
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 22, 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 9:00 a.m., telephonically using Conference Call Number, 657-204-3264, Conference ID: 530 31 4525#.

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

Executive Director of the Industry Business Council, Joanne McClaskey asked to speak to the Council regarding the South Coast Air Quality Management District (SCAQMD) Indirect Source Rule (ISR2305) which will be voted on May 7th. She provided a presentation and explained the Rule to the Council.

This proposed air quality rule is designed to hold warehouses accountable for the emissions from truck trips/deliveries to/from their location. Most warehouse operators do not own/operate the trucks delivering to their warehouse.

The new rule requires warehouse operators to either reduce truck emissions (by using electric trucks) and/or pay fees to SCAQMD. This imposes costs on the warehouses, there are reporting requirements and it will be the responsibility of the facility owner to report to the AQMD the tenants in the targeted buildings. There are approximately 500 pages of documentation regarding this proposed Rule.

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There are currently a lot more questions than answers regarding most aspects of the Rule: poor communication regarding requirements, lack of notice/direction for targeted operators, website resources are difficult to navigate, multiple companies operating within a targeted warehouse, compliance enforcement, reports not filed, fees not paid, etc.

Business organizations and industrial property owners have been critical of the proposed Rule stating that the Rule is not ready for Roll-Out and is still very convoluted.

Mayor Moss said that this is very troubling and said we surely will be hearing more about this in the near future and thanked Joanne McClaskey for her reporting.

CONSENT CALENDAR

5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR APRIL 22, 2021

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

5.2 CONSIDERATION OF THE MINUTES OF THE DECEMBER 10, 2020 REGULAR MEETING, JANUARY 14, 2021 REGULAR MEETING AND THE MARCH 11, 2021 SPECIAL MEETING

RECOMMENDED ACTION: *Approve as submitted.*

5.3 CONSIDERATION OF CHANGE ORDER NO. 1, IN THE AMOUNT OF \$29,005.00 FOR EL ENCANTO HEALTHCARE FACILITY INTERIOR IMPROVEMENTS, TO THE CONTRACT WITH BLD BUILDERS, INC. (CIP-FAC-19-064-B)

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

5.4 CONSIDERATION OF CHANGE ORDERS NOS. 1, 2, AND 3, IN THE AMOUNT OF \$128,412.04, FOR CONTRACT NO. CITY-1458 TEMPLE AVENUE DUAL RIGHT TURN TO AZUSA AVENUE STREET MODIFICATIONS (MP 11-02), WITH GENTRY BROTHERS, INC.

RECOMMENDED ACTION: *Approve Change Order Nos. 1, 2 & 3 and authorize the Mayor to execute the Change Orders.*

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5.5 CONSIDERATION OF CLOSEOUT CHANGE ORDER NO. 1, IN THE AMOUNT OF \$30,359.50, AND NOTICE OF COMPLETION, FOR CONTRACT NO. CITY-1459 BUSINESS PARKWAY RECONSTRUCTION FROM FAIRWAY DRIVE TO LEMON AVENUE, WITH SULLY-MILLER CONTRACTING COMPANY (MP 10-15 #2)

RECOMMENDED ACTION: *Approve Change Order No. 1 and authorize the Mayor to execute the Change Order, the City Engineer to execute the Notice of Completion, and the City Clerk to file the Notice of Completion.*

5.6 CONSIDERATION OF AMENDMENT NO. 4 TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND LOS ANGELES COUNTY METROPOLITAN AUTHORITY, FOR THE SR-57/60 CONFLUENCE PROJECT: WESTBOUND SLIP ON-RAMP

RECOMMENDED ACTION: *Approve the Amendment.*

Council Member Radecki recused himself from voting on check number 75739 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 75705 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 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 75739 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 75705 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

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ACTION ITEMS

6.1 INTRODUCTION AND CONSIDERATION OF AN ORDINANCE AMENDING SUBSECTIONS 3.52.090.A. AND 3.52.090.B. OF SECTION 3.52.090 (FORMAL BID PROCEDURES—PUBLIC PROJECTS), AMENDING SUBSECTION 3.52.080.E. OF SECTION 3.52.080 (INFORMAL BID PROCEDURES—PUBLIC PROJECTS), AND ADDING SECTION 3.52.100 (ADJUSTMENT TO BIDDING THRESHOLDS) TO CHAPTER 3.52 (PUBLIC PROJECTS—BIDDING AND PROCEDURES), OF TITLE 3 (REVENUE AND FINANCE), OF THE CITY OF INDUSTRY MUNICIPAL CODE, MAKING MINOR REVISIONS TO THE FORMAL BIDDING PROCEDURES AND ADJUSTING THE THRESHOLDS FOR COMPETITIVE BIDDING FOR PUBLIC WORKS CONTRACTS, IN ACCORDANCE WITH THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

RECOMMENDED ACTION: a) *Waive the reading of Ordinance No. 815 and read by title only; and b) Introduce Ordinance No. 815.*

Director of Public Works/City Engineer/Assistant City Manager, Josh Nelson provided a staff report and explained the minor changes being made in order to follow state guidelines. He was available answer any questions.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO WAIVE THE READING OF ORDINANCE NO. 815 AND READ BY TITLE ONLY. 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

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO INTRODUCE ORDINANCE NO. 815. 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 RESOLUTION NO. CC 2021-14 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ESTABLISHING A GRANT PROGRAM TO ASSIST LOCAL BUSINESSES WITH THE COSTS ASSOCIATED WITH THE ADMINISTRATION OF COVID-19 VACCINATIONS

RECOMMENDED ACTION:
14.

Adopt Resolution No. CC 2021-

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 ADOPT RESOLUTION NO. CC 2021-14. 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 RESOLUTION NO. CC 2021-16 ACCEPTING THE SURRENDER OF CONDITIONAL USE PERMIT 12-4 AND REQUESTING APPROVAL OF DEVELOPMENT PLAN 20-05, TO ALLOW FOR THE DEMOLITION OF AN EXISTING COMMERCIAL BANK AND CONSTRUCTION OF A NEW 4,581 SQUARE FOOT COMMERCIAL CARWASH ON A 1.12 ACRE PARCEL LOCATED AT 120 SOUTH HACIENDA BOULEVARD

a. **CONSIDERATION OF RESOLUTION NO. CC 2021-16 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ACCEPTING THE SURRENDER OF CONDITIONAL USE PERMIT 12-4, AND APPROVING DEVELOPMENT PLAN NO. 20-5, FOR THE DEMOLITION OF AN EXISTING COMMERCIAL BANK AND CONSTRUCTION OF A NEW 4,581 SQUARE FOOT CARWASH, LOCATED AT 120 SOUTH HACIENDA BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF**

RECOMMENDED ACTION:
16.

Adopt Resolution No. CC 2021-

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Contract Planning Technician Eduardo Manriquez provided a staff report and was available to answer any questions.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2021-16. 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

6.4 CONSIDERATION OF RESOLUTION NO. CC 2021-18 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE GABRIEL FOUNDATION IN THE AMOUNT OF \$105,000.00 TO SUPPORT THE INDUSTRY HILLS CHARITY PRO RODEO

RECOMMENDED ACTION:
18.

Adopt Resolution No. CC 2021-

Tim Seal, Co-Chair of the Gabriel Foundation and Co-Chair of the annual rodeo spoke to the Council about the accomplishments with distributing grant money to the local community, in spite of not having a Rodeo last year, due to COVID-19.

We have full intentions of having a rodeo this year and are currently working on plans. Pending the Los Angeles County guidelines and the continued support from the City of Industry and other sponsors, we will move forward with plans and provide a detailed mitigation plan.

A short video was played showing rodeo highlights and Tim Seal mentioned the entire 35-year documentary can be seen on-line.

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO ADOPT RESOLUTION NO. CC 2021-18. 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 ONE APPOINTMENT TO SERVE ON THE PLANNING COMMISSION

RECOMMENDED ACTION: *Discuss and consider one appointment to the Planning Commission.*

City Manager, Troy Helling provided a staff report and indicated that one seat would be vacant as of May 9, 2021. He also stated that the City received two applications for consideration, Becky Simon and Roy Haber. He was available to answer any questions.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER GREUBEL TO APPOINT ROY HABER TO SERVE ON THE PLANNING COMMISSION. 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 CONSIDERATION OF A LICENSE AGREEMENT WITH J. DE SIGIO CONSTRUCTION, INC., FOR ACCESS TO ASSESSOR'S PARCEL NO. 8262-015-901, LOCATED AT THE CORNER OF INDUSTRY HILLS PARKWAY AND SOUTH AZUSA AVENUE, FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS AND EQUIPMENT

RECOMMENDED ACTION: *Approve the Agreement.*

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

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER GREUBEL TO APPROVE THE 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

6.7 CONSIDERATION OF A MAINTENANCE SERVICES AGREEMENT WITH VALLEY POWER SERVICES, INC., FOR MONTHLY MAINTENANCE ON THE BACK UP ELECTRICAL GENERATOR CONNECTED TO CITY HALL AND THE INDUSTRY BUSINESS COUNCIL BUILDINGS, IN AN AMOUNT NOT TO EXCEED \$14,000.00, THROUGH JUNE 30, 2022 (MP 03-24#2)

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 MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RUGGLES 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

6.8 CONSIDERATION OF AWARD OF THE 2020-2021 ANNUAL SLURRY SEAL CONTRACT TO DOUG MARTIN CONTRACTING COMPANY, INC., IN AN AMOUNT NOT TO EXCEED \$190,845.85, AND ADOPT OF A NOTICE OF EXEMPTION REGARDING SAME (CONTRACT NO. CITY-1466)

RECOMMENDED ACTION: Award the contract to Doug Martin Contracting Company, Inc. in the amount of \$190,845.85, and adopt a Notice of Exemption for the project.

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

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MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO AWARD THE CONTRACT TO DOUG MARTIN CONTRACTING COMPANY, INC. IN THE AMOUNT OF \$190,845.85, AND ADOPT A NOTICE OF EXEMPTION FOR THE PROJECT. 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

6.9 CONSIDERATION OF A MAINTENANCE SERVICES AGREEMENT WITH JANUS PEST MANAGEMENT, INC. FOR PEST CONTROL SERVICES IN AN AMOUNT NOT-TO-EXCEED \$240,000.00, THROUGH JUNE 30, 2024

RECOMMENDED ACTION: *Approve the Agreement.*

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

MOTION BY MAYOR MOSS, 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

CITY MANAGER REPORTS

There was none.

AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

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Council Member Greubel mentioned he was looking forward to the Industry Sheriffs Youth Activities League (YAL) Golf Tournament scheduled for May 3rd. It is a great event with a great cause.

Mayor Cory Moss mentioned that she was just informed that a virtual Town Hall Meeting, regarding law enforcement interactions with people who have mental health conditions, was scheduled for tonight and asked Sam Pedroza to distribute this information to all Council Members.

City Attorney Casso mentioned that if the majority of members are present at this event tonight, that everyone just listen and be careful not to have any collective concurrence that may be in violation of the Brown Act.

CLOSED SESSION

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

- 10.1 PUBLIC EMPLOYMENT PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
TITLE: CITY MANAGER

- 10.2 CONFERENCE WITH LEGAL COUNSEL – EXISITING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: City of Industry v. San Gabriel Valley Water & Power, et al., and related cross-action, Cordoba Corporation v. City of Industry, Industry Public Utilities Commission, et al. Superior Court of California, County of Los Angeles
Case No. 19STCV10150

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

Property: 1 Industry Hills Parkway, City of Industry, CA, 91744
also known as Assessor Parcel Numbers (portion of)
8247-014-900, (portion of) 8247-013-908, 8262-001-900, 8262-001-902, (portion of) 8262-011-930, 8262-011-931, 8262-012-270, 8262-012- 271, 8262-012-272, 8262-012-273, (portion of) 8262-012-274, (portion of) 8262-012-275, 8262-012-276,(portion of) 8262-015-900, (portion of) 8262-015-901, 8262-015-902, 8262-015-904, (portion of) 8262-015-905, 8263-

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008-270, 8263-008-271, 8263-008-904 and 8263-027-270

Agency Negotiators: Troy Helling, City Manager
James M. Casso, City Attorney
Negotiating Parties: Majestic Realty
Under Negotiation: Price and terms of payment

Mayor Moss recessed the meeting into Closed Session at 10:07 a.m.

City Attorney Casso reported that Mayor Moss, due to technical issues, was unable to re-join the meeting but did participate in all the Closed Session items.

Mayor Pro Tem Marcucci reconvened the meeting at 11:29 a.m. All members of the City Council were present except for Mayor Moss.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session items 10.1, direction was given to the City Manager and the City Attorney's Office on his evaluation. No final action was taken.

With regard to Closed Session items 10.2, direction was given to the City Attorney's Office and Special Counsel Lockelord. No final action was taken.

With regard to Closed Session items 10.3, direction was given to the Agency Negotiators. No final action was taken.

ADJOURNMENT

There being no further business, the City Council adjourned at 11:32 a.m.



CORY C. MOSS
MAYOR



JULIE ROBLES
CITY CLERK