
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 26, 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 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
Catherine Marcucci, Council Member
Newell W. Ruggles, Council Member

STAFF PRESENT: Troy Helling, Acting City Manager; Susan Paragas, Director of Finance; Jamie M. Casso, City Attorney; Joshua Nelson, Contract City Engineer; and Diane M. Schlichting, City Clerk.

City Attorney Casso spoke to the Council before Public Comments, asking to add one more anticipated litigation case to Item No. 10.1, under Closed Session, on today's agenda.

Mayor Pro Tem Moss made a motion to add this item to today's agenda. Motion was second by Board Member Cruz.

PUBLIC COMMENTS

Ben Wong spoke about the upcoming second annual Taste of the Town coming up on Friday June 8th. He then recognized the Planning Committee for their dedication and hard work in organizing this event: Susie Gomez from the City of Industry, Janet Fernandez and Liz Hansell from Elevate Public Affairs, Cory Moss from "her day job" at the Expo Center and Connie Brenner from the Industry Manufacturers Council. Connie was responsible for the restaurant outreach and has done a remarkable job as have all the members.

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Mr. Wong then asked to recognize Dr. David Hill, Board of Directors to the IMC, who passed away this past Sunday.

Mayor Radecki extended condolences to the family and would like to adjourn the meeting in his memory.

CONSENT CALENDAR

5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR APRIL 26, 2018

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

Mayor Radecki recused himself from check number 68642 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 68642 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 68607 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 68642 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 68607 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

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5.2 CONSIDERATION OF AN ENGAGEMENT AGREEMENT WITH LOCKE LORD LLP FOR LITIGATION SERVICES

Mayor Radecki, Mayor Pro Tem Moss and Council Member Ruggles recused themselves from this item.

City Attorney Casso mentioned that Mayor Pro Tem Moss is on the record for recusing herself on this item, but due to the conflict of the rule of necessity, she needs to participate and vote on this issue.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER CRUZ TO APPROVE THE ENGAGEMENT AGREEMENT. MOTION CARRIED 3-0, BY THE FOLLOWING VOTE:

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

ACTION ITEMS

6.1 CONSIDERATION OF AWARD OF AGREEMENT NO. DS-18-025-B, AUTO MALL ALLEY SAFETY IMPROVEMENTS, TO FS CONTRACTORS, INC., IN AN AMOUNT NOT-TO-EXCEED \$52,750.00

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

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY MAYOR PRO TEM MOSS TO AWARD THE CONTRACT TO FS CONTRACTORS, IN THE AMOUNT OF \$52,750.00. 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

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6.2 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CASC ENGINEERING AND CONSULTING INC., FOR CONTRACT NO. 2017-1021P, INITIAL STUDY/NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION FOR 16601 EAST CHESTNUT STREET, INCREASING COMPENSATION UNDER THE ORIGINAL AMOUNT BY \$11,755.00 FROM JULY 27, 2017 TO JULY 27, 2018

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

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER CRUZ TO AWARD 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

6.3 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CASC ENGINEERING AND CONSULTING INC., FOR CONTRACT NO. 2017-1028, INITIAL STUDY/NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION FOR 13031 TEMPLE AVENUE, INCREASING COMPENSATION UNDER THE ORIGINAL AMOUNT BY \$10,400.00 FROM OCTOBER 26, 2017 TO OCTOBER 26, 2019

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

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER MARCUCCI TO AWARD 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

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6.4 CONSIDERATION OF REJECTION OF BIDS RECEIVED FOR CIP-FAC-18-023-B HATCHER YARD FACILITY DEMO

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

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER RUGGLES TO REJECT ALL BIDS. 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 RESOLUTION NO. CC 2018-09 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE GABRIEL FOUNDATION IN THE AMOUNT OF \$105,000.00 TO SUPPORT COMMUNITY PROGRAMS AND EVENTS

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2018-09. 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 RESOLUTION NO. CC 2018-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE FRIENDS OF INDUSTRY SHERIFF STATION IN THE AMOUNT OF \$5,000.00, TO PROVIDE FINANCIAL ASSISTANCE TO COMMUNITY MEMBERS IN NEED

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

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MOTION BY COUNCIL MEMBER MARCUCCI, AND SECOND BY COUNCIL MEMBER CRUZ TO ADOPT RESOLUTION NO. CC 2018-10. 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 CONSIDERATION OF AGREEMENT FOR ACTING CITY MANAGER SERVICES WITH TROY HELLING IN AN AMOUNT TO BE DETERMINED BY COUNCIL

City Attorney Casso asked to hold this item until after Closed Session, Item no. 10.2, and mentioned that Troy Helling would not participate in this Closed Session item.

6.8 DISCUSSION AND DIRECTION REGARDING CITY HALL OPERATING HOURS.

Acting City Manager Troy Helling verbally provided a staff report to the Council and recommended switching the 9/80 work week, to being open every Friday with a split staff, and closing at 4:00 each Friday. He would work on a Team A and Team B list of employees, with a beginning date of July. He also recommended trying this new 9/80 schedule then bringing it back to the Council in December to discuss and determine which schedule is the best direction for the City; Closed every other Friday, Stay open every Friday with a split staff and closing at 4:00, or returning to original hours.

It was discussed that closing every other Friday was not conducive for this City or its businesses.

Trying this new schedule was agreed upon and no motion was taken.

CITY COUNCIL COMMITTEE REPORTS

There were none.

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AB1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

Council Member Ruggles mentioned the Charity being put on by the La Puente Kiwanis Club with an Open House and Classic Car Show this Saturday at the Fire Department.

City Attorney Casso wanted to alert the Council that the added item to Closed Session item 10.1, Mayor Radecki, Council Member Ruggles, Attorneys Casso and Sparks recused themselves and will not be participating due to a conflict. Mayor Pro Moss for the record recused herself as well but will be participating pursuant to the Rule of Necessity.

CLOSED SESSION

City Clerk Schlichting 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 Cases

- 10.2 PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957(b)(1)
Title: Acting City Manager

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

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- 10.4 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
- 10.5 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Diamond Bar v. City of Industry, 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
- 10.6 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Chino Hills v. City of Industry, 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
- 10.7 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.
Superior Court of California, County of Los Angeles
Case No. BS173224

There were no public comments on the Closed Session item.

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Mayor Radecki recessed the meeting into Closed Session at 9:29 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Radecki reconvened the meeting at 11:07 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

With regard to one item in Closed Session item 10.1, Attorney Casso reported that direction was given to the City Attorney's Office, no final action was taken.

With regard to the added item in Closed Session item 10.1, Mayor Radecki, Council Member Ruggles, City Attorneys Casso and Sparks did not participate. They recused themselves and left the room at 9:31 a.m. and returned at 10:04 a.m. Assistant City Manager Troy Helling reported that direction was given to staff, no final action was taken.

With regard to Closed Session items 10.2, Acting City Manager Troy Helling did not participate and recused himself. He left the room at 10:45 a.m. and returned at 11:00 a.m., then briefly addressed the Council. Direction was given to the City Attorney's office, no final action was taken.

With regard to Closed Session items 10.3, 10.4, 10.5, and 10.6, there was a vote of 3-2 on the direction to be taken (Moss, Marcucci and Ruggles vs. Radecki and Cruz). Direction was given to the City Attorney's office. No final action was taken.

With regard to Closed Session item 10.7, direction was given, no final action taken.

ACTION ITEMS

6.7 CONSIDERATION OF AGREEMENT FOR ACTING CITY MANAGER SERVICES WITH TROY HELING IN AN AMOUNT TO BE DETERMINED BY COUNCIL

City Attorney Casso reported some of the pertinent terms and conditions of the contract for Troy Helling as City Manager. This contract will be revised and updated pursuant to direction from Council and a copy will be provided to the Council, Mr. Helling and the City Clerk.

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ADJOURNMENT

There being no further business, the City Council adjourned at 11:12 a.m.



DIANE M. SCHLICHTING
CITY CLERK



MARK D. RADECKI
MAYOR