
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
SEPTEMBER 12, 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 Cory C. Moss 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 Moss

ROLL CALL

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

STAFF PRESENT: Troy Helling, City Manager; Bing Hyun, Assistant City Manager; James M. Casso, City Attorney; Bianca Sparks, Assistant City Attorney; and Julie Robles, City Clerk.

PUBLIC COMMENTS

Larry Hartmann, Chairman of the Industry Hills Charity Events Counsel, spoke about the 34th Annual Rodeo coming up on the weekend of October 11th.

PRESENTATIONS

Mayor Moss officially welcomed the new Caption of the Industry Sheriff's Station, Captain Bobby Wyche.

Mayor Moss spoke of the passing of the beloved brother and friend, Ernie Barbosa and thanked everyone for wearing pink today in representing Ernie's favorite color. Pictures were taken with Ernie's wife Rachael and the Council Members. Mayor Moss spoke about Ernie's 30 years of dedicated service and his numerous contributions.

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Council Member Ruggles recused himself from check number 71931 for item 1 (Register of Demands) due to a potential or actual financial conflict of interest in that he is employed by Haddick's Auto Body.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI AND COUNCIL MEMBER CRUZ BOTH RECUSING THEMSELVES FROM CHECK NUMBER 71974 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 71931 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

ACTION ITEMS

8.1 CONSIDERATION OF RESOLUTION NO. CC 2019-44 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE RICHARD D. DAVIS FOUNDATION IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000.00)

RECOMMENDED ACTION: Approve Resolution No. CC 2019-44.

City Manager Troy Helling, 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 MARCUCCI TO APPROVE RESOLUTION NO. CC 2019-44. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

8.2 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH WKE, INC. FOR THE PRELIMINARY STUDY OF A BRIDGE REHABILITATION ON VALLEY BOULEVARD IN AN AMOUNT NOT TO EXCEED \$49,771.00 (MP 10-08 #11)

RECOMMENDED ACTION: Approve the Agreement.

Director of Public Works/City Engineer Josh Nelson, provided a staff report to the Council and was available to answer any questions.

City Attorney James M. Casso indicated that Casso and Sparks LLC, did not participate in the writing of this agreement.

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

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

8.3 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH PLACEWORKS, INC., TO PROVIDE THE CALIFORNIA ENVIRONMENTAL QUALITY ACT DOCUMENTATION FOR THE GRAND AVENUE WIDENING PROJECT IN AN AMOUNT NOT TO EXCEED \$38,037.00 (MP 99-31 #54)

RECOMMENDED ACTION: Approve the Agreement.

Contract Permit Manager Mat Hudson from CNC Engineering provided a staff report and was available to answer any questions.

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

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

8.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH DAPEER, ROSENBLIT AND LITVAK, LLP, FOR CODE ENFORCEMENT LEGAL SERVICES, EXTENDING THE TERM THROUGH JUNE 30, 2023

RECOMMENDED ACTION: Approve the Amendment.

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

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

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

8.5 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NOBEL SYSTEMS, INC., FOR SUBSCRIPTION SERVICES FOR ONLINE HOSTING OF GEOVIEWER, EXTENDING THE TERM THROUGH JUNE 30, 2022, AND INCREASING THE COMPENSATION BY \$55,550

RECOMMENDED ACTION: Approve the Amendment.

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

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE AMENDMENT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: CRUZ, RADECKI, RUGGLES, MARCUCCI,
MOSS

NOES: COUNCIL MEMBERS: NONE

ABSENT COUNCIL MEMBERS: NONE

ABSTAIN COUNCIL MEMBERS: NONE

8.6 CONSIDERATION OF AWARD OF AGREEMENT NO. CITY-1434, RESURFACING OF DON JULIAN ROAD FROM 6TH AVENUE TO 7TH AVENUE, AND UNRUH AVENUE FROM NELSON AVENUE TO CUL-DE-SAC AND SIDEWALK ON TURNBULL CANYON ROAD AND INTERSECTION WIDENING AND TRAFFIC SIGNAL INSTALLATION AT DON JULIAN ROAD AND 6TH AVENUE, TO GENTRY BROTHERS IN AN AMOUNT NOT TO EXCEED \$806,400.20, AND NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION: Award the contract to Gentry Brothers in the amount of \$806,400.20, and adopt a Notice of Exemption for the project.

Director of Public Works/City Engineer Josh Nelson, provided a staff report and was available to answer any questions.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE AWARD THE CONTRACT TO GENTRY BROTHERS IN THE AMOUNT OF \$806,400.20, AND ADOPT A NOTICE OF EXEMPTION FOR THE PROJECT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS: CRUZ, RADECKI, RUGGLES, MARCUCCI,
MOSS

NOES: COUNCIL MEMBERS: NONE

ABSENT COUNCIL MEMBERS: NONE

ABSTAIN COUNCIL MEMBERS: NONE

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8.7 CONSIDERATION OF AN APPOINTMENT TO THE CITY OF INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY BOARD OF DIRECTORS

RECOMMENDED ACTION: *Discuss and consider making an appointment to the IPHMA Board of Directors*

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

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI TO NOMINATE TIM SEAL TO THE APPOINTMENT FOR BOARD OF DIRECTORS OF THE CITY OF INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

9.1 PUBLIC HEARING - INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 806

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADDING SECTION 17.08.045 (COLLECTIBLE MALL) TO CHAPTER 17.08 (DEFINITIONS), AND AMENDING SECTION 17.12.025 (USES PERMITTED WITHCONDITIONAL USE PERMIT) OF CHAPTER 17.12 (COMMERCIAL ZONE), OF TITLE 17 (ZONING), OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO PERMIT COLLECTIBLE MALLS IN THE COMMERCIAL ZONE UPON APPROVAL OF A CONDITIONAL USE PERMIT, AND ADOPTING A NEGATIVE DECLARATION REGARDING SAME

RECOMMENDED ACTION: *(1) open the public hearing and take public testimony; (2) waive reading of Ordinance No. 806 and read by title only; (3) introduce Ordinance No. 806, an Ordinance of the City Council of the City of Industry, California, adding Section 17.08.045 (Collectible Mall) to Chapter 17.08 (Definitions), and Amending Section 17.12.025 (Uses Permitted with Conditional Use Permit) of Chapter 17.12 (Commercial Zone), of Title 17 (Zoning), of the City of Industry Municipal Code, to permit*

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collectible malls in the Commercial Zone upon approval of a Conditional Use Permit, and adopting a Negative Declaration regarding same

Consultant Assistant Planner II, Nathalie Vasquez provided a staff report and was available to answer any questions.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER CRUZ TO WAIVE READING OF ORDINANCE NO. 806 AND READ BY TITLE ONLY. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO INTRODUCE ORDINANCE NO. 806, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADDING SECTION 17.08.045 (COLLECTIBLE MALL) TO CHAPTER 17.08 (DEFINITIONS), AND AMENDING SECTION 17.12.025 (USES PERMITTED WITH CONDITIONAL USE PERMIT) OF CHAPTER 17.12 (COMMERCIAL ZONE), OF TITLE 17 (ZONING), OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO PERMIT COLLECTIBLE MALLS IN THE COMMERCIAL ZONE UPON APPROVAL OF A CONDITIONAL USE PERMIT, AND ADOPTING A NEGATIVE DECLARATION REGARDING SAME. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

Mayor Moss opened the Public Hearing at 9:36 a.m.

Mayor Moss asked if anyone wanted to be heard on the matter. There were no comments.

Mayor Moss closed the Public Hearing at 9:39 a.m.

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10. **CITY MANAGER REPORTS**
11. **AB 1234 REPORTS**
12. **CITY COUNCIL COMMUNICATIONS**
13. **CLOSED SESSION**

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

- 13.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Cabrera v. City of Industry, *et al.*
Superior Court of California, County of San Bernardino
Case No. BC719390

- 13.2 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

There were no public comments on the Closed Session item.

Mayor Moss recessed the meeting into Closed Session at 9:58 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Moss reconvened the meeting at 10:27 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

Item No. 13.1, was pulled and not discussed.

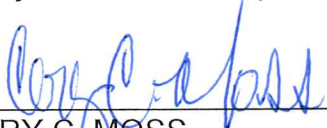
With regard to Closed Session Item No. 13.2, direction was given to the City Attorney's Office, no further action was taken. Nothing further to report.

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ADJOURNMENT

In Memory of Sergeant Ernie Barbosa

There being no further business, the City Council adjourned at 10:27 p.m.



CORY C. MOSS
MAYOR



JULIE ROBLES
CITY CLERK