
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
FEBRUARY 13, 2020
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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; Josh Nelson, Director of Public Works/City Engineer; James M. Casso, City Attorney; and Julie Robles, City Clerk.

PUBLIC COMMENTS

Mayor Moss recognized the Mayor of La Puente for being in the audience.

PRESENTATION – VALINDA SCHOOL OF ACADEMICS ROBOTICS TEAM

Public Affairs Manager, Sam Pedroza introduced Couch Manny Olivas and Principal Elizabeth Bermejo from Valinda School of Academics to present the students making their robotics presentation to the City Council. The students will represent California at the Razorback Robotics Competition held at the University of Arkansas in a four-day robotics tournament in May. After the presentation, Mayor Moss presented each student with a certificate.

CONSENT CALENDAR

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR FEBRUARY 13, 2020

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

6.2 CONSIDERATION OF THE MINUTES OF THE MARCH 8, 2018 REGULAR MEETING AND THE JANUARY 9, 2020 REGULAR MEETING

RECOMMENDED ACTION: *Approve as submitted.*

6.3 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH OWEN GROUP, LIMITED PARTNERSHIP, FOR THE ADA SELF EVALUATION AND TRANSITION PLAN, EXTENDING THE TERM THROUGH DECEMBER 31, 2020 (CIP-FAC-18-024-A)

RECOMMENDED ACTION: *Approve the Amendment.*

6.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NINYO & MOORE GEOTECHNICAL AND ENVIRONMENTAL SERVICES CONSULTANTS, FOR ON-CALL GEOTECHNICAL ENGINEERING SERVICES, EXTENDING THE TERM THROUGH FEBRUARY 13, 2021, AND INCREASING THE BUDGET BY \$100,000.00

RECOMMENDED ACTION: *Approve the Amendment.*

6.5 CONSIDERATION OF AMENDMENT NO. 1 TO THE LICENSE AGREEMENT WITH EVANS FOOD GROUP LTD., FOR ACCESS TO THE PARKING LOT LOCATED AT EL ENCANTO HEALTHCARE AND HABILITATION CENTER, AND THE WORKMAN AND TEMPLE FAMILY HOMESTEAD MUSEUM, TO UTILIZE AS A TEMPORARY OVERFLOW PARKING AREA

RECOMMENDED ACTION: *Approve the Amendment.*

Director of Public Works/City Engineer, Josh Nelson provided a correction to the Council on Item 6.4. The dollar amount should read as \$140,000.00, not \$100,000.00.

Council Member Radecki recused himself from check number 72998 for item 1 (Register of Demands) due to a potential or actual financial conflict of interest due to he is currently employed by Square Root Golf and Landscape.

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Council Member Ruggles recused himself from check number 72951 for item 1 (Register of Demands) due to a potential or actual financial conflict of interest due to he is currently employed by Haddick's Auto Body.

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY COUNCIL MEMBER RADECKI THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH THE CORRECTION OF THE DOLLAR AMOUNT ON ITEM 4, TO \$140,000.00, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 72998 ON ITEM 1 (REGISTER OF DEMANDS) AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 72951 ON ITEM 1 (REGISTER OF DEMANDS). 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

ACTION ITEMS

7.1 CONSIDERATION OF DEVELOPMENT PLAN NO. 19-2 AND ZONE EXCEPTION NO. 19-1, FOR THE CONSTRUCTION OF A NEW 79,605 SQUARE-FOOT AUTOMOBILE DEALERSHIP LOCATED ON AN APPROXIMATE 6.38-ACRE UNDEVELOPED LOT, AND THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR THE PROPERTY LOCATED AT 17673 AND 17695 GALE AVENUE.

a. CONSIDERATION OF RESOLUTION NO. CC 2020-02 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION FOR DEVELOPMENT PLAN NO. 19-2 AND ZONE EXCEPTION NO. 20-1 TO ALLOW FOR THE DEVELOPMENT OF A 79,605 SQUARE-FOOT AUTOMOBILE DEALERSHIP LOCATED AT 17673 AND 17695 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION:

Adopt Resolution No. CC 2020-02.

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b. CONSIDERATION OF RESOLUTION NO. CC 2020-03 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 19-2, AND ZONE EXCEPTION 20-1, FOR THE CONSTRUCTION OF A NEW 79,605 SQUARE-FOOT AUTOMOBILE DEALERSHIP LOCATED AT 17673 AND 17695 GALE AVENUE, CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION: *Adopt Resolution No. CC 2020-03.*

Consultant Assistant Planner II, Nathalie Vasquez provided a staff report to the Council for both 7a and 7b, and was available to answer any questions.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER CRUZ TO ADOPT RESOLUTION NO. CC 2020-02. 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 MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2020-03. 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

In regards to items 7.2 through 7.5, City Attorney Casso asked the Council to pull these items. Typos and transposed numbers were noticed after the posting of the agenda. In order to insure compliance with the Brown Act, we instead would ask this to be considered as part of the special meeting agenda.

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7.2 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH IRC TECHNOLOGIES, DBA INDEPENDENT ROOFING CONSULTANTS TO PROVIDE CONSULTING SERVICES RELATED TO ROOF RESTORATION AND REPLACEMENT AT VARIOUS LOCATIONS IN THE CITY OF INDUSTRY FOR AN AMOUNT NOT TO EXCEED \$54,000.00

RECOMMENDED ACTION: Approve the Agreement.

THIS ITEM WAS PULLED.

7.3 CONSIDERATION OF AMENDMENT NO. 1 TO THE STREET SWEEPING CONTRACT WITH R.F. DICKSON COMPANY, INC., EXTENDING THE TERM OF THE AGREEMENT THROUGH APRIL 8, 2021, AND INCREASING THE BUDGET BY \$272,000.00 (CITY-1423)

RECOMMENDED ACTION: Approve the Amendment.

THIS ITEM WAS PULLED.

7.4 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH, INC., TO CONTINUE TO PREPARE 30% PRELIMINARY DESIGN FOR MULTI-BENEFIT STORMWATER CAPTURE PROJECTS FOR THE UPPER SAN GABRIEL RIVER ENHANCED WATERSHED MANAGEMENT PROGRAM FOR AN AMOUNT NOT-TO-EXCEED \$714,000.00 THROUGH AUGUST 31, 2020 (CONTRACT NO. 2017-1002)

RECOMMENDED ACTION: Approve the Amendment.

THIS ITEM WAS PULLED.

7.5 CONSIDERATION OF AMENDMENT NO. 1 TO THE AGREEMENT FOR CONSULTING SERVICES WITH IDS GROUP, INC. FOR THE AVALON ROOM IMPROVEMENTS (CIP-EXPO-18-017 B)

RECOMMENDED ACTION: Approve the Amendment.

THIS ITEM WAS PULLED.

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CITY MANAGER REPORTS

There were known.

AB 1234 REPORTS

There were known.

CITY COUNCIL COMMUNICATIONS

Mayor Moss spoke about the passing of Mayor Dave Perez on Monday, February 10th. Dave Perez was 74 years old and had been ill for quite some time. He served as Mayor for the City of Industry from 2001 to 2012. He was a devoted Civic Leader and played a major role in developing the City of Industry. He increased the number of retail, industrial and manufacturing businesses in the City. His trust in people was immense, and he was incredibly devoted to the City even after he stepped down. He will always be remembered for his incredible devotion to the City and his trust of others to carry out his vision. He was a dear friend and mentor and always saw the best in people. This meeting is adjourned in honor of Mayor Dave Perez.

Council Member Radecki asked for a moment of silence in his honor.

11. **CLOSED SESSION**

11.1 Conference with real property negotiators pursuant to Government Code Section 54956.8:

Property: 15710 Rausch Road, City of Industry, CA also known as Assessor's Parcel Number 8245-001-073 and 8245-001-074
Agency Negotiators: Troy Helling, City Manager
Bing Hyun, Assistant City Manager
Negotiating Parties: Brian L. Dryer, Owner
Under Negotiation: Price and terms of payment

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11.2 Conference with real property negotiators pursuant to Government Code Section 54956.8:

Property: 120 S. Hacienda Boulevard, City of Industry, CA also known as Assessor's Parcel Number 8245-001-075 and 8245-001-076

Agency Negotiators: Troy Helling, City Manager
Bing Hyun, Assistant City Manager

Negotiating Parties: Evergreen Advantage LLC

Under Negotiation: Price and terms of payment

11.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Concerned Citizens of City of Industry v. Radecki, et al.*
Superior Court of California, County of Los Angeles
Case No. BC700716

Mayor Moss recessed the meeting at 9:23 a.m.

Mayor Moss reconvened the meeting into Closed Session at 9:42 a.m.

At 9:42 a.m. City Attorney, Casso, Assistant City Attorney Sparks, Council Member Cruz and Council Member Radecki recused themselves from Item 11.3 and left the Chamber. Item 11.3 was to be taken up first with Special Counsel. At 10:22 a.m., each of these members returned to the Chamber for Items 11.1 and 11.2.

Mayor Moss reconvened the meeting at 10:40 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session in regards to Closed Session items 11.1 and 11.2, direction was given to the Agency Negotiators. No further action was taken, nothing further to report.

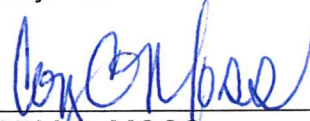
In regards to Item 11.3, City Manager Helling, reported that an update and direction was given. Nothing further to report at this time.

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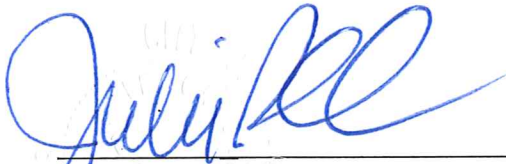
ADJOURNMENT

This meeting is adjourned in the honor of Mayor Dave Perez.

There being no further business, the City Council adjourned at 10:42 a.m.



CORY C. MOSS
MAYOR



JULIE ROBLES
CITY CLERK