
CITY COUNCIL/SUCCESSOR AGENCY TO THE INDUSTRY URBAN-
DEVELOPMENT AGENCY JOINT SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
FEBRUARY 5, 2019
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CALL TO ORDER

The Joint Special Meeting of the City Council/Successor Agency to the Industry Urban-Development Agency of the City of Industry, California, was called to order by Mayor/Chairman Mark Radecki at 5:00 p.m. in the City of Industry Council Chamber, 15651 East Stafford Street, California.

FLAG SALUTE

The flag salute was led by Mayor/Chairman Mark Radecki

ROLL CALL

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

STAFF PRESENT: Troy Helling, City Manager; Bing Hyun, Assistant City Manager; Jamie M. Casso, Legal Counsel; Bianca Sparks, Assistant Legal Counsel; and Julie Gutierrez-Robles, Deputy City Clerk/Assistant Secretary.

PUBLIC COMMENTS

Darcy M. Burke from San Gabriel Valley Water and Power spoke in opposition regarding the City of Industry's July 5, 2018 letter stating to terminate the Master Ground Lease. SGVWP rejects the City's claim that the Lease has been terminated and asked that this Council not take action tonight.

CLOSED SESION

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

- 5.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case:City of Diamond Bar v. Oversight Board of the Successor Agency to
the Industry Urban-Development Agency; Successor Agency to the

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Industry Urban-Development Agency; et al.
Superior Court of California, County of Sacramento
Case No. 34-2017-80002718-CU-WM-GDS

- 5.2 CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Chino Hills v. Oversight Board of the Successor Agency to
the Industry Urban-Development Agency; Successor Agency to the
Industry Urban-Development Agency; et al.
Superior Court of California, County of Sacramento
Case No. 34-2017-80002719-CU-WM-GDS
- 5.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Diamond Bar v. City of Industry, City of Industry City Council;
Successor Agency to the Industry Urban-Development Agency; Board of
Directors of the Successor Agency to the Industry Urban-Development
Agency; Oversight Board of the Successor Agency to the Industry Urban-
Development Agency; et al.
Superior Court of California, County of Los Angeles
Case No. BS171295
- 5.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Chino Hills v. City of Industry, City of Industry City Council;
Successor Agency to the Industry Urban-Development Agency; Board of
Directors of the Successor Agency to the Industry Urban-Development
Agency; Oversight Board of the Successor Agency to the Industry Urban-
Development Agency; et al.
Superior Court of California, County of Los Angeles
Case No. BS171398
- 5.5 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Diamond Bar v. City of Industry; Successor Agency to the
Industry Urban-Development Agency; Oversight Board of the Successor
Agency to the Industry Urban- Development Agency; et al.

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Superior Court of California, County of Los Angeles
Case No. BS173224

5.6 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case: City of Chino Hills v. City of Industry, *et al.*

Superior Court of California, County of Los Angeles

Case No. BS172995

5.7 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

ACTION ITEMS

CONSIDERATION OF RESOLUTION NO. CC 2019-05 and SA 2019-01 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY AND THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY APPROVING A SETTLEMENT AGREEMENT WITH THE CITY OF CHINO HILLS AND THE CITY OF DIAMOND BAR; APPROVING AN AMENDED AND RESTATED TRES HERMANOS CONSERVATION AUTHORITY JOINT POWERS AGREEMENT; APPOINTING REPRESENTATIVES TO SERVE AS DIRECTORS AND ALTERNATE ON THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY; AND NOTICE OF CEQA EXEMPTION REGARDING SAME

City Attorney Casso provided a Staff Report. Successor Agency to sell property to the Tres Hermanos Conservation Authority for \$41,650 million dollars. Diamond Bar to contribute \$1.205 million and Chino Hills to contribute \$2.9 million.

Troy Helling stated that all letters received will be put into the record.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2019-05 AND SA 2019-01 APPROVING, AND AUTHORIZING THE CITY MANAGER TO EXECUTE, THE SETTLEMENT AGREEMENT AND THE AMENDED AND RESTATED TRES HERMANOS CONSERVATION AUTHORITY JOINT POWERS AGREEMENT (“TRES HERMANOS

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JPA”) WITH THE CITY OF CHINO HILLS AND THE CITY OF DIAMOND BAR REGARDING TRES HERMANOS RANCH, AND FINDING THAT APPROVAL OR RESOLUTION NO. CC 2019-05 IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15325(A) AND 15301; AUTHORIZE THE CITY MANAGER TO TAKE OTHER ACTIONS NECESSARY TO IMPLEMENT THE SETTLEMENT AGREEMENT AND THE TRES HERMANOS JPA; APPOINT THREE COUNCILMEMBERS TO SERVE ON THE JPA'S BOARD OF DIRECTORS, AND ONE ALTERNATE. MOTION CARRIED 4-1, BY THE FOLLOWING VOTE:

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

COUNCIL MEMBER RUGGLES NOMINATED HIMSELF, CORY MOSS AND CATHERINE MARCUCCI AS BOARDMEMBERS TO SERVE ON THE JPA'S BOARD OF DIRECTORS, AND MARK RADECKI AS AN ALTERNATE.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO NOMINATE NEWELL RUGGLES, CORY MOSS AND CATHERINE MARCUCCI AS BOARDMEMBERS TO SERVE ON the JPA's BOARD OF DIRECTORS AND MARK RADECKI AS AN ALTERNATIVE. MOTION CARRIED 4-1, BY THE FOLLOWING VOTE:

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

CITY COUNCIL COMMITTEE REPORTS

There were none.

AB 1234 REPORTS

There were none.

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CITY COUNCIL COMMUNICATION

There were none.

There were no public comments on the Closed Session item.

Mayor/Chairman Radecki recessed the meeting into Closed Session at 5:07 p.m.

RECONVENE CITY COUNCIL MEETING


Mayor/Chairman Radecki reconvened the meeting at 6:17 p.m. All members of the City Council/Successor Agency were present.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session items 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, and 5.7, direction was given to the City Attorney's Office and no final action was taken. Nothing further to report.

ADJOURNMENT

There being no further business, the City Council/Successor Agency adjourned at 6:25 p.m.



JULIE GUTIERREZ-ROBLES
DEPUTY CITY CLERK/ASSISTANT SECRETARY



MARK D. RADECKI
MAYOR/CHAIRMAN