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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 1

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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.

City Attorney Casso requested that the Council allow a Closed Session item be added to the agenda. This existing litigation was brought to the attention of the Attorney's office after the agenda had been posted. The case is Concerned Citizens of Industry v. Radecki, et al. Case No. BC700716.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADD ITEM NO. 7.3, CLOSED SESSION TO TODAY'S AGENDA. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

**PUBLIC COMMENTS**

There were none.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 2

---

**CONSENT CALENDAR**

**5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR JANUARY 23, 2020**

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

**5.2 CONSIDERATION OF AMENDMENT NO. 4 TO THE LICENSE AGREEMENT WITH DOWNTOWN APEX MOTORS, LLC, FOR ACCESS TO ASSESSOR'S PARCEL NO. 8264-012-925 LOCATED AT THE SOUTHEAST CORNER OF SOUTH HATCHER AVENUE AND GALE AVENUE, AS A TEMPORARY OVERFLOW PARKING AREA FOR VEHICLE INVENTORY**

*RECOMMENDED ACTION:* *Approve the Amendment.*

**5.3 CONSIDERATION OF ANNUAL AUDITED FINANCIAL STATEMENTS FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

*RECOMMENDED ACTION:* *Approve Annual Audited Financial Statements for FY 18-19*

**5.4 CONSIDERATION OF INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

*RECOMMENDED ACTION:* *Approve Independent Auditor's Report for FY 18-19.*

**5.5 CONSIDERATION OF AUDITOR'S COMMUNICATIONS WITH THE CITY COUNCIL FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

*RECOMMENDED ACTION:* *Approve Auditor's Communication Report for FY 18-19.*

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 3

---

**5.6 CONSIDERATION OF INDEPENDENT AUDITOR'S REPORT ON AGREED-UPON PROCEDURES APPLIED TO THE APPROPRIATIONS LIMIT WORKSHEETS FOR THE FISCAL YEAR ENDING JUNE 30, 2020**

*RECOMMENDED ACTION:*  
*Worksheet for FY 19-20*

*Approve the Appropriations Limit*

Council Member Ruggles recused himself from check number 72854 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 MAYOR PRO TEM MARCUCCI THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 72854 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

**ACTION ITEMS**

**6.1 CONSIDERATION OF RESOLUTION NO. CC 2020-01 APPROVING A DONATION TO THE VETERANS BENEFIT TEAM ROPING FOUNDATION IN THE AMOUNT OF \$25,000**

*RECOMMENDED ACTION:*  
*01.*

*Adopt Resolution No. CC 2020-*

Public Affairs Manager, Sam Pedroza provided a staff report to the Council and was available to answer any questions.



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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 4

---

---

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER CRUZ TO ADOPT RESOLUTION NO. CC 2020-01. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

**6.2 DISCUSSION AND CONSIDERATION OF ONE APPOINTMENT TO SERVE ON THE CITY OF INDUSTRY PLANNING COMMISSION**

*RECOMMENDED ACTION:* *Discuss and make the appointment to the Planning Commission and/or provide additional direction to staff.*

City Manager Troy Helling, provided a staff report to the Council regarding the one appointment that was received and was available to answer any questions.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPOINT MICHAEL GREUBLE TO THE PLANNING COMMISSION. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

**6.3 CONSIDERATION OF A LICENSE AGREEMENT WITH LA PUENTE VALLEY COUNTY WATER DISTRICT, FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-027-918 LOCATED AT THE NORTHEAST CORNER OF PARRIOTT PLACE AND DON JULIAN ROAD FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS AND EQUIPMENT**

*RECOMMENDED ACTION:* *Approve the Agreement.*

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 5

---

Assistant City Manager Bing Hyun, provided a staff report and Director of Public Works/City Engineer Josh Nelson, provided additional information and both were available to answer any questions.

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

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

**6.4 CONSIDERATION OF AN AMENDED AND RESTATED PROFESSIONAL SERVICES AGREEMENT WITH INDUSTRY SECURITY SERVICES, INC., FOR SECURITY SERVICES AT VARIOUS LOCATIONS THROUGHOUT THE CITY, IN THE AMOUNT OF \$3,505,890.81 MILLION DOLLARS FOR THE PERIOD OF JANUARY 23, 2020 THROUGH DECEMBER 31, 2022**

*RECOMMENDED ACTION:*

*Approve the Agreement.*

THIS ITEM WAS PULLED BY CITY MANAGER HELLING AND CITY ATTORNEY CASSO.

**6.5 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ORSA CONSULTING ENGINEERS, INC. FOR PHASE 2 OF THE ENGINEERING DESIGN OF NEW STREETLIGHTS ALONG ARENTH AVENUE, IN AN AMOUNT NOT TO EXCEED \$95,000.00 (MP 14-12 #3)**

*RECOMMENDED ACTION:*

*Approve the Amendment.*

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

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

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 6

---

---

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

**6.6 CONSIDERATION OF AMENDMENT NO. 2 TO THE FUNDING AGREEMENT WITH LACMTA FOR THE SR 57/60 CONFLUENCE, GRAND AVENUE AT GOLDEN SPRINGS DRIVE**

*RECOMMENDED ACTION: Approve the Amendment.*

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 MAYOR PRO TEM MARCUCCI TO APPROVE THE AMENDMENT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

**6.7 CONSIDERATION OF AWARD OF EL ENCANTO HEALTHCARE FACILITY INTERIOR IMPROVEMENTS TO BLD BUILDERS, INC. FOR AN AMOUNT NOT TO EXCEED \$1,130,232.00, AND ADOPTION OF A NOTICE OF EXEMPTION REGARDING SAME (PROJECT NO. CIP-FAC-19-064-B)**

*RECOMMENDED ACTION: Award the contract to BLD Builders, Inc. in the amount of \$1,130,232.00, and adopt a Notice of Exemption for the project.*

Director of Public Works/City Engineer, Josh Nelson, provided a staff report along with a Power Point presentation. Administrator of El Encanto, Ken Calvo, was asked to speak on the subject and both were available to answer any questions.



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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 7

---

---

MOTION BY COUNCIL MEMBER CRUZ, AND SECOND BY MAYOR PRO TEM MARCUCCI TO AWARD THE CONTRACT TO BLD BUILDERS, INC. IN THE AMOUNT OF \$1,130,232.00, AND ADOPT A NOTICE OF EXEMPTION FOR THE PROJECT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

### **CITY MANAGER REPORTS**

City Manager Troy Helling reported on the closing of adult entertainment establishments on Gale Avenue in the City of Industry. Hard work was done by Code Enforcement and their attorneys, Sheriff's Department and City Attorneys, James M. Casso and Bianca Sparks.

City Manager Troy Helling also mentioned that the City is looking at going electronic with the agendas. If interested in a new laptop or tablet, the Council Members can contact Troy. He stated we can take this slowly, so over the next six months we can continue to produce hard copies if needed, until everyone is comfortable with the electronic format and all the kinks are worked out.

### **AB 1234 REPORTS**

There were none.

### **CITY COUNCIL COMMUNICATIONS**

There were none.

## **7. CLOSED SESSION**

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

- 7.1 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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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 23, 2020  
PAGE 8

---

- 7.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.98(d)(4);  
One Case
- 7.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.98(d)(1)  
Case: Concerned Citizens of Industry v. Radecki, et al  
Superior Court of California, County of Los Angeles  
Case No. BC 700716

Mayor Moss recessed the meeting into Closed Session at 9:33 a.m.

At 9:33 a.m. City Attorney, Casso, Assistant City Attorney Sparks, Council Member Cruz and Council Member Radecki recused themselves from Item 7.3 and left the Chamber. Item 7.3 was to be taken up first with Special Counsel. At 10:09 a.m., each of these members returned to the Chamber for Items 7.1 and 7.2.

Mayor Moss reconvened the meeting at 10:46 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session in regard to Closed Session items 7.1 and 7.2, direction was given to the City Attorney's office and to the City Manager. No further action was taken.

In regards to Item 7.3, City Manager Helling, reported that direction was given. No final action was taken. Nothing further to report.

**ADJOURNMENT**

There being no further business, the City Council adjourned at 10:47 a.m.

  
\_\_\_\_\_  
CORY C. MOSS  
MAYOR

  
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JULIE ROBLES  
CITY CLERK

