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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 23, 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., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California and telephonically using Conference Call Number, 657-204-3264, Conference ID: 930 345 208#.

**FLAG SALUTE**

The flag salute was led by Mayor Cory Moss.

**ROLL CALL**

PRESENT: Cory C. Moss, Mayor  
Michael Greubel, Council Member  
Mark Radecki, Council Member  
Newell W. Ruggles, Council Member

ABSENT: Cathy Marcucci, Mayor Pro Tem

Council Member Michael Greubel asked the Council, for the record, that MPT/Cathy Marcucci be excused from this meeting.

STAFF PRESENT: Josh Nelson, City Manager; Bing Hyun, Assistant City Manager; Bianca Sparks, Assistant City Attorney; and Julie Robles, City Clerk.

**PUBLIC COMMENTS**

Mike Greenspan and Mr. Dick HHH spoke about their first amendment freedom of speech rights, to include the tolerance of all unpleasant forms of speech. They spoke about their opposition to government policies/leadership and provided documents for the record.

**CONSENT CALENDAR**

**5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR SEPTEMBER 23, 2021**

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

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Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 5.1.

**5.2 CONSIDERATION OF THE MINUTES OF THE JUNE 16, 2021 JOINT SPECIAL MEETING**

*RECOMMENDED ACTION:* *Approve as submitted.*

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 5.2.

**5.3 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH TRANSPORTATION & ENERGY SOLUTIONS, INC. FOR ON-CALL TRAFFIC ENGINEERING SERVICES, EXTENDING THE TERM THROUGH MARCH 28, 2025, INCREASING COMPENSATION BY \$250,000.00, REVISING THE INDEMNITY PROVISIONS, AND REVISING THE ADDRESS FOR THE CITY**

*RECOMMENDED ACTION:* *Approve the Amendment.*

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 5.3.

**5.4 CONSIDERATION OF CHANGE ORDER NO. 1 IN THE AMOUNT OF \$6,779.93 AND NOTICE OF COMPLETION FOR THE 2020-2021 ANNUAL SLURRY SEAL CONTRACT WITH DOUG MARTIN CONTRACTING COMPANY, INC. (CONTRACT NO. CITY-1466)**

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

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 5.4.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE THE CONSENT CALENDAR. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

**ACTION ITEMS**

**6.1 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR 2021-2022 CITYWIDE SIGNING & STRIPING IMPROVEMENTS, FOR AN ESTIMATED COST OF \$540,000 (CITY-1477/MP 21-06)**

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

Senior Project Manager, Upendra Joshi from CNC Engineering provided a staff report and was available to answer any questions.

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 6.1.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE ADVERTISING AND RECEIPT OF ELECTRONIC BIDS. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

**6.2 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH BIGGS CARDOSA ASSOCIATES, INC. TO PROVIDE GENERAL ENGINEERING SERVICES ON AN AS-NEEDED BASIS IN AN AMOUNT NOT TO EXCEED \$150,000.00, THROUGH SEPTEMBER 23, 2024**

*RECOMMENDED ACTION:* *Approve the Agreement.*

City Manager, Josh Nelson provided a staff report and was available to answer any questions.

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 6.2.

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MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE THE AGREEMENT. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

**6.3 CONSIDERATION OF A LICENSE AGREEMENT WITH ONYX PAVING COMPANY, INC., FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-027-918 LOCATED AT THE NORTHWEST CORNER OF DON JULIAN ROAD AND PARRIOTT PLACE, FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS AND EQUIPMENT**

*RECOMMENDED ACTION:* *Approve the Agreement.*

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

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 6.3.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER GREUBEL TO APPROVE THE AGREEMENT. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

**6.4 CONSIDERATION OF RESOLUTION NO. CC 2021-58 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING THE CURRENT SALARY RANGE SCHEDULE AS ADOPTED ON JULY 29, 2021 FOR THE CITY MANAGER, ONLY, FOR FISCAL YEAR 2019-2020 THROUGH AND INCLUDING FISCAL YEAR 2021-2022**

*RECOMMENDED ACTION:*  
2021-58.

Adopt Resolution No. CC

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

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Item 6.4.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2021-58. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

#### **CITY MANAGER REPORTS**

City Manager Josh Nelson spoke regarding the new guidelines regarding remote meetings and said at the next meeting in October the options will be presented. If anyone wants to make suggestions, please come talk to me.

#### **AB 1234 REPORTS**

There was none.

#### **CITY COUNCIL COMMUNICATIONS**

Mayor Moss spoke about attending the Contract Cities Association Convention with Council Members Cathy Marcucci and Michael Greubel. It was a great conference with many seminars to attend. Council Member Greubel also said it was an honor to be there.

Also, Mayor Moss reminded everyone that the Rodeo is just a couple of weeks away.

#### **CLOSED SESSION**

Mike Greenspan and Mr. Dick HHH each spoke in opposition of Closed Session Items 10.1 and 10.2.

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

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- 10.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Potential Case
- 10.2 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, *et al.*, and related cross actions  
Superior Court of California, County of Los Angeles  
Case No. 19STCV10150

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 10:02 a.m.

Mayor Moss reconvened the meeting at 11:38 a.m. All members of the City Council were present except for Mayor Pro Tem Marcucci.

Assistant City Attorney Sparks reported out of Closed Session.

With regard to Closed Session items 10.1 and 10.2, direction was given, no final action was taken, nothing further to report.

#### ADJOURNMENT

There being no further business, the City Council adjourned at 11:39 a.m.

In closing Mayor Moss quoted Charles Swindoll, "Life is 10% what happens to you and 90% how you react".

  
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CORY C. MOSS  
MAYOR

  
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JULIE ROBLES  
CITY CLERK