
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 1

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 9:09 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: 226 331 795#.

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: Josh Nelson, City Manager; Bing Hyun, Assistant City Manager; James M. Casso, City Attorney; and Julie Robles, City Clerk.

PUBLIC COMMENTS

Mike Greenspan and Herman 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 OCTOBER 28, 2021

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

Mike Greenspan spoke in opposition of Item No. 5.1.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 2

5.2 CONSIDERATION OF AMENDMENT NO. 1 TO THE LICENSE AGREEMENT WITH PACIFIC CREST YOUTH ARTS ORGANIZATION, FOR ACCESS TO ASSESSOR'S PARCEL NUMBER 8264-004-908 LOCATED AT 1123 SOUTH HATCHER AVENUE

RECOMMENDED ACTION: *Approve the Amendment.*

Mike Greenspan spoke in opposition of Item No.5.2.

5.3 SECOND READING AND ADOPTION OF ORDINANCE NO. 816 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 17.28.060 (MAP-ADOPTED) OF CHAPTER 17.28 (ZONED DISTRICTS) OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO CHANGE THE EXISTING ZONING DESIGNATION OF THE PROPERTY LOCATED AT 841 7TH AVENUE, FROM “INST” – INSTITUTIONAL TO “C” – COMMERCIAL

RECOMMENDED ACTION: *Adopt Ordinance No. 816.*

Mike Greenspan spoke in opposition of Item No. 5.3.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE THE CONSENT CALENDAR. 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 CONSIDERATION OF RESOLUTION CC 2021-62 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE LAND OF THE FREE FOUNDATION IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE VETERANS DAY GOLF CLASSIC FUNDRAISER

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 3

RECOMMENDED ACTION:
62.

Adopt Resolution No. CC 2021-

Public Affairs Manager, Sam Pedroza provided a staff report and was available to answer any questions.

Kent Valley with the Land of the Free spoke about the 14th annual Veterans Celebration with the City of Industry. This foundation has raised 15 million dollars to support veterans who have supported our freedom in this country. I am a proud Vietnam Veteran and proud to say I fought for the 1st amendment right, of freedom of speech, and sadly to include insulting comments made today.

Mike Greenspan and Herman each spoke in opposition of Item 6.1.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2021-62. 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 RESOLUTION CC 2021-63 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO DELHAVEN COMMUNITY CENTER IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE BECAUSE WE CARE PROGRAM

RECOMMENDED ACTION:
63.

Adopt Resolution No. CC 2021-

Public Affairs Manager, Sam Pedroza provided a staff report and was available to answer any questions.

Tim Seal spoke about his family and the history of Delhaven Community Center. Our programs help with mental illness, speech, behavior, occupational therapy along with tutorial and homework assistance. All proceeds go directly to the program as we are a non-profit organization. Our budget for this program is \$200,000.00 of which we have raised \$70,00.00, already for 2022.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 4

Mike Greenspan and Herman each spoke in opposition of Item No. 6.2.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2021-63. 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 Attorney James M. Casso asked the Mayor and Council if we could forward to Item Nos. 6.6, 6.8 and Closed Session, then return to the remaining items since there are a few people that need to leave the Chambers early. This was agreed upon by the Council.

6.6 CONSIDERATION OF THE AUTHORIZATION TO TRANSMIT DRAFT HOUSING ELEMENT TO THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

RECOMMENDED ACTION: Direct staff to transmit the Draft Housing Element to the California Department of Housing and Community Development.

Assistant City Manager Bing Hyun provided a staff report and was available to answer any questions. He requested the Council to authorize and transmit the Draft Housing Element to HCD (State of California Department of Housing and Community Development). All California cities and counties are required to update their housing elements. HCD must report its findings of whether the Draft Housing Element complies with State law within 60-days of transmittal.

Mike Greenspan and Herman each spoke in opposition of Item No. 6.6.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO DIRECT STAFF TO TRANSMIT THE DRAFT HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 5

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 A PROFESSIONAL SERVICES AGREEMENT WITH MIGHTY OAK TECHNOLOGY, DBA ACORN TECHNOLOGY SERVICES FOR INFORMATION TECHNOLOGY SUPPORT SERVICES IN AN AMOUNT NOT-TO-EXCEED \$659,200.00, THROUGH OCTOBER 31, 2024

RECOMMENDED ACTION: Approve the Agreement.

Development Services Manager, Kathy Tai provided a staff report and Assistant City Manager Bing Hyun added additional information. Both were available to answer any questions.

Mike Greenspan spoke in opposition of Item No. 6.8.

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

Council Member Greubel left the Chambers and excused himself from the meeting at 12:10 p.m.

CLOSED SESSION

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

Mike Greenspan spoke in opposition to Items 10.1, 10.2 and 10.3 for Closed Session.

Mayor Moss announced speaker card for Herman and asked for the presenter to approach. This presenter was not available and did not approach the Council.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 6

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

Property: 150 North Hacienda Boulevard, City of Industry, CA
also known as Assessor's Parcel Number 8208-025-
951

Agency Negotiators: Josh Nelson, City Manager
Bing Hyun, Assistant City Manager

Negotiating Parties: Bank of America N/A.

Under Negotiation: Price and terms of payment

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

10.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Government Code 54956.9(d)(4), Initiation of litigation
(Two potential cases)

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 10:09 a.m.

Mayor Moss reconvened the meeting at 12:42 p.m.

Assistant City Attorney Casso reported out of Closed Session. All members of the Council were present except for Council Member Greubel.

For the record, City Attorney Casso reported that Council Member Greubel excused himself from Closed Session at 12:10 p.m. and did not participate in Item Nos. 10.1 and one item in Item No. 10.3.

With regard to Closed Session item 10.1, direction was given to Agency Negotiators, and no final action was taken.

With regard to Closed Session items 10.2 and 10.3, direction was given to the City Attorney's Office, no final action was taken.

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 7

6.3 CONSIDERATION OF RESOLUTION NO. CC 2021-64 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RESCINDING RESOLUTION NOS. 2021, CC 2012-16, CC 2014-22, CC 2016-27, CC 2016-38, CC 2016-39, CC 2016-57, CC 2016-71, CC 2018-36, CC 2019-15, AND CC 2019-34, AND ADOPTING AN AMENDED AND RESTATED EMPLOYEE HANDBOOK

RECOMMENDED ACTION:
64.

Adopt Resolution No. CC 2021-

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

Mike Greenspan and Herman each spoke in opposition of Item No. 6.3, along with a caller online.

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

6.4 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH GIVEN DESIGN GROUP, INC. ("GDG ARCHITECTS") FOR ROOF REFURBISHMENT SCHEMATIC DESIGN AT EL ENCANTO, IN AN AMOUNT NOT-TO-EXCEED \$32,270.00

RECOMMENDED ACTION:

Approve the Agreement.

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

Mike Greenspan and Herman each spoke in opposition of Item 6.4, along with a caller online.

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

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 8

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

6.5 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH FEHR & PEERS FOR ON-CALL TRANSPORTATION PLANNING AND ANALYSIS SERVICES, THROUGH JUNE 30, 2026

RECOMMENDED ACTION: Approve the Agreement.

Mike Greenspan and Herman each spoke in opposition of Item No. 6.5, along with a caller online.

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO APPROVE THE AGREEMENT. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.7 CONSIDERATION OF AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE TECHNOLOGY DEPOT, INC., FOR INFORMATION TECHNOLOGY SUPPORT SERVICES, EXTENDING THE TERM THROUGH MARCH 31, 2022 AND A COMPANION INCREASE IN COMPENSATION

RECOMMENDED ACTION: Approve the Amendment.

Mike Greenspan and Herman each spoke in opposition of Item No. 6.7, along with a caller online.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY MAYOR MOSS TO APPROVE THE AMENDMENT. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 9

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

6.9 CONSIDERATION TO CANCEL THE NOVEMBER 11, 2021, NOVEMBER 25, 2021 AND DECEMBER 23, 2021 CITY COUNCIL MEETINGS AND TO CLOSE CITY HALL FROM DECEMBER 24, 2021 THROUGH JANUARY 3, 2022

RECOMMENDED ACTION: Cancel the November 11, 2021, November 25, 2021 and December 23, 2021 regular City Council Meetings and closing City Hall from December 24, 2021 through January 3, 2022.

Mike Greenspan and Herman each spoke in opposition of Item No. 6.9, along with a caller online.

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO CANCEL THE NOVEMBER 11, 2021, NOVEMBER 25, 2021 AND DECEMBER 23, 2021 REGULAR CITY COUNCIL MEETINGS AND CLOSING CITY HALL FROM DECEMBER 24, 2021 THROUGH JANUARY 3, 2022. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

CITY MANAGER REPORTS

There were none.

AB 1234 REPORTS

There were none.

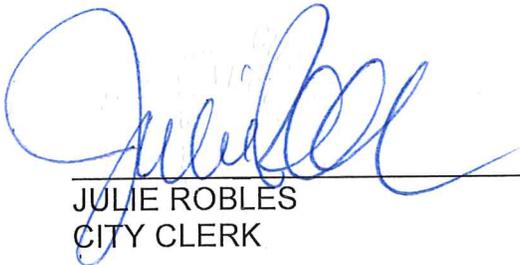
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 28, 2021
PAGE 10

CITY COUNCIL COMMUNICATIONS

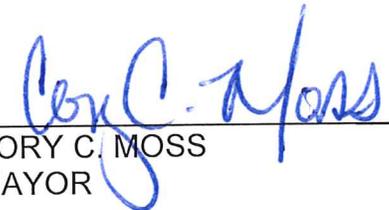
Mayor Cory Moss announced the passing of Board Member Larry Hartmann on October 20, 2021, and the date of his upcoming memorial. Council Members expressed their sadness of his passing and appreciation for his leadership, positive attitude, wisdom, and inspiration. He will be greatly missed.

ADJOURNMENT

There being no further business, the City Council adjourned at 1:03 p.m.



JULIE ROBLES
CITY CLERK



CORY C. MOSS
MAYOR