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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MARCH 28, 2019  
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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 9:01 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, City Attorney; Josh Nelson, Contract City Engineer; and Julie Robles, Deputy City Clerk.

**PUBLIC COMMENTS**

Martha Calderon from the Hacienda La Puente Unified School District came to commend the City of Industry for its support in helping to incentivize students to stay in school. As the Equity and Access Coordinator, working with foster families and the homeless, this Services Division identifies the kids in need and provides services. Ms. Calderon stated she came to thank the City of Industry and share with the Council the services provided and express gratitude and hopes for continued partnership.

Press Secretary, Edward Barrera from Senator Susan Rubio's office came to praise the City of Industry and provide a Certificate of Recognition for the historic agreement, for the Tres Hermanos Ranch, among the three cities; City of Industry, Diamond Bar and Chino Hills.

Pictures with the City Council members were taken.

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**CONSENT CALENDAR**

**1. CONSIDERATION OF THE REGISTER OF DEMANDS FOR MARCH 28, 2019**

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

**2. CONSIDERATION OF THE MINUTES OF MARCH 14, 2019 REGULAR MEETING**

APPROVED AS SUBMITTED.

**3. CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH HINDERLITER, DE LLAMAS & ASSOCIATES, INC., FOR THE SALES AND USE TAX SERVICES.**

APPROVED THE AGREEMENT.

Mayor Radecki recused himself from check number 70788 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 70788 for item 1 (Register of Demands) because he had a potential or actual financial conflict of interest in that he was previously employed by Square Root Golf & Landscape.

Council Member Ruggles recused himself from check number 70850 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 RADECKI AND COUNCIL MEMBER CRUZ BOTH RECUSING THEMSELVES FROM CHECK NUMBER 70788 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 70850 ON ITEM 1 (REGISTER OF DEMANDS). 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

**ACTION ITEMS**

**6.1 CONSIDERATION OF RESOLUTION NO. CC 2019-12 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, TO AMEND THE BUDGET FOR FISCAL YEAR 2018-19**

Finance Director Yamini Pathak provided a presentation and hand-out. City Manager Troy Helling added that last year when Yamini Pathak was appointed, she only had three weeks to play with the budget. As you can tell she is on top of everything and doing an excellent job. This year we will have a better handle on the budget. Finance Director Yamini Pathak was available to answer any questions.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2019-12. 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

**6.2 CONSIDERATION OF RESOLUTION NO. CC 2019-13 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, EXPRESSING THE INTENTION TO VACATE A PORTION OF OLD BREA CANYON ROAD IN THE CITY OF INDUSTRY AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON**

Project Manager, Mat Hudson from CNC Engineering provided a staff report and was available to answer any questions. Mat Hudson also mentioned the correction to the public hearing date from 4-11-19 to 4-25-19, at 9:00 a.m. in the City of Industry Council Chamber.

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MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER MARCUCCI TO ADOPT RESOLUTION NO. CC 2019-13, WITH THE CORRECTION OF THE PUBLIC HEARING DATE TO APRIL 25, 2019. 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

**6.3 CONSIDERATION OF RESOLUTION NO. CC 2019-14 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, EXPRESSING THE INTENTION TO VACATE FOUR PUBLIC SERVICE EASEMENTS LOCATED ON ASSESSOR PARCEL NUMBERS 8719-007-933, 8719-007-934, 8719-022-904, AND 8719-009-910 WITHIN THE CITY OF INDUSTRY AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON**

Project Manager, Mat Hudson from CNC Engineering provided a staff report and was available to answer any questions. Mat Hudson also mentioned the correction to the public hearing date from 4-11-19 to 4-25-19, at 9:00 a.m. in the City of Industry Council Chamber.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER MARCUCCI TO ADOPT RESOLUTION NO. CC 2019-14, WITH THE CORRECTION OF THE PUBLIC HEARING DATE TO APRIL 25, 2019. 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

**6.4 CONSIDERATION OF RESOLUTION NO. CC 2019-15 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING AN AMENDMENT TO THE CITY'S EMPLOYEE HANDBOOK TO ADD A POLICY REGARDING ANNUAL PERFORMANCE REVIEWS**

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City Manager Troy Helling provided a staff report and was available to answer any questions.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY MAYOR PRO TEM MOSS TO ADOPT RESOLUTION NO. CC 2019-15. 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

**6.5 CONSIDERATION OF AMENDMENT NO. 1 TO THE AGREEMENT FOR CONSULTING SERVICES WITH TRANSPORTATION & ENERGY SOLUTIONS, INC., FOR ON-CALL TRAFFIC ENGINEERING SERVICES, EXTENDING THE TERM THROUGH MARCH 28, 2022**

Contract City Engineer Josh Nelson provided a staff report and was available to answer any questions.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER MARCUCCI TO APPROVE THE AMENDMENT. 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

**6.6 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JMDIAZ, INC. FOR ENGINEERING STAFF AUGMENTATION SERVICES INCREASING THE COMPENSATION BY \$200,000 AND EXTENDING THE TERM TO JUNE 30, 2020**

Assistant City Manager Bing Hyun provided a staff report and Contract City Engineer Josh Nelson provided additional information and both were available to answer any questions.

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MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE AMENDMENT NO. 1 AND TO APPROPRIATE \$200,000 TO THE GENERAL FUND. 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

**6.7 DISCUSSION AND CONSIDERATION OF HOUSING ELEMENT ANNUAL PROGRESS REPORT**

Assistant City Manager Bing Hyun provided a staff report and was available to answer any questions.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER MARCUCCI TO RECEIVE AND FILE REPORT. 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

**CITY COUNCIL COMMITTEE REPORTS**

There were none.

**AB 1234 REPORTS**

There were none.

**CITY COUNCIL COMMUNICATIONS**

Mayor Pro Tem Moss reported on the trip to Washington DC with Council Member Marcucci, Contract City Engineers Josh Nelson, Public Affairs Manager Sam Pedroza and some colleagues from the city of Diamond Bar.

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The trip was very busy and productive with meetings set up by Lobbyist Kevin Jones. The City has applied for a grant for the now called "Chock Point" for the 57/60 freeway interchange, which is now the 4<sup>th</sup> worst chock point in the nation. The goal is to be given some federal funding for this project.

**CLOSED SESSION**

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

- 10.1 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.  
Los Angeles County Superior Court  
Case No. BC700716
  
- 10.2 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
  
- 10.3 CONFERENCE WITH LEGAL COUNSEL – EXISITING LITIGATION  
Pursuant to Government Code section 54956.9(d)(1)  
Case: San Gabriel Valley Water and Power, LLC v. City of Chino Hills; et al  
Superior Court of California, County of San Bernardino  
Case No.: CIVDS 1904434
  
- 10.4 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)  
One potential case
  
- 10.5 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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10.6 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 of payment

There were no public comments on the Closed Session item.

Mayor Radecki recessed the meeting into Closed Session at 9:42 a.m.

**RECONVENE CITY COUNCIL MEETING**

Mayor Radecki reconvened the meeting at 11:44 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session items 10.1, City Attorney Casso, Assistant Attorney Sparks, Council Member Ruggles and Mayor Radecki recused themselves from this Closed Session item. City Manager Helling reported that Legal Counsel gave an update to staff, nothing further to report.

With regard to Closed Session items 10.2, 10.3, 10.4, and 10.5, direction was given to Legal Counsel, no further action taken.

Item 10.6, direction was given to Agency Negotiators, no future action was taken.



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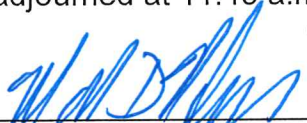
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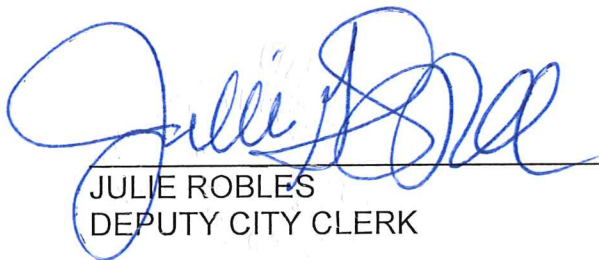
**ADJOURNMENT**

There being no further business, the City Council adjourned at 11:45 a.m.



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MARK D. RADECKI  
MAYOR



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JULIE ROBLES  
DEPUTY CITY CLERK