
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
SEPTEMBER 28, 2017
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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
Newell W. Ruggles, Council Member

ABSENT: Catherine Marcucci, Council Member

STAFF PRESENT: Paul J. Philips, City Manager; James M. Casso, City Attorney; Diane M. Schlichting, Chief Deputy City Clerk; Alex Gonzalez, Director of Development Services and Administration; and Troy Helling, Senior Planner.

City Attorney Casso, requested that the Council allow an additional item (Item No. 10.2) be added to Closed Session on today's agenda. The existing litigation for Case: Sincere Orient Commercial Corps., v City of Industry (Case No. 2:17-cv-04755-PSG RAO) was brought to the attention of the Attorney's office after the agenda had been posted.

MOTION BY MAYOR RADECKI, AND SECOND BY COUNCIL MEMBER CRUZ TO ADD ITEM NO. 10.2, TO CLOSED SESSION. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

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PUBLIC COMMENTS

Elizabeth Calciano, Assistant City Attorney for the City of Chino Hills, spoke of the city's objection to approve the ratification of the Purchase and Sale Agreement for the Tres Hermanos Ranch.

CONSENT CALENDAR

CONSIDERATION OF REGISTER OF DEMANDS FOR SEPTEMBER 28, 2017

RECOMMENDED ACTION: *Approve the Register of Demands and authorize the appropriate City Official to pay the bills.*

CONSIDERATION FOR THE CITY MANAGER TO BEGIN DISCUSSIONS WITH LOS ANGELES COUNTY PARKS AND RECREATION REGARDING THE POSSIBLE ONGOING MANAGEMENT AND OPERATION OF RECREATIONAL AND OPEN SPACE AT TRES HERMANOS

RECOMMENDED ACTION: *Authorize the City Manager to begin discussions with Los Angeles County Parks and Recreation.*

CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE DOLPHIN GROUP TO REFLECT A NAME CHANGE TO ELEVATE PUBLIC AFFAIRS, LLC

RECOMMENDED ACTION: *Approve the Amendment.*

Mayor Radecki recused himself from check number 67233 from item 1 (Register of Demands) due to 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 67233 for item 1 (Register of Demands) due to 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 67193 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.

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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 67233 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 67193 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

ACTION ITEMS

6.1 RATIFICATION OF THE PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS FOR TRES HERMANOS RANCH (THE "PSA") BY AND BETWEEN THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY AND THE CITY OF INDUSTRY, INCORPORATING THE TERMS AND CONDITIONS IN THE PSA AS SET FORTH IN OVERSIGHT BOARD RESOLUTION NO. OB 2017-05

RECOMMENDED ACTION: Ratify the Agreement, incorporating the terms and conditions set forth in Oversight Board Resolution No. OB 2017-05.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER RUGGLES TO RATIFY THE AGREEMENT, INCORPORATING THE TERMS AND CONDITIONS SET FORTH IN OVERSIGHT BOARD RESOLUTION NO. OB 2017-05. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

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6.2 CONSIDERATION OF PROPOSITION A ASSIGNMENT AGREEMENT BETWEEN THE CITY OF LA VERNE AND THE CITY OF INDUSTRY FOR THE EXCHANGE OF PROP A FUNDS

RECOMMENDED ACTION: Approve the Agreement.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE AGREEMENT. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.3 CONSIDERATION OF AMENDMENT NO. 1 TO THE SERVICE AGREEMENT WITH ADVANCED DISCOVERY FOR DOCUMENT MANAGEMENT SERVICES

RECOMMENDED ACTION: Approve the Amendment.

City Attorney, James M. Casso, 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 RUGGLES TO APPROVE THE AMENDMENT. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.4 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CARTEGRAPH, INC., FOR WORK ORDER GEOGRAPHIC INFORMATION SYSTEM SOFTWARE

RECOMMENDED ACTION: Approve the Amendment.

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MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY MAYOR PRO TEM MOSS TO APPROVE THE AMENDMENT. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.5 CONSIDERATION OF NOTICE OF COMPLETION FOR CONTRACT NO. 2017-1008, LED LIGHTING UPGRADE AND WATER CLOSET REPLACEMENT AT CITY OF INDUSTRY CITY HALL, LOCATED AT 15625 EAST STAFFORD STREET, WITH ALL AMERICAN CONTRACTING CORPORATION, AND AUTHORIZE THE CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION

RECOMMENDED ACTION: Authorize the City Engineer to execute the Notice of Completion.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY MAYOR PRO TEM MOSS TO AUTHORIZE THE CITY ENGINEER TO EXECUTE THE NOTICE OF COMPLETION. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.6 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR SOLICITATION OF PUBLIC BIDS FOR CONTRACT NO. CITY-1444, BALDWIN PARK BOULEVARD AND AMAR ROAD GUARDRAIL AND INTERSECTION IMPROVEMENTS, FOR AN ESTIMATED COST OF \$240,000.00

RECOMMENDED ACTION: Approve the plans and specifications, and authorize the advertising and receipt of electronic bids.

Director of Development Services and Administration, Alex Gonzalez and Roberto Ramirez, City Engineer with Cordoba Corporation provided a staff report. Both were available to answer any questions.

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MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER CRUZ TO APPROVE THE PLANS AND SPECIFICATIONS, AND AUTHORIZE THE ADVERTISING AND RECEIPT OF ELECTRONIC BIDS. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

CITY COUNCIL COMMITTEE REPORTS

There were none.

AB1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

There were none.

Chief Deputy 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 (2) Potential Cases

- 10.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Sincere Orient Commercial Corp., v City of Industry, et al
United States District Court, Central District
Case No. 2:17-cv04755-PSG RAO

There were no public comments on the Closed Session item.

Mayor Radecki recessed the meeting into Closed Session at 9:06 a.m.

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RECONVENE CITY COUNCIL MEETING


Mayor Radecki reconvened the meeting at 9:14 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, and 10.2, direction was given to the City Attorney's Office, no final action was taken. Nothing further to report.

ADJOURNMENT

There being no further business, the City Council adjourned at 9:15 a.m.



DIANE M. SCHLICHTING
CHIEF DEPUTY CITY CLERK



MARK D. RADECKI
MAYOR