
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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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 Mark D. Radecki at 9:02 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
Newell W. Ruggles, Council Member

ABSENT: Roy Haber, 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

Presentation from Mr. Cesar Campos, California Department of Toxic Substances Control (DTSC), provided an update on the Quemetco Battery Recycling Facility located at 720 S. 7th Avenue, City of Industry

CONSENT CALENDAR

Mayor Pro Tem Moss recused herself from check number 64473 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.

Mayor Radecki recused himself from check number 64516 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.

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Council Member Cruz recused himself from check number 64516 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.

Council Member Ruggles recused himself from check number 64484 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 CRUZ THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH MAYOR PRO TEM MOSS RECUSING FROM CHECK NUMBER 64473 ON ITEM 1 (REGISTER OF DEMANDS) WITH MAYOR RADECKI AND COUNCIL MEMBER CRUZ BOTH RECUSING FROM CHECK NUMBER 64516 ON ITEM 1 (REGISTER OF DEMANDS), AND WITH COUNCIL MEMBER RUGGLES RECUSING FROM CHECK NUMBER 64484 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

1. CONSIDERATION OF REGISTER OF DEMANDS

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

2. CONSIDERATION OF RESOLUTION NO. CC 2016-50 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, REQUESTING THAT THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF LOS ANGELES APPROVE THE WITHDRAWAL OF THE CITY'S ANNEXATION APPLICATION FOR THE RIGHT OF WAY LOCATED ON THE SOUTH SIDE OF VALLEY BOULEVARD BETWEEN MORNINGSIDE DRIVE AND 460 FEET EAST OF FAURE AVENUE

(CONTINUED FROM July 28, 2016)

ADOPTED RESOLUTION NO. CC 2016-50.

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CONSIDERATION OF A BETTERMENT AGREEMENT BETWEEN THE CITIES OF INDUSTRY AND DIAMOND BAR, AND THE ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY FOR THE LEMON AVENUE IMPROVEMENTS IN CONJUNCTION WITH THE FAIRWAY DRIVE GRADE SEPARATION PROJECT

Deputy City Engineer Nelson provided a staff report to the City Council and responded to questions.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE BETTERMENT AGREEMENT. MOTION 4-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH EMERSON CONSULTING GROUP, INC., FOR ECONOMIC ANALYSIS SERVICES IN THE AMOUNT NOT TO EXCEED \$15,000.00

Mr. Parker G. Emerson, President of Emerson Consulting Group, Inc., Dr. Sandra M. Emerson, MPA Director at California State Polytechnic University, Pomona, and Dr. Carsten Lange, Professor and Graduate Coordinator at California State Polytechnic University, Pomona, all introduced themselves to the City Council and each provided information on data that they would be gathering in order to prepare the report on the economic impact that the City of Industry has on the San Gabriel Valley.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER CRUZ TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT. MOTION 4-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF RESOLUTION NO. CC 2016-52 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RESCINDING RESOLUTIONS NO. 1900, 2226, CC 2012-17, CC 2013-09, CC 2015-12, AND CC 2016-

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21, AND ADOPTING SALARY RANGE SCHEDULES FOR CITY EMPLOYEES AND OFFICERS FROM FISCAL YEAR 2000-2001 THROUGH FISCAL YEAR 2016-2017

Director of Development Services and Administration Gonzalez provided a staff report to the City Council and responded to questions.

City Controller Paragas provided additional information.

MOTION BY MAYOR RADECKI, AND SECOND BY COUNCIL MEMBER CRUZ TO ADOPT RESOLUTION NO. 2016-52. MOTION 4-0, BY THE FOLLOWING VOTE:

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

**INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 795 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 2.20.010 (AUTHORIZATION FOR HEALTH AND DENTAL BENEFITS) OF CHAPTER 2.20 (EMPLOYEE BENEFIT PLANS) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO ACHIEVE COMPLIANCE WITH THE AFFORDABLE CARE ACT AND STATE LAW
(FIRST READING)**

Director of Development Services and Administration Gonzalez provided a staff report to the City Council and responded to questions.

MOTION BY MAYOR RADECKI, AND SECOND BY COUNCIL MEMBER CRUZ TO WAIVE FURTHER READING, READ BY TITLE ONLY, AND INTRODUCED ORDINANCE NO. 795. MOTION 4-0, BY THE FOLLOWING VOTE:

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

INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 796 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADDING SECTION 3.52.160 (EXCEPTIONS FOR DESIGN-BUILD PROJECT DELIVERY) TO CHAPTER 3.52 (PUBLIC PROJECTS-BIDDING AND PROCEDURES)

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OF TITLE 3 (REVENUE AND FINANCE) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO AUTHORIZE DESIGN – BUILD AS A METHOD OF DELIVERY FOR PROJECT CONSTRUCTION (FIRST READING)

Director of Development Services and Administration Gonzalez provided a staff report to the City Council and responded to questions.

MOTION BY MAYOR RADECKI, AND SECOND BY COUNCIL MEMBER CRUZ TO WAIVE FURTHER READING, READ BY TITLE ONLY, AND INTRODUCE ORDINANCE NO. 796. MOTION 4-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF RESOLUTION NO. CC 2016-53 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY APPROVING THE ASSIGNMENT AND ASSUMPTION OF INTEREST IN THE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND R.Y. PROPERTIES, INC., FOR THE PROPERTY LOCATED AT 17201 & 17301 GALE AVENUE AND MAKING THE REQUISITE CEQA FINDINGS

City Attorney Casso provided a staff report.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER CRUZ TO ADOPT RESOLUTION NO. CC 2016-53. MOTION 4-0, BY THE FOLLOWING VOTE:

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

CITY COUNCIL COMMITTEE REPORTS

There were none.

AB1234 REPORTS

There were none.

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CITY COUNCIL COMMUNICATIONS

There were none.

CLOSED SESSION

Deputy City Clerk Dunlop 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): Two Potential Cases

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

Property:	Tres Hermanos Property
City Negotiators:	Paul J. Philips, City Manager and James M. Casso, City Attorney
Negotiating Parties:	Paul J. Philips, Executive Director and James M. Casso, Agency Legal Counsel
Under Negotiation:	Price and Terms of Payment

There were no public comments on the Closed Session item.

Mayor Radecki recessed the meeting into Closed Session at 10:22 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Radecki reconvened the meeting at 11:54 a.m. All members of the City Council were present, except for Council Member Haber who was absent.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session items 10.1 and 10.2, the City Council provided direction to the City Attorney, and nothing further to report.


ADJOURNMENT

There being no further business, the City Council adjourned at 11:56 a.m.

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MARK D. RADECKI
MAYOR


DIANE M. SCHLICHTING
CHIEF DEPUTY CITY CLERK