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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
MARCH 11, 2021  
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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 9:01 a.m., telephonically using Conference Call Number, 657-204-3264, Conference ID: 935 082 659#.

**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; Bianca Sparks, Assistant City Attorney; and Julie Robles, City Clerk.

**PUBLIC COMMENTS**

There were none.

**CONSENT CALENDAR**

**5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR MARCH 11, 2021**

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

**5.2 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAGE ENVIRONMENTAL GROUP, LLC, FOR ON-CALL BIOLOGICAL MONITORING SUPPORT SERVICES, REVISING THE INDEMNITY PROVISIONS, AND INCREASING COMPENSATION BY \$200,000.00 (MP 12-03)**

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*RECOMMENDED ACTION:*

*Approve the Amendment.*

MOTION BY MAYOR MOSS, 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 75465 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 75427 ON ITEM 1 (REGISTER OF DEMANDS). 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

**ACTION ITEMS**

**6.1 PRESENTATION OF THE FY 2020-21 MID-YEAR BUDGET REPORT, AND CONSIDERATION OF RESOLUTION NO. CC 2021-05, APPROVING AND ADOPTING THE CITY'S FISCAL YEAR 2020-21 PROPOSED MID-YEAR BUDGET ADJUSTMENTS AND FISCAL YEAR 2020-21 PROPOSED MID-YEAR BUDGET ADJUSTMENTS FOR THE CAPITAL IMPROVEMENT PROGRAM BUDGET**

*RECOMMENDED ACTION:*  
05.

*Adopt Resolution No. CC 2021-*

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 2021-05. 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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**6.2 CONSIDERATION OF AMENDMENT NO. 8 TO THE LEASE WITH CIT BANK, DBA ONEWEST BANK, EXTENDING THE TERM THROUGH APRIL 30, 2022**

*RECOMMENDED ACTION:* *Approve the Amendment.*

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

MOTION BY COUNCIL MEMBER GREUBEL AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE THE AMENDMENT. 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 CONSIDERATION OF MEMORANDUM OF AGREEMENT WITH ARCADIA PUBLISHING FOR THE PUBLICATION OF A BOOK, AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JEFF PARRIOTT PHOTOGRAPHIC SERVICES FOR BOOK PREPARATION SERVICES FOR \$20,000, AND AUTHORIZATION OF GABRIEL FOUNDATION TO RECEIVE BOOK ROYALTIES**

*RECOMMENDED ACTION:* *Approve the Memorandum of Agreement.*

Development Services Manager, Kathy Tai provided a staff report and Public Affairs Manager, Sam Pedroza provided additional information, and both were available to answer any questions. The Memorandum of Agreement includes adopting Resolution No. CC 2021-06, authorizing royalties to be given to the Gabriel Foundation, approving the Memorandum of Agreement with Arcadia Publishing, approving Amendment No. 1 to the Professional Service Agreement with Jeff Parriott Photographic Services, and appropriating \$5,497.50 to the General Fund-Workman Temple Homestead for the purchase of 500 books.

MOTION BY MAYOR MOSS AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE THE MEMORANDUM OF AGREEMENT. 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

**6.4 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH C & C ENGINEERING, INC., FOR ENGINEERING SERVICES**

*RECOMMENDED ACTION: Approve the Agreement.*

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 GREUBEL AND SECOND BY MAYOR PRO TEM MARCUCCI TO APPROVE THE AGREEMENT. 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 A LICENSE AGREEMENT WITH BEACH STREET DEVELOPMENT LLC**

*RECOMMENDED ACTION: Approve the Agreement.*

City Manager, Troy Helling provided a staff report and mentioned the agenda did not include the approving of a Notice of Exemption, although it is stated on the staff report.

MOTION BY MAYOR MOSS AND SECOND BY COUNCIL MEMBER GREUBEL TO APPROVE THE AGREEMENT AND THE NOTICE OF EXEMPTION. 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

**6.6 UPDATE, DISCUSSION AND DIRECTION RELATED TO COVID-19**

RECOMMENDED ACTION: Provide Direction to staff.

Director of Public Works/City Engineer/Assistant City Manager, Josh Nelson provided an update to the Council regarding the eventual return of staff to the office after COVID-19, and what that may look like. City staff will try to accommodate everyone's needs and put together a plan of options. Both Josh Nelson and Bing Hyun will be contacts for any staff or council member to report their individual ideas and specific needs or concerns. This will be brought back to the Council to discuss again.

**CITY MANAGER REPORTS**

City Manager, Troy Helling reminded everyone of the State of the City Report scheduled for March 18<sup>th</sup>, and that you can connect via the City or IBC website. Also, today is Christina Aguirre's last day with us at the City of Industry. She accepted a position with the City of Ontario, and she will be missed. Cory Moss concurred that she has done a great job and wished her the best. Mayor Moss also welcomed back Cathy Marcucci from her recent absence. Cathy Marcucci thanked everyone for their support and love and for last night's welcome back reception at the Expo Center.

**AB 1234 REPORTS**

There were none.

**CITY COUNCIL COMMUNICATIONS**

Michael Greubel mentioned that he felt honored and privileged to be Principal for a day at Workman High School and enjoyed the kids and hopes to do again.

City Attorney, James M. Casso announced that Closed Session Item 10.2, all members of the Council are involved in this litigation so a straw poll would need to be taken in order to have a quorum. Mayor Pro Tem Marcucci and Council Member Ruggles drew

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the two out straws therefore they both recused themselves from Item 10.2, due to a potential financial conflict of interest. Both left the meeting at 9:54 a.m.

**CLOSED SESSION**

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

- 10.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957(b)(1) (PER STATE CONTROLLER'S RECOMMENDATION FOR ANNUAL REVIEWS)  
TITLE: City Treasurer
  
- 10.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(d)(1)  
Case: *Cruz v. Radecki, et al*  
Superior Court of California, County of Los Angeles  
Case No. 20STCV47002
  
- 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 – 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 9:54 a.m.

Mayor Moss reconvened the meeting at 12:07 p.m. All members of the City Council were present.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session items 10.1, direction was given to the City Manager and an evaluation occurred. No final action was taken.



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With regard to Closed Session items 10.2, this case involves a claim by Abraham Cruz against the City, accusing of illegal expenditures of public funds and City contracts. Direction was given to the City Attorney's office to vicariously defend against this action.

With regard to Closed Session items 10.3, this is a false claim lawsuit brought by the City of Industry against San Gabriel Valley Water & Power and other defendants alleging that San Gabriel Valley got public funds by falsely submitting invoices to the tune of 20 million plus dollars. Direction was given to vigorously prosecute.

With regard to Closed Session items 10.4, direction was given to the City Attorney's office to explore options and possibly prosecute. This matter cannot be disclosed because the substance would put the City at a disadvantage if it were disclosed.

**ADJOURNMENT**

There being no further business, the City Council adjourned at 12:11 p.m.

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

  
\_\_\_\_\_  
JULIE ROBLES  
CITY CLERK