#### 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: 633 059 714#.

#### **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 no public comments.

Presentation: Tim Seal, Executive Director for Delhaven Community Center to report on the status of the City's recent donation of 90 Chromebooks for the use by students in their online educational efforts.

Multiple associates from Delhaven presented to the Council the success of the online education program. In addition to Tim Seal and Eric Benavidez; Priscilla Valenzuela, Scarlett Lopez and Erica Oliden each spoke of accomplishments made and thanked the Council for the donation of the Chromebooks.

#### **CONSENT CALENDAR**

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR MAY 13, 2021

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

6.2 CONSIDERATION OF THE MINUTES OF THE FEBRUARY 11, 2021 REGULAR MEETING, FEBRUARY 25, 2021 REGULAR MEETING, MARCH 11, 2021 REGULAR MEETING, MARCH 25, 2021 REGULAR MEETING, APRIL 8, 2021 REGULAR MEETING AND THE APRIL 22, 2021 REGULAR MEETING

RECOMMENDED ACTION:

Approve as submitted.

6.3 SECOND READING AND ADOPTION OF ORDINANCE NO. 815 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, AND NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION: Notice of Exemption regarding same Adopt Ordinance No. 815, and

6.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH BESS TESTLAB, INC., TO PROVIDE UTILITY LOCATING AND POTHOLING SERVICES FOR THE KELLA AVENUE STORM DRAIN PROJECT, EXTENDING THE TERM THROUGH SEPTEMBER 30, 2021, REVISING THE RATE SCHEDULE, REVISING THE INDEMNITY PROVISIONS, AND INCREASING COMPENSATION BY \$5,680.00 (CIP-SD-19-041-B)

RECOMMENDED ACTION:

Approve the Amendment.

6.5 CONSIDERATION OF AMENDMENT NO. 2 TO THE BETTERMENT AGREEMENT BETWEEN THE CITY OF INDUSTRY AND ALAMEDA CORRIDOR-EAST CONSTRUCTION AUTHORITY OF THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS REGARDING THE INSTALLATION OF INTERSECTION IMPROVEMENTS TO FAIRWAY DRIVE AND WALNUT DRIVE, IN CONJUNCTION WITH THE FAIRWAY GRADE SEPARATION PROJECT (MP 99-60 #13)

RECOMMENDED ACTION:

Approve the Amendment.

Council Member Radecki recused himself from voting on check number 75883 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 75826 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 PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER GREUBEL THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 75883 ON ITEM 1 (REGISTER OF DEMANDS), AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 75826 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**

7.1 CONSIDERATION OF RESOLUTION NO. CC 2021-19 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA APPROVING A DONATION TO THE INDUSTRY STATION ATHLETIC FUND IN THE AMOUNT OF TWO THOUSAND DOLLARS (\$2,000.00)

RECOMMENDED ACTION:

Adopt Resolution No. CC 2021-

19.

City Manager, Troy Helling provided a staff report and was available to answer any questions.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2021-19. 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

7.2 CONSIDERATION OF DEVELOPMENT PLANS 20-10 THROUGH 20-17, FOR THE CONSTRUCTION OF EIGHT NEW BUILDINGS AT THE INDUSTRY BUSINESS CENTER SITE (BUILDINGS 1, 3, 4, 5, 6, 7, 8, AND 10), AND AN ADDENDUM TO THE 2004 IBC EIR

Contract Associate Planner, Dina Lomeli provided a staff report and indicated for the record, each resolution under Items 7.2a through 7.2i, the name of the applicant will be replaced with the name of the lease holder on each resolution.

In addition, under Item 7.2d, a typo is noted regarding the square footage of the landscaping. On Resolution No. CC 2021-25 the square-feet of landscaping should read as 147,064 rather than 146,064. She was available to answer any questions.

a. CONSIDERATION OF RESOLUTION NO. CC 2021-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING AN ADDENDUM TO THE 2004 INDUSTRY BUSINESS CENTER ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2003121086), FOR DEVELOPMENT PLAN NOS. 20-10 THROUGH 20-17, TO ALLOW FOR THE DEVELOPMENT OF A COMBINED 4,355,340 SQUARE FEET OF INDUSTRIAL BUILDING SPACE ON EIGHT INDIVIDUAL PROJECT SITES, AT THE INDUSTRY BUSINESS CENTER PROJECT SITE, GENERALLY LOCATED SOUTH OF FERRERO PARKWAY AT GRAND AVENUE, IN THE CITY OF INDUSTRY

RECOMMENDED ACTION:

Adopt Resolution No. CC 2021-

22.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2021-22. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

AYES:

**COUNCIL MEMBERS:** 

GREUBEL, RADECKI, RUGGLES,

MPT/MARCUCCI, M/MOSS

NOES:

COUNCIL MEMBERS:

NONE

ABSENT ABSTAIN COUNCIL MEMBERS: COUNCIL MEMBERS:

NONE

Assistant City Attorney, Bianca Sparks, made a blanket comment for the record, as stated in Contract Associate Planner, Dina Lomeli's presentation, that Items 7.2a through 7.2.i, the name of the applicant will be replaced with the name of the lease holder on each resolution.

b. CONSIDERATION OF RESOLUTION NO. CC 2021-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-10, TO ALLOW FOR THE DEVELOPMENT OF A 1,000,720 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 21931 INDUSTRY WAY, INDUSTRY BUSINESS CENTER BUILDING NO. 1, IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION: 23.

Adopt Resolution No. CC 2021-

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2021-23. 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:

c. CONSIDERATION OF RESOLUTION NO. CC 2021-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-11, TO ALLOW FOR THE DEVELOPMENT OF A 564,480 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 22010 INDUSTRY WAY, INDUSTRY BUSINESS CENTER BUILDING NO. 3, IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:

Adopt Resolution No. CC 2021-

24.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2021-24. 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

d. Consideration of Resolution No. CC 2021-25 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-12, TO ALLOW FOR THE DEVELOPMENT OF A 240,500 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 131 MARCELLIN DRIVE, INDUSTRY BUSINESS CENTER BUILDING NO. 4, IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION: 25.

Adopt Resolution No. CC 2021-

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO ADOPT RESOLUTION NO. CC 2021-25, WITH THE APPROPRIATE CORRECTION PER ASSISTANT CITY ATTORNEY, BIANCA SPARKS. 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:** 

e. CONSIDERATION OF RESOLUTION NO. CC 2021-26 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-13, TO ALLOW FOR THE DEVELOPMENT OF A 606,408 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 151 MARCELLIN DRIVE, INDUSTRY BUSINESS CENTER BUILDING NO. 5, IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:

Adopt Resolution No. CC 2021-

26.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2021-26. 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

f. CONSIDERATION OF RESOLUTION NO. CC 2021-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-14, TO ALLOW FOR THE DEVELOPMENT OF A 694,400 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 171 MARCELLIN DRIVE, INDUSTRY BUSINESS CENTER BUILDING NO. 6, IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:

Adopt Resolution No. CC 2021-

27.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2021-27. 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:

g. CONSIDERATION OF RESOLUTION NO. CC 2021-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-15, TO ALLOW FOR THE DEVELOPMENT OF A 708,400 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 23030 GRAND CROSSING PARKWAY, INDUSTRY BUSINESS CENTER BUILDING NO. 7, IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:

Adopt Resolution No. CC 2021-

28.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2021-28. 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

h. CONSIDERATION OF RESOLUTION NO. CC 2021-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-16, TO ALLOW FOR THE DEVELOPMENT OF A 354,660 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 23020 GRAND CROSSING PARKWAY, INDUSTRY BUSINESS CENTER BUILDING NO. 8. IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:

Adopt Resolution No. CC 2021-

29.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2021-29. 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:

i. CONSIDERATION OF RESOLUTION NO. CC 2021-30 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN NO. 20-17, TO ALLOW FOR THE DEVELOPMENT OF AN 185,700 SQUARE FOOT INDUSTRIAL BUILDING AT THE PROPERTY LOCATED AT 110 MARCELLIN DRIVE, INDUSTRY BUSINESS CENTER BUILDING NO. 10, IN THE CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION: 30.

Adopt Resolution No. CC 2021-

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO ADOPT RESOLUTION NO. CC 2021-30. 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

# 7.3 CONSIDERATION OF APPOINTMENT FOR ONE (1) VACANT SEAT ON THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY

RECOMMENDED ACTION:

Discuss and make appointment

to the Industry Property and Housing Management Authority and/or provide additional direction to staff.

Assistant City Manager, Bing Hyun provided a staff report and indicated that the City received two applications for consideration, Joseph Emmons and Timothy O'Gorman. He was available to answer any questions.

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO APPOINT TIM O'GORMAN TO SERVE ON THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY. 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 were none.

#### **AB 1234 REPORTS**

There were none.

#### CITY COUNCIL COMMUNICATIONS

Mayor Moss mentioned a front-page article in today's paper regarding a business within the City of Industry by the name of Pluto. They will be appearing on the Shark Tank TV show.

Also yesterday, May 12<sup>th</sup>, was National Nurses Day and she acknowledged nurses and doctors, specifically from El Encanto, for their dedication and hard work during these last fifteen months. She quoted Florence Nightingale "With loyalty will I endeavor to aid the physician in his work and devote myself to the welfare of those committed to my care".

Lastly Mayor Moss spoke about the exciting news regarding Mayor Pro Tem Marcucci's health update.

#### **CLOSED SESSION**

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

- 11.1 CONFERENCE WITH LEGAL COUNSEL
  Public Employment Pursuant to Government Code Section 54957
  Title: City Manager
- 11.2 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) One Potential Case

#### CONFERENCE WITH REAL PROPERTY NEGOTIATORS 11.3 Pursuant to Government Code Section 54956.8:

Property:

15710 – 15724 Rausch Road

APNs: 8245-001-913, 8245-001-917, and

8245-001-918

Agency Negotiators:

Josh Nelson, Director of Public Works/City

Engineer/Assistant City Manager

Bing, Hyun, Assistant City Manager

Negotiating Parties:

Priceless Pet Rescue

**Under Negotiation:** 

Price and terms of payment

Mayor Moss recessed the meeting into Closed Session at 10:00 a.m.

Mayor Moss reconvened the meeting at 12:26 p.m. Mayor Pro Tem Marcucci left the meeting at 12:13 p.m. and Council Member Greubel left the meeting at 12:19 p.m. Both members did participate in all the Closed Session items.

City Attorney Casso reported out of Closed Session.

With regard to Closed Session items 11.1, direction was given to the City Attorney's Office. No final action was taken, nothing further to report.

With regard to Closed Session items 11.2, direction was given to the City Attorney's Office. No decision was made, nothing further to report.

With regard to Closed Session items 11.3, direction was given to the Agency Negotiators. Nothing further to report.

#### **ADJOURNMENT**

There being no further business, the City Council adjourned at 12:27 p.m.