. MOTION CARRIED 4-1, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBERS:	CRUZ, HABER, MOSS, RADECKI
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	RUGGLES

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 8

CITY COUNCIL COMMITTEE REPORTS

There were none.

AB1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

There were none.

CLOSED SESSION

Deputy City Clerk Dunlap announced there was a need for Closed Session as follows:

- 10.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Potential Case

- 10.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Industry v. Crafton Elite, et al.
Los Angeles Superior Court East District
Case No. KC068259

- 10.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT
TO GOVERNMENT CODE SECTION 54956.8

Property:	17201-17301 Gale Avenue, City of Industry
City Negotiators:	Paul J. Philips, City Manager and James M. Casso, City Attorney
Negotiating Parties:	City of Industry, Successor Agency to the Industry Urban-Development Agency, and R.Y. Properties, Inc.
Under Negotiation:	Price and Terms of Payment

There were no public comments on the Closed Session items.

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

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
JULY 14, 2016
PAGE 9

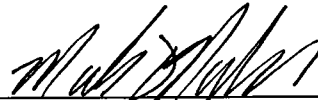
RECONVENE CITY COUNCIL MEETING

Mayor Radecki reconvened the meeting at 10:23 a.m. All members of the City Council were present. City Attorney Casso reported out of Closed Session.

With regard to Closed Session Item 10.1, the City Council provided direction to the City Manager and City Attorney, and no reportable action was taken, Item 10.2, the City Council provided direction to the City Attorney and no reportable action was taken, and Item 10.3, the City Council provided direction to the City Attorney and took no reportable action.

ADJOURNMENT

There being no further business, the City Council adjourned 10:54 a.m.



MARK D. RADECKI
MAYOR



DIANE M. SCHLICHTING
CHIEF DEPUTY CITY CLERK