
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 22, 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: 609 570 38#.

FLAG SALUTE

The flag salute was led by Mayor Cory Moss.

ROLL CALL

PRESENT: Cory C. Moss, Mayor
Cathy Marcucci, Mayor Pro Tem
Michael Greubel, 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/Assistant City Manager; James M. Casso, City Attorney; and Julie Robles, City Clerk.

PUBLIC COMMENTS

There were none.

City Manager, Troy Helling asked the Council to address item 7.1 directly after the Consent Calendar and before Action Items.

Greubel recused himself from item 7.1 a, b, c, d and e, due to living within 500 feet from the property and left the meeting at 9:03 a.m.

CONSENT CALENDAR

5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR OCTOBER 22, 2020

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

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MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE REGISTER OF DEMANDS AND AUTHORIZE THE APPROPRIATE CITY OFFICIALS TO PAY THE BILLS. MOTION CARRIED 4-0 WITH ONE ABSENT, BY THE FOLLOWING VOTE:

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

PUBLIC HEARING ITEMS

7.1 PUBLIC HEARING FOR THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, GENERAL PLAN AMENDMENT GPA NO. 20-2 TO CHANGE THE GENERAL PLAN LAND USE MAP DESIGNATION FROM COMMERCIAL TO EMPLOYMENT, INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 813, TO CHANGE THE ZONING DESIGNATION FROM “C” – COMMERCIAL TO “M” – INDUSTRIAL, FOR THE PROPERTIES LOCATED AT 15246 AND 15252 VALLEY BOULEVARD; AND INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 813, AMENDING THE CITY’S ZONING CODE TO REQUIRE A CONDITIONAL USE PERMIT FOR AUTOMOBILE AND TRUCK TOWING YARDS CITYWIDE IN THE “M” – INDUSTRIAL ZONE; AND CONDITIONAL USE PERMIT CUP NO. 20-02, FOR THE PROPOSED OPERATION OF AN AUTOMOBILE AND TRUCK TOWING YARD FOR THE PROPERTY LOCATED AT 15252 VALLEY BOULEVARD

Council Member Ruggles recused himself from item 7.1 a, b, c, d and e, due to a common law conflict and left the meeting at 9:06 a.m.

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

Mayor Moss opened the public hearing at 9:16 a.m.

Mayor Moss asked City Clerk Robles if there were any written communications and/or questions received from the public and City Clerk Robles responded, there were none.

Mayor Moss closed the public hearings at 9:17 a.m.

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City Clerk Julie Robles read Resolution # CC 2020-42.

a. CONSIDERATION OF RESOLUTION NO. CC 2020-42 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN INITIAL STUDY/MITIGATED DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR GENERAL PLAN AMENDMENT NO. 20-02, AND ZONING CODE AMENDMENT NOS. ZA NO. 20-2 AND 20-3, FOR THE PROPERTIES AT 15246 AND 15252 VALLEY BOULEVARD, AND TO ALLOW FOR TRUCK TOWING YARDS CITYWIDE IN THE INDUSTRIAL ZONE, AND A CONDITIONAL USE PERMIT FOR THE OPERATION OF AN AUTOMOBILE AND TRUCK TOWING YARD LOCATED AT 15252 VALLEY BOULEVARD

RECOMMENDED ACTION:
42.

Adopt Resolution No. CC 2020-

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR PRO TEM MARCUCCI TO ADOPT RESOLUTION NO. CC 2020-42. MOTION CARRIED 3-0 WITH TWO MEMBERS ABSENT, BY THE FOLLOWING VOTE:

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

City Clerk Julie Robles read Resolution # CC 2020-43.

b. CONSIDERATION OF RESOLUTION NO. CC 2020-43 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. 20-2, AMENDING THE EXISTING GENERAL PLAN LAND USE DESIGNATION FOR 15252 VALLEY BOULEVARD AND 15246 VALLEY BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, FROM COMMERCIAL TO EMPLOYMENT, AND MAKING FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION:
43.

Adopt Resolution No. CC 2020-

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MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2020-43. MOTION CARRIED 3-0 WITH TWO MEMBERS ABSENT, BY THE FOLLOWING VOTE:

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

City Clerk Julie Robles read introduction to Ordinance No. 813.

c. INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 813, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 17.28.060 (MAP-ADOPTED) OF CHAPTER 17.28 (ZONED DISTRICTS) OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO CHANGE THE EXISTING ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 15246 VALLEY BOULEVARD AND 15252 VALLEY BOULEVARD, FROM "C" – COMMERCIAL TO "M" – INDUSTRIAL

Recommended Action: (1) open the public hearing and take public testimony; (2) waive reading of Ordinance No. 813 and read by title only; (3) introduce Ordinance No. 813, an Ordinance of the City Council of the City of Industry, California, amending Section 17.28.060 (Map-Adopted) of Chapter 17.28 (Zoned Districts) of Title 17 (Zoning) of the City of Industry Municipal Code, to change the existing zoning designation of the properties located at 15246 Valley Boulevard and 15252 Valley Boulevard, From "C" – Commercial to "M" Industrial.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI TO WAIVE READING OF ORDINANCE NO. 813 AND READ BY TITLE ONLY. MOTION CARRIED 3-0 WITH TWO MEMBERS ABSENT, BY THE FOLLOWING VOTE:

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

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO INTRODUCE ORDINANCE NO. 813. MOTION CARRIED 3-0 WITH TWO MEMBERS ABSENT, BY THE FOLLOWING VOTE:

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

City Clerk Julie Robles read introduction to Ordinance No. 812.

d. INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 812, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTION 17.16.010 (PERMITTED USES) AND SECTION 17.16.025 (USES PERMITTED WITH A CONDITIONAL USE PERMIT) OF CHAPTER 17.16 (INDUSTRIAL ZONE), OF TITLE 17 (ZONING), OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO IMPOSE A CONDITIONAL USE PERMIT REQUIREMENT FOR AUTOMOBILE AND TRUCK TOWING YARDS IN THE CITY

Recommended Action: (1) open the public hearing and take public testimony; (2) waive reading of Ordinance No. 812 and read by title only; (3) introduce Ordinance No. 812, an Ordinance of the City Council of the City of Industry, California amending Section 17.16.010 (Permitted uses) and Section 17.16.025 (Uses permitted with a conditional use permit) of chapter 17.16 (Industrial Zone), of title 17 (Zoning), of the City of Industry Municipal Code, to impose a conditional use permit requirement for automobile and truck towing yards in the city.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR PRO TEM MARCUCCI TO WAIVE READING OF ORDINANCE NO. 812 AND READ BY TITLE ONLY. MOTION CARRIED 3-0 WITH TWO MEMBERS ABSENT, BY THE FOLLOWING VOTE:

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

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI TO INTRODUCE ORDINANCE NO. 812. MOTION CARRIED 3-0 WITH TWO MEMBERS ABSENT, BY THE FOLLOWING VOTE:

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

City Clerk Julie Robles read Resolution # CC 2020-44.

e. CONSIDERATION OF RESOLUTION NO. CC 2020-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE CONDITIONAL USE PERMIT NO. 20-2 FOR THE OPERATION OF AN AUTOMOBILE AND TRUCK TOWING YARD LOCATED AT 15252 VALLEY BOULEVARD, CITY OF INDUSTRY, CALIFORNIA

Recommended Action:

Adopt Resolution No. CC 2020-44.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2020-44. MOTION CARRIED 3-0 WITH TWO MEMBERS ABSENT, BY THE FOLLOWING VOTE:

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

Council Members Greubel and Ruggles returned to the meeting at 9:29 a.m.

ACTION ITEMS

**6.1 INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 814 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 10.40.010 OF CHAPTER 10.40 (SPEED LIMITS) OF TITLE 10 (VEHICLES AND TRAFFIC) OF THE CITY OF INDUSTRY MUNICIPAL CODE
(FIRST READING)**

RECOMMENDED ACTION:

Approve Ordinance no. 814.

Director of Public Works/City Engineer/Assistant City Manager, Josh Nelson pulled item and said it would be brought back at a later Council Meeting.

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6.2 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR ROOF REPLACEMENT AT 15559 RAUSCH ROAD, 15660 STAFFORD STREET, 15651 STAFFORD STREET, AND 1123 SOUTH HATCHER AVENUE FOR AN ESTIMATED COST OF \$703,400.00 (CITY-1464)

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

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 APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE ADVERTISING OF RECEIPT OF ELECTRONIC BIDS. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

6.3 DISCUSSION AND CONSIDERATION OF ONE APPOINTMENT TO SERVE ON THE CITY'S PLANNING COMMISSION

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

City Manager Troy Helling gave a staff report regarding the expired term of one seat on the Planning Commission. He stated applications were accepted for an opening of a new four-year term. The City received two applications.

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

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

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6.4 DISCUSSION AND APPOINTMENT OF A MEMBER TO SERVE ON THE SAN GABRIEL VALLEY MOSQUITO AND VECTOR CONTROL DISTRICT BOARD OF TRUSTEES

RECOMMENDED ACTION: *Direct staff on who shall serve on the Board and the length of the term.*

City Manager Troy Helling announced that the current member Cathy Marcucci, has agreed to continue serving as the member to the San Gabriel Valley Mosquito and Vector Control District Board Trustee.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER GREUBEL TO APPROVE CATHY MARCUCCI TO SERVE ON THE BOARD AND LENGTH OF THE TERM. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

6.5 CONSIDERATION OF RESOLUTION NO. CC 2020-37 – A RESOLUTION AMENDING THE DEFINED CONTRIBUTION PLAN FOR ELIGIBLE EMPLOYEES WITH THE PUBLIC AGENCY RETIREMENT SYSTEM AS THE TRUST ADMINISTRATOR

RECOMMENDED ACTION: *Adopt Resolution No. CC 2020-37.*

Director of Finance, Yamini Pathak provided a staff report and was available to answer any questions.

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO ADOPT RESOLUTION NO. CC 2020-37. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

CITY MANAGER REPORTS

There were none.

AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

Mayor Cory C. Moss mentioned that next week the City is celebrating City Contractors Appreciation Week and in lieu of a luncheon this year, the City will instead issue small gifts and cards to all vendors.

CLOSED SESSION

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

City Attorney James M. Casso announced that Item 11.1 will be pulled from Closed Session.

- 11.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(2);
One Case

- 11.2 Conference with real property negotiators pursuant to Government Code Section 54956.8:
Property: 150 North Hacienda Boulevard, City of Industry, CA
also known as Assessor's Parcel Number 8208-025-951
Agency Negotiators: Troy Helling, City Manager
Bing Hyun, Assistant City Manager
Negotiating Parties: Bank of America N.A.
Under Negotiation: Price and terms of payment

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11.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Industry v. San Gabriel Valley Water & Power, LLC, et al
Superior Court of California, County of Los Angeles
Case No.: 19STCV10150

Mayor Moss recessed the meeting into Closed Session at 9:43 a.m.

Mayor Moss reconvened the meeting at 10:59 a.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

Closed Session items 11.1, was pulled from the agenda and will most likely come back to Closed Session in December.

With regard to Closed Session items 11.2, direction was given to the Agency Negotiators. No final action was taken.

With regard to Closed Session items 11.3, significant discussion was had and direction was given to the City Attorney's office after a vote of 5-0. No final action was taken, nothing further to report.

ADJOURNMENT

There being no further business, the City Council adjourned at 11:01 a.m.



CORY C. MOSS
MAYOR



JULIE ROBLES
CITY CLERK