
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
DECEMBER 10, 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 9:03 a.m., telephonically using Conference Call Number, 657-204-3264, Conference ID: 978 354 316#.

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

Joanne McClaskey, Executive Director of the Industry Business Council talked about the development of a new potential "Made In Industry" manufacturing campaign. A further presentation will be brought back at the first meeting in January.

City Attorney Casso requested the Council allow an additional case be added to agenda Item No. 10.6, for a total of three potential cases under Closed Session. This anticipated litigation was brought to the attention of the Attorney's office after the agenda had been posted.

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO ADD AN ADDITIONAL CASE TO ITEM 10.6 ON THE AGENDA. 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

CONSENT CALENDAR

5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR NOVEMBER 26, 2020

RECOMMENDED ACTION: Ratify the Register of Demands.

5.2 CONSIDERATION OF THE REGISTER OF DEMANDS FOR DECEMBER 10, 2020

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

5.3 CONSIDERATION OF THE MINUTES OF THE NOVEMBER 12, 2020 REGULAR MEETING

RECOMMENDED ACTION: Approve as submitted.

5.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL AUDITING SERVICES WITH WHITE NELSON DIEHL EVANS, LLP

RECOMMENDED ACTION: Approve Amendment No. 1.

5.5 CONSIDERATION OF CLOSEOUT CHANGE ORDER NO. 1 IN THE DEDUCTIVE AMOUNT OF \$61,269.80 AND NOTICE OF COMPLETION FOR CONTRACT NO. CITY-1455 ANNUAL PAVEMENT REHABILITATION WITH GENTRY BROTHERS, INC. (PROJECT NO. CIP-STR-19-043-B)

RECOMMENDED ACTION: Approve Closeout Change Order No. 1 in the deductive amount of \$61,269.80 and authorize the City Manager to execute the Change Order and authorize the City Engineer to execute the Notice of Completion.

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5.6 CONSIDERATION OF AMENDMENT NO. 1 TO THE LICENSE AGREEMENT WITH CARRIER CORPORATION TO INSTALL AND MAINTAIN WATER LINES AND EXTRACTION WELLS WITHIN CERTAIN RIGHTS OF WAY WITHIN THE CITY OF INDUSTRY (MP 01-08 #2)

RECOMMENDED ACTION: Approve the Amendment.

Director of Public Works/City Engineer/Assistant City Manager, Josh Nelson pulled this item from today's agenda. Carrier Corporation has asked for a few changes. This will be brought back at a later date.

5.7 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STILLWATER ECOSYSTEM, WATERSHED AND RIVERINE SCIENCES FOR ENVIRONMENTAL CONSULTING SERVICES FOR THE FOLLOWS CAMP BRIDGE REPLACEMENT PROJECT, AMENDING THE SCOPE OF SERVICES WITH A COMPANION INCREASE IN COMPENSATION BY \$63,114.00, FOR A TOTAL AGREEMENT AMOUNT NOT-TO-EXCEED \$73,114.00 (MP 11-09)

RECOMMENDED ACTION: Approve the Amendment.

Director of Public Works/City Engineer/Assistant City Manager, Josh Nelson mentioned that this amendment is complete although we still need to negotiate the final language of the Duty to Defend and Indemnification of the contract. He asked that we proceed with the approval of the amendment while giving the City Manager and Legal Counsel the ability to negotiate the final language.

5.8 CONSIDERATION OF CHANGE ORDER NOS. 3, 4, 5, CLOSEOUT CHANGE ORDER NO. 6 IN THE TOTAL DEDUCTIVE AMOUNT OF \$97,054.13 AND NOTICE OF COMPLETION FOR CONTRACT NO. CITY-1420R, WALNUT DRIVE SOUTH WIDENING AND STORM DRAIN IMPROVEMENTS (IPD 233), WITH PALP INC. DBA EXCEL PAVING COMPANY

RECOMMENDED ACTION: Approve Change Order Nos. 3, 4, 5 and Closeout Change Order No. 6 in the deductive amount of \$97,054.13 and authorize the Mayor to execute the Change Orders and authorize the City Engineer to execute the Notice of Completion.

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5.9 CONSIDERATION OF CHANGE ORDER NOS. 1 AND 2 FOR CONTRACT NO. CITY-1434, RESURFACING OF DON JULIAN ROAD FROM 6TH AVENUE TO 7TH AVENUE, AND UNRUH AVENUE FROM NELSON AVENUE TO CUL-DE-SAC, AND SIDEWALK ON TURNBULL CANYON ROAD, AND INTERSECTION WIDENING AND TRAFFIC SIGNAL INSTALLATION AT DON JULIAN ROAD AND 6TH AVENUE, WITH GENTRY BROTHERS, INC., IN THE AMOUNT OF \$89,912.49

RECOMMENDED ACTION: Approve Change Order Nos. 1 and 2 in the amount of \$89,912.49 and authorize the Mayor to execute the Change Orders.

Council Member Radecki recused himself from voting on check number 74893 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.

Council Member Ruggles recused himself from voting on check number 74864 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 GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 74893 ON ITEM 2 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 74864 ON ITEM 2 (REGISTER OF DEMANDS), AND TO PULL ITEM 5.6 AND ACCEPT ITEM 5.7 WITH THE NEGOTIATION OF LANGUAGE BY THE CITY MANAGER AND LEGAL COUNSEL. 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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ACTION ITEMS

6.1 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR 2020-2021 ANNUAL SLURRY SEAL, FOR AN ESTIMATED COST OF \$294,000.00 (CITY-1466/MP 20-03)

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

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

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES 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

6.2 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR AGREEMENT NO. CITY-1467 FOR PUENTE HILLS AUTO CENTER PYLON SIGN UPGRADE, FOR AN ESTIMATED COST OF \$550,000.00 (MP 03-26#18)

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

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

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY MAYOR PRO TEM MARCUCCI TO APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE ADVERTISING OF RECEIPT OF ELECTRONIC BIDS. 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

6.3 PRESENTATION AND DISCUSSION REGARDING THE PROPOSED SOLAR PANEL PROJECT AT CITY HALL

RECOMMENDED ACTION: Discuss and provide direction.

Director of Public Works/City Engineer/Assistant City Manager, Josh Nelson along with Consultant Richard Mrlik with Intertie, Inc., provided a presentation and suggested the option of changing the Solar Carport Project to a Roof Top plus Storage Project. Mr Mrlik along with Paul Carey with Skybridge Renewables explained the advantages and also discussed financial options. Conversation ensued between the Council, Consultants and Legal Counsel. The Council through a verbal poll agreed to change to a Roof Top Project. In addition there was consensus to add battery storage if we were successful at obtaining a grant for them from Southern California Edison. Staff will come back with a revised contract at a later meeting. No vote was taken at this time.

6.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE LICENSE AGREEMENT WITH R C FOSTER CORPORATION, FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-024-906 AND 8208-024-907 FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS FOR THE PUENTE VALLEY WATER OPERABLE UNIT TREATMENT PLANT PROJECT

RECOMMENDED ACTION: Approve the Amendment.

Development Services Manager, Kathy Tai provided a staff report and was available to answer any questions.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE AMENDMENT. 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

6.5 DISCUSSION AND CONSIDERATION OF RENAMING PART OF STAFFORD STREET

RECOMMENDED ACTION: Rename Stafford Street between Glendora Avenue and Hacienda Boulevard to Mayor Dave's Way.

Discussion ensued between the Council Members and staff. An agreement was made to rename Stafford Street between Glendora Avenue and Hacienda Boulevard to Mayor Dave Way.

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER RADECKI TO RENAME STAFFORD STREET BETWEEN GLENDORA AVENUE AND HACIENDA BOULEVARD TO MAYOR DAVE WAY. 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

6.6 UPDATE, DISCUSSION AND DIRECTION RELATED TO COVID-19

City Manager Troy Helling provided an update on the three different Grant Programs the City is running for local restaurants. Conversation ensued about allowing restaurants to possibly apply for a second grant. Many businesses are suffering due to payments on the rental of canopy's, tables, and chairs etc., and are not able to even use them since restaurants are now closed. Troy Helling said he would work closely with Joanne McClaskey at the IBC for different ideas and come back at the first meeting in January with modifications to amend the original approval.

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CITY MANAGER REPORTS

There were none.

AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

Mayor Cory C. Moss mentioned that the Youth Activities League (“YAL”) is working with the Industry Business Council (“IBC”) for the Operation Toy Pursuit and having a good response. Del Haven Community Center is also serving families, plus about fifty more this year, and the distribution is on the 23rd. Volunteers are welcomed.

CLOSED SESSION

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

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

Property: 334 El Encanto Road, City of Industry, CA also known as Assessor’s Parcel Number 8208-027-014

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

Negotiating Parties: Gaytan Group LLC
Under Negotiation: Price and terms of payment

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

Property: Assessor Parcel Number 8264-003-024
Agency Negotiators: Troy Helling, City Manager
James M. Casso, General Counsel

Joshua Nelson, Director of Public Works/City Engineer
Negotiating Parties: Nogales Railroad Company Corporation
Under Negotiation: Price and terms of payment

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- 10.3 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
Superior Court of California, County of Los Angeles
Case No. 19STCV10150
- 10.4 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Concerned Citizens v. City of Industry
Superior Court of California, County of Los Angeles
Case No. BC700716
- 10.5 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: Mai v. County of Los Angeles, City of Industry, et al
Superior Court of California, County of Los Angeles
Case No. 20STCV14705
- 10.6 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9 (d)(2) (three potential cases)

Mayor Moss recessed the meeting into Closed Session at 10:53 a.m.

Mayor Moss reconvened the meeting at 2:08 p.m. All members of the City Council were present except for Mayor Pro Tem Marcucci who left at 2:00 p.m.

City Attorney Casso reported out of Closed Session and announced that Troy Helling, City Manager, will report on item 10.4.

With regard to Closed Session items 10.1, direction was given to the City Agency Negotiators. No final action taken, nothing further to report.

With regard to Closed Session items 10.2, direction was given to the Agency Negotiators. Michael Greubel left and did not participate.

With regard to Closed Session item 10.3, no reportable action. Michael Greubel left and did not participate.

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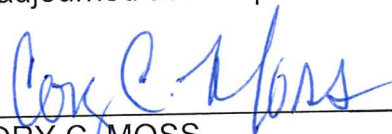
With regard to Closed Session items 10.4, Troy Helling reported that Jamie Casso, Bianca Sparks, John Harris, Michael Greubel and Mark Radecki left and did not participate due to a potential conflict of interest. Nothing further to report.

With regard to Closed Session items 10.5, no reportable action, Michael Greubel left and did not participate.

With regard to Closed Session items 10.6, for the third item that was added, Michael Greubel and Mark Radecki recused themselves and did not participate due to a potential conflict of interest. No reportable action.

ADJOURNMENT

There being no further business, the City Council adjourned at 2:11 p.m.



CORY C. MOSS
MAYOR



JULIE ROBLES
CITY CLERK