
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
DECEMBER 13, 2018
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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 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 Radecki

ROLL CALL

PRESENT: Mark Radecki, Mayor
Cory Moss, Mayor Pro Tem
Abraham Cruz, Council Member
Catherine Marcucci, Council Member
Newell W. Ruggles, Council Member

STAFF PRESENT: Troy Helling, City Manager; Bing Hyun, Assistant City Manager; Jamie M. Casso, Legal Counsel; Josh Nelson, Contract City Engineer; and Julie Robles, Deputy City Clerk.

PRESENTATION

Mayor Radecki recognized Fire Fighter Specialist Mark Lopez for going above and beyond the call of duty. A certificate from the City of Industry was presented to Mr. Lopez and pictures were taken along with the City Council Members.

Mayor Radecki announced the presence of the new Assistant Sheriff Tim Murakami of the Los Angeles County Sheriff's Department. A certificate was presented to Mr. Murakami thanking him for years of dedication and service and appreciation for everything he has done.

Mr. Murakami thanked the City of Industry for its friendship and support and that he takes this new responsibility very seriously.

Mayor Pro Tem Moss presented the Council with a gift (framed picture) from the Del Havan Community Center for allowing them the use of Camp Courage.

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A report was presented from Tamera Hannah of the County of Los Angeles Fire Department asked for the city's support in the Tonner Canyon area regarding the Hazardous Fuels Reduction (HFR) and Vegetation Management Plan (VMP) Programs.

PUBLIC COMMENTS

Public Affairs Manager, Mr. Bob Cruz with Southern California Gas Company, who represents the City of Industry, provided information to the Council Members regarding Balanced Energy.

Mr. John Soria, Mayor Pro Tem from the City of Commerce, spoke to the Council Members about the desire of the City of Commerce to purchase the Tres Hermanos Property, with same terms and conditions that now exist. He then thanked the Council for the opportunity to discuss this matter and looking forward to receiving direction from the City of Industry.

Deputy Chief Dave Anderson from the Orange County Fire Authority thanked the City of Industry for the contributions in helping them to prepare and respond to wild land incidents and to public safety in their area and surrounding areas.

Phil Johnson, Battalion Chief Taylor Johnson from Chino Hills Fire and Chief Barley from Cal Fire, all expressed individually their gratitude for the multi-agency drills that take place each spring. A plaque was presented to thank the City of Industry for its past and hopefully future support.

Mayor Radecki expressed, on behalf of the City of Industry and City Council, how much we greatly value our relationships with all fire agencies and are glad to help in any way going forward.

Pictures were taken with the City Council members.

CONSENT CALENDAR

- 1. CONSIDERATION OF THE REGISTER OF DEMANDS FOR NOVEMBER 8, 2018**

ITEM WAS PULLED FROM THE CONSENT CALENDAR FOR DISCUSSION.

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2. CONSIDERATION OF THE MINUTES OF NOVEMBER 29, 2018 SPECIAL MEETING

APPROVED AS SUBMITTED.

3. CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN OWEN GROUP, INC., AND CITY OF INDUSTRY FOR ADA SELF-EVALUATION AND TRANSITION PLAN IN AN AMOUNT NOT TO EXCEED \$288,810 FROM DECEMBER 13, 2018 THROUGH FEBRUARY 28, 2020

APPROVED THE AGREEMENT.

4. CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN IDS GROUP, INC., AND CITY OF INDUSTRY FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE IMPROVEMENTS TO THE AVALON ROOM AND PATIO CAFÉ LOCATED AT THE INDUSTRY HILLS EXPO CENTER, IN AN AMOUNT NOT TO EXCEED \$226,550 FROM DECEMBER 13, 2018 THROUGH JULY 5, 2020

ITEM WAS PULLED FROM THE CONSENT CALENDAR FOR DISCUSSION.

5. CONSIDERATION OF WIRELESS COMMUNICATIONS FACILITY GROUND LEASE BETWEEN THE CITY OF INDUSTRY AND NEW CINGULAR WIRELESS PCS, LLC. LOCATED AT 1123 S. HATCHER AVENUE.

APPROVED THE AGREEMENT.

6. CONSIDERATION OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC. FOR LANDFILL OPERATION, MONITORING AND MAINTENANCE CONSULTING SERVICES FOR A TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$1,001,416.00 THROUGH DECEMBER 31, 2021

ITEM WAS PULLED FROM THE CONSENT CALENDAR FOR DISCUSSION.

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CONSIDERATION OF THE REGISTER OF DEMANDS FOR NOVEMBER 8, 2018

Council Member Cruz questioned check number 70225 for payment. Discussion pursued and General Council advised that this item would be discussed during Closed Session Item No. 11.2.

Mayor Radecki recused himself from check number 70244 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.

Council Member Cruz recused himself from check number 70244 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.

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 RADECKI AND COUNCIL MEMBER CRUZ BOTH RECUSING FROM CHECK NUMBER 70244 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN IDS GROUP, INC., AND CITY OF INDUSTRY FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE IMPROVEMENTS TO THE AVALON ROOM AND PATIO CAFÉ LOCATED AT THE INDUSTRY HILLS EXPO CENTER, IN AN AMOUNT NOT TO EXCEED \$226,550 FROM DECEMBER 13, 2018 THROUGH JULY 5, 2020

Contract City Engineer Josh Nelson, from CNC Engineering, presented a recap to the Council Members and answered questions.

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

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

CONSIDERATION OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC. FOR LANDFILL OPERATION, MONITORING AND MAINTENANCE CONSULTING SERVICES FOR A TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$1,001,416.00 THROUGH DECEMBER 31, 2021

Contract City Engineer Josh Nelson, from CNC Engineering, provided an update to the Council Members.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE AMENDMENT NO. 3. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF DEVELOPMENT PLAN 17-05, TO ALLOW THE DEVELOPMENT OF A TRUCK TERMINAL YARD FACILITY LOCATED AT 16601-16965 CHESTNUT AVENUE.

Contract Planner Dina Lomeli gave a presentation and answered questions from the Council.

CONSIDERATION OF RESOLUTION NO. CC 2018-54 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR DEVELOPMENT PLAN NO. 17-5 TO ALLOW THE DEVELOPMENT OF A TRUCK TERMINAL YARD FACILITY LOCATED AT 16601-

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16965 CHESTNUT AVENUE IN THE CITY OF INDUSTRY, WITHIN THE "I" INDUSTRIAL ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER MARCUCCI TO ADOPT RESOLUTION NO. CC 2018-54. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF RESOLUTION NO. CC 2018-53 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 17-05 TO ALLOW THE DEVELOPMENT OF A TRUCK TERMINAL YARD FACILITY LOCATED AT 16601-16965 CHESTNUT AVENUE IN THE CITY OF INDUSTRY, CALIFORNIA

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE RESOLUTION NO. CC 2018-53. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF IMPROVEMENTS TO EXISTING PUBLIC HIGHWAY AT-GRADE CROSSING AGREEMENT WITH COUNTY OF LOS ANGELES AND UNION PACIFIC RAILROAD COMPANY FOR CALIFORNIA AVENUE AT ALHAMBRA SUBDIVISION CROSSING, NORTH OF VALLEY BOULEVARD

Contract City Engineer Josh Nelson, from CNC Engineering, provided a staff report and answered questions for the Council.

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MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER CRUZ TO APPROVE THE AGREEMENT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF CHANGE ORDER NO. 4, FOR PHASE 1 HUDSON (YAL) BUILDING TENANT IMPROVEMENTS, WITH GOLDEN STEEL, INC. (CONTRACT NO. CITY-1441)

City Manager Helling provided a staff report and answered questions from the Council.

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER MARCUCCI TO APPROVE CHANGE ORDER NO. 4 AND AUTHORIZE THE MAYOR TO EXECUTE THE CHANGE ORDER. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF AWARD OF AGREEMENT NO. DS-18-040-B, INDUSTRY HILLS GRAND ARENA PAINTING, TO MARISCAL PAINTING, IN AN AMOUNT NOT TO EXCEED \$675,000.00.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER MARCUCCI TO AWARD THE CONTRACT TO MARISCAL PAINTING, IN THE AMOUNT OF \$675,000.00. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1420R, WALNUT DRIVE SOUTH WIDENING AND STORM DRAIN IMPROVEMENTS (IPD 233), TO PALP INC. DBA EXCEL PAVING COMPANY, IN AN AMOUNT NOT TO EXCEED \$1,774,739.00.

Contract City Engineer Josh Nelson, from CNC Engineering, provided a staff report and answered questions from the Council.

MOTION BY VICE CHAIR MOSS, AND SECOND BY COUNCIL MEMBER MARCUCCI TO AWARD THE CONTRACT TO PALP INC. DBA EXCEL PAVING COMPANY, IN THE AMOUNT OF \$1,774,739.00. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

DISCUSSION & DIRECTION REGARDING SPLIT STAFF ON FRIDAYS

City Manager Helling provided a staff report. There was no vote and the Council agreed with the City Manager's recommendation that City Hall continues to be open every Friday with split staff working the 9/80 schedule.

CITY COUNCIL COMMITTEE REPORTS

There were none.

AB 1234 REPORTS

There were none.

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CITY COUNCIL COMMUNICATIONS

There were none.

CLOSED SESSION

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

- 11.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: San Gabriel Valley Water and Power, LLC v. City of Industry, *et al.*
Superior Court of California, County of Los Angeles
Case No. BS174700

- 11.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Concerned Citizens of City of Industry v. City of Industry, *et al.*
Superior Court of California, County of Los Angeles
Case No. BC700716

- 11.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code § 54956.9(d)(1)
Gabriela Cabrera vs. City of Industry, *et al.*
(Superior Court Case No. BC713527)

- 11.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code § 54956.9(d)(1)
Gabriela Cabrera vs. City of Industry, *et al.*
(Superior Court Case No. BC719390)

- 11.5 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9(d)(2): One potential case

- 11.6 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
One case

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11.7 CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8

Property:	17351 Gale Avenue, City of Industry, CA, also Known as Assessor Parcel Numbers 8264-001-943, 8264-001-947, 8264-001-948, 8264-001-949. 17405-17435 Gale Avenue, City of Industry, CA also known as Assessor Parcel Numbers 8264-001-112, 8264-001-128. 17245-17475 Gale Avenue, City of Industry, CA, also known as Assessor Parcel Numbers 8264-001-136, 8264-001-137.
Agency Negotiators:	Troy Helling, City Manager James M. Casso, City Attorney
Negotiating Parties:	Robert Yu, R.Y. Properties, Inc.
Under Negotiation:	Price and Terms Payment

There were no public comments on the Closed Session item.

Mayor Radecki recessed the meeting into Closed Session at 10:12 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Radecki reconvened the meeting at 12:15 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session items 11.1, 11.3, 11.4, 11.5, 11.6 and 11.7 direction was given to the City Attorney's office, no further action was taken.

With regard to Closed Session item 11.2, at 10:44 a.m., City Manager Helling reported out. Mayor Radecki, Council Member Ruggles, Legal Counsel Casso and Sparks were excused from Closed Session for Item 11.2, only. Direction was given, no further action was taken.

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Motion by Vice Chair Moss, and second by Council Member Marcucci to authorize the appropriate City Officials to pay check # 70225. Motion Carried 5-0, by the following vote:

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

No further action to report.

ADJOURNMENT

There being no further business, the City Council adjourned at 12:18 a.m.



JULIE ROBLES
DEPUTY CITY CLERK



MARK D. RADECKI
MAYOR