
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
AUGUST 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., telephonically using Conference Call Number, 657-204-3264, Conference ID: 619 526 236#.

FLAG SALUTE

The flag salute was led by Mayor Moss.

ROLL CALL

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

ABSENT: Abraham Cruz, Council Member

STAFF PRESENT: Troy Helling, City Manager; Bing Hyun, Assistant City Manager; Director of Public Works/City Engineer, Josh Nelson; James M. Casso, City Attorney; and Julie Robles, City Clerk.

City Attorney Casso requested the Council allow a Closed Session item be added to the agenda. This anticipated litigation/significant exposure (1 case) was brought to the attention of the Attorney's office within the last 24 hours.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO ADD ITEM NO. 12.8, CLOSED SESSION TO THE AGENDA. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

PUBLIC COMMENTS

There were none.

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ACTION ITEM

5.1 CONSIDERATION OF RESOLUTION NO. CC 2020-25 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA RECITING THE FACT OF THE SPECIAL MUNICIPAL RECALL ELECTION HELD ON JULY 21, 2020, DECLARING THE RESULT AND SUCH OTHER MATTERS AS MAY BE PROVIDED BY LAW

RECOMMENDED ACTION: *Adopt Resolution No. CC 2020-25.*

City Clerk Julie Robles, provided the results of the July 21, 2020 recall election of Council Member Abraham Cruz. The result was 41 votes cast in favor of the recall and zero against. The other question on the ballot was if Mr. Cruz was recalled, who should be his successor for the remainder of his term and Michael Greubel received 41 votes. Should the resolution be approved, Mr. Cruz will immediately vacate his council seat and Mr. Greubel will immediately be sworn into office, becoming a member of the City Council.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2020-25. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6. SWEARING IN OF COUNCIL MEMBER MICHAEL GREUBEL – Mayor Moss brought the meeting outside at 9:05 a.m. for City Clerk Julie Robles to swear in Michael Greubel.

Mayor Moss congratulated Michael Greubel and asked the Council to adjourn this meeting and reconvene on Monday, August 17, 2020 at 9:00 a.m. City Attorney Casso asked that we address Closed Session item 12.8 first before adjourning this meeting and to initiate a special meeting of the Industry Public Utilities Commission (IPUC) for Monday, August 17, 2020 at 9:00 a.m.

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MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY MAYOR MOSS TO ADDRESS CLOSED SESSION ITEM 12.8. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBER:	GREUBEL, RADECKI, RUGGLES, MPT/MARCUCCI, M/MOSS
NOES:	COUNCIL MEMBER:	NONE
ABSENT:	COUNCIL MEMBER:	NONE
ABSTAIN:	COUNCIL MEMBER:	NONE

CLOSED SESSION

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

- 12.8 CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
One Potential Case

Mayor Moss recessed the meeting into Closed Session at 9:20 a.m.

Mayor Moss reconvened the meeting at 10:20 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session item 12.8, direction was given to the City Attorney's office, no final action was taken. Nothing further to report at this time.

Mayor Moss asked City Clerk Robles to post a Notice of Adjournment and to call a Special Meeting for the IPUC at 9:00 a.m. for Monday, August 17, 2020 and to keep item 12.8 on Closed Session for discussion again when we reconvene.

Mayor Moss recessed the remainder of the meeting at 10:21 a.m.

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Mayor Moss reconvened the meeting at 9:03 a.m. on Monday, August 17, 2020.

CONSENT CALENDAR

7.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR AUGUST 13, 2020

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

7.2 CONSIDERATION OF THE MINUTES OF THE APRIL 23, 2020 REGULAR MEETING, APRIL 23, 2020 SPECIAL MEETING, MAY 14, 2020 REGULAR MEETING, MAY 28, 2020 REGULAR MEETING, JUNE 2, 2020 SPECIAL MEETING, JUNE 11, 2020 JOINT SPECIAL MEETING, JUNE 25, 2020 REGULAR MEETING, AND THE JULY 9, 2020 REGULAR MEETING

RECOMMENDED ACTION: *Approve as submitted.*

7.3 CONSIDERATION OF AMENDMENT NO. 1 TO THE MEMORANDUM OF AGREEMENT (MOA) WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS FOR THE IMPLEMENTATION OF THE SAN GABRIEL VALLEY REGIONAL VEHICLE MILES TRAVELLED ANALYSIS MODEL EXTENDING THE AGREEMENT THROUGH JULY 31, 2025

RECOMMENDED ACTION: *Approve the Amendment.*

7.4 CONSIDERATION OF RATIFYING A LICENSE AGREEMENT WITH PAVEMENT COATINGS CO., FOR ACCESS TO ASSESSOR'S PARCEL NO. 8262-015-900 AND 8262-015-901 LOCATED AT THE NORTHWEST CORNER OF INDUSTRY HILLS PARKWAY AND AZUSA AVENUE, FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS AND EQUIPMENT

RECOMMENDED ACTION: *Approve the License Agreement.*

Council Member Radecki recused himself from voting on check number 74127 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 voting on check number 74082 for Item 1 (Register of Demands) due to a potential or actual financial conflict of interest due to he is employed by Haddick's Auto Body.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR PRO TEM MARCUCCI THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 74127 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 74082 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBER:	GREUBEL, RADECKI, RUGGLES, MPT/MARCUCCI, M/MOSS
NOES:	COUNCIL MEMBER:	NONE
ABSENT:	COUNCIL MEMBER:	NONE
ABSTAIN:	COUNCIL MEMBER:	NONE

ACTION ITEMS

8.1 CONSIDERATION OF RESOLUTION NO. CC 2020-24 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE DELHAVEN COMMUNITY CENTER IN THE AMOUNT OF THIRTY THREE THOUSAND DOLLARS (\$33,000.00) FOR ITS AFTER SCHOOL EDUCATION AND SAFTY PROGRAM IN PARTNERSHIP WITH HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT

RECOMMENDED ACTION:

Adopt Resolution No. CC 2020-24.

City Manager Troy Helling provided a staff report and Tim Seal, Executive Director of Delhaven Community Center, provided a presentation regarding the background of the Center. Both were available to answer any questions.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE RESOLUTION NO. CC 2020-24. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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AYES:	COUNCIL MEMBER:	GREUBEL, RADECKI, RUGGLES, MPT/MARCUCCI, M/MOSS
NOES:	COUNCIL MEMBER:	NONE
ABSENT:	COUNCIL MEMBER:	NONE
ABSTAIN:	COUNCIL MEMBER:	NONE

8.2 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1458 TEMPLE AVENUE DUAL RIGHT TURN TO AZUSA AVENUE STREET MODIFICATION IMPROVEMENTS, TO GENTRY BROS., INC. IN THE AMOUNT OF \$498,028.00, AND ADOPTION OF A NOTICE OF EXEMPTION REGARDING SAME (MP 11-02)

RECOMMENDED ACTION: Award the contract to Gentry Brothers, Inc. in the amount of \$498,028.00, and adopt a Notice of Exemption for the project

Senior Project Manager James Cramsie, from CNC Engineering provided a staff report and was available to answer any questions.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY MAYOR MOSS TO AWARD THE CONTRACT TO GENTRY BROTHERS, INC. IN THE AMOUNT OF \$498,028.00, AND ADOPT A NOTICE OF EXEMPTION FOR THE PROJECT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBER:	GREUBEL, RADECKI, RUGGLES, MPT/MARCUCCI, M/MOSS
NOES:	COUNCIL MEMBER:	NONE
ABSENT:	COUNCIL MEMBER:	NONE
ABSTAIN:	COUNCIL MEMBER:	NONE

8.3 CONSIDERATION OF CHANGE ORDER NO. 1 FOR CONTRACT NO. CITY-1456 SITE PLAN FOR SHERIFF'S TRAILER, WITH MVC ENTERPRISES, INC.

RECOMMENDED ACTION: Approve Change Order No. 1 and authorize the Mayor to execute the Change Order.

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

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MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR PRO TEM MARCUCCI TO APPROVE CHANGE ORDER NO. 1 AND AUTHORIZE THE MAYOR TO EXECUTE THE CHANGE ORDER. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:	COUNCIL MEMBER:	GREUBEL, RADECKI, RUGGLES, MPT/MARCUCCI, M/MOSS
NOES:	COUNCIL MEMBER:	NONE
ABSENT:	COUNCIL MEMBER:	NONE
ABSTAIN:	COUNCIL MEMBER:	NONE

CITY MANAGER REPORTS

City Manager, Troy Helling, reported that Josh Nelson has a new title by adding Assistant City Manager. We now have two assistant managers, and everyone is doing a great job. There are no budget changes, this is a title change only.

AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

Mayor Moss thanked everyone who helped yesterday with the school supply event.

CLOSED SESSION

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

- 12.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(B)(1) (PER STATE CONTROLER'S RECOMMENDATION FOR ANNUAL REVIEWS)
TITLE: CITY CLERK
- 12.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4);
One Case

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- 12.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Industry v. San Gabriel Valley Water and Power, LLC, *et al.*
Superior Court of California, County of Los Angeles
Case No.: 19STCV10150
- 12.4 CONFERENCE WITH REAL PROPERTY NEGOTIATIONS
Pursuant to Government Code Section 54956.8
- Property: Remnant land parcel adjacent to 16908 Chestnut Street, City of Industry, aka APN 8242-012-903, 8242-012-904, 8242-013-902, and 8242-013-903
- Agency Negotiators: Troy Helling, City Manager
Bing Hyun, Assistant City Manager
- Negotiating Parties: Industry Chestnut St, LLC
- Under Negotiation: Price and terms of payment
- 12.5 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Industry v. Abraham Cruz
Superior Court of California, County of Los Angeles
Case No. 20STCV25407
- 12.6 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Abelina Gonzalez, et al., v. County of Los Angeles, City of Industry, et al
Superior Court of California, County of Los Angeles
Case No. BC718008
- 12.7 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Luis Ricardo Torres v. City of Industry
Superior Court of California, County of Los Angeles
Case No. 20STCV12587
- 12.8 CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
One Potential Case

Mayor Moss recessed the meeting into Closed Session at 9:47 a.m.

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Mayor Moss reconvened the meeting at 12:06 p.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session item 12.1, direction was given to the City Manager. In regard to items 12.2, 12.3, 12.5, 12.6, 12.7, and 12.8, direction was given to the City Attorney's office, no final action taken. In regard to item 12.4, direction was given to the Agency Negotiators, no final action was taken. Nothing further to report.

ADJOURNMENT

There being no further business, the City Council adjourned at 12:08 p.m.



JULIE ROBLES
CITY CLERK



CORY C. MOSS
MAYOR