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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 1

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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., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California and telephonically using Conference Call Number, 657-204-3264, Conference ID: 897 067 803#.

**FLAG SALUTE**

The flag salute was led by Mayor Cory C. Moss.

**ROLL CALL**

PRESENT: Cory C. Moss, Mayor  
Cathy Marcucci, Mayor Pro Tem - Telephonically  
Michael Greubel, Council Member  
Mark Radecki, Council Member  
Newell W. Ruggles, Council Member

STAFF PRESENT: Bing Hyun, Assistant City Manager; Mat Hudson, Engineering Manager; Bianca Sparks, Assistant City Attorney; and Julie Robles, City Clerk.

**PUBLIC COMMENTS**

Assistant City Manager, Bing Hyun, asked if anyone online had any public comments regarding items not listed on the agenda. If so, press \*5 to raise your hand and the City Clerk can unmute you. There were none.

James Ermigarat, co-owner of the property with Robert & Virginia Van Dyke, located at 180 N. California Avenue, City of Industry came to speak to Council about his love for the City of Industry and to tell his story about how he is being forced to shut down his business as of December 30, 2022. He has owned and operated, for 25 years, a certified state public scale. He expressed his concern that he is no longer allowed to park cars, trucks, or trailers on this property. This is a very big deal to me and a matter of life and death to his business.

Mayor Moss thanked Mr. Ermigarat for coming to share his story and stated staff will be in touch with him soon about his concerns.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 2

---

**CONSENT CALENDAR**

Mayor Moss asked if anyone was on the line for public comments regarding items on the Consent Calendar. If so, press \*5 to raise your hand and the City Clerk can unmute you. There were none.

Council Member Ruggles asked for an update on Items 5.2, 5.4, 5.5 and 5.6.

**5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR JULY 28, 2022**

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

**5.2 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR CONTRACT NO. CITY-1489, REPLACEMENT OF FIRE DAMAGED EV CHARGERS, SOLAR PANELS, AND SOLAR PORT CANOPY AT THE METROLINK STATION, AND OTHER RELATED IMPROVEMENTS, FOR AN ESTIMATED COST OF \$735,000.00 (MP 06-18 #11)**

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

Dev Birla, Operation Manager with CNC Engineering provided the Council with a staff report along with slides of the fire damage at the Metrolink Station. Council Member Ruggles had a question regarding the insurance and how that was being used. It was explained that the cost was based on 2012, when it was built, not 2021, as well as currently making improvements. The City has received \$480,679.95 from insurance on the claim for the fire damage.

**5.3 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1485, ROWLAND STREET RECONSTRUCTION FROM HATCHER AVENUE TO LAWSON STREET, TO SEQUEL CONTRACTORS, INC., IN AN AMOUNT NOT-TO-EXCEED \$2,789,192.50, AND ADOPT NOTICE OF EXEMPTION REGARDING SAME**

*RECOMMENDED ACTION:* *Award the Contract to Sequel Contractors, Inc., and adopt a Notice of Exemption for the project.*

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 3

---

**5.4 CONSIDERATION OF A MEASURE M FUNDING AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE EAST-WEST BIKEWAY PROJECT**

*RECOMMENDED ACTION:*

*Approve the Agreement.*

Mat Hudson, Engineering Manager, provided a staff report. He stated the City applied for funds through Metro to help design the bikeway they were planning. The bigger project is the ten-mile stretch. They are first focusing on the south side of Valley Boulevard, between the curb and fence. To help with that they applied through Metro to get some funding and were awarded \$1.49 million. Originally it was only for construction, but they reprogramed the funds and now can use it for plans and specs. Hoping the full design will be done next year. He also stated that they just recently applied for another grant through ATP Cycle Six to get more funding to help complete the project. He was available to answer any questions.

Council Member Ruggles asked if CNC Engineering was handling the design and asked if the full bike path would be completed by next year? Mat confirmed that yes CNC Engineering was designing the path and the entire project would be completed by next year. He said this agreement was for the first phase, starting from City Hall, down Valley Boulevard to Azusa. Everything going east to west would qualify with these funds.

**5.5 CONSIDERATION OF AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR CONTRACT NO. CITY-1497, INDUSTRY BUSINESS COUNCIL INTERIOR IMPROVEMENTS - PHASE I, FOR AN ESTIMATED COST OF \$556,000.00 (MP 03-24 #10)**

*RECOMMENDED ACTION:*

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

Senior Project Manager James Cramsie, from CNC Engineering, provided a staff report and said a consultant was hired to evaluate the condition and changes that are needed.

Mayor Moss asked about replacing outlets and Mr. Cramsie confirmed that yes there would be new and replaced outlets installed to bring up to code.

Council Member Ruggles inquired about the two different phases. James Cramsie stated that the first phase consists of new carpet and new outlets in the flooring for both the Training Room and Chambers. The second phase will include painting, lighting, and

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 4

---

the potential of moving walls within the Training Room. Council Member Ruggles asked why the carpet was the first phase, and Mr. Cramsie said for safety reasons replacing the carpet was a priority and more decisions are needed regarding the training room. The carpet will be tile and can easily be replaced or added as needed.

**5.6 CONSIDERATION OF A MEMORANDUM OF AGREEMENT WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS TO AWARD FUNDING FROM THE SAN GABRIEL VALLEY SLOWER, SAFER STREETS PROGRAM**

*RECOMMENDED ACTION:*

*Approve the Agreement.*

Mat Hudson, Engineering Manager, provided a staff report and was available to answer any questions. Council Member Ruggles asked if there have been any issues at this intersection at Nelson Avenue and Willow Avenue? Mr. Hudson said no but it was the corner where Hacienda Adult School is located therefore keeping this corner safer for pedestrians crossing.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE CONSENT CALENDAR. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

|         |                  |  |
|---------|------------------|--|
| AYES:   | COUNCIL MEMBERS: | GREUBEL, RADECKI, RUGGLES,<br>MPT/MARCUCCI, M/MOSS |
| NOES:   | COUNCIL MEMBERS: | NONE   |
| ABSENT  | COUNCIL MEMBERS: | NONE   |
| ABSTAIN | COUNCIL MEMBERS: | NONE   |

**ACTION ITEMS**

**6.1 CONSIDERATION OF APPOINTMENT FOR ONE (1) VACANT SEAT ON THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY (IPHMA)**

*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 gave a brief staff report and announced that one appointment is available. The City Clerk posted the appointment for thirty days and one application was received. Mayor Moss announced that the one applicant, James Bickel,

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 5

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was with us today and asked him to come forward. Mr. James Bickel said he had served the City of Industry for 23 years with the Sheriff's Department and was getting ready to retire. The city was very good to his department, himself and his fellow colleagues. He said he would like to continue to serve the City of Industry in this way.

Mayor Moss asked if anyone was on the line for public comments regarding Item No. 6.1. If so, press \*5 to raise your hand and the City Clerk can unmute you. There were none.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO APPOINT JAMES BICKEL TO THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

|         |                  |  |
|---------|------------------|--|
| AYES:   | COUNCIL MEMBERS: | GREUBEL, RADECKI, RUGGLES,<br>MPT/MARCUCCI, M/MOSS |
| NOES:   | COUNCIL MEMBERS: | NONE   |
| ABSENT  | COUNCIL MEMBERS: | NONE   |
| ABSTAIN | COUNCIL MEMBERS: | NONE   |

Mayor Moss asked for a break and recessed the meeting at 9:26 a.m.

The City Clerk, Julie Robles swore in James Bickel and pictures were taken.

Mayor Moss reconvened the meeting at 9:29 a.m.

**CLOSED SESSION**

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

Mayor Moss asked if anyone was on the line for public comments regarding items on Closed Session. If so, press \*5 to raise your hand and the City Clerk can unmute you. There were none.

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 6

---

7.1 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-  
008-270, 8263-008-271, 8263-008-904 and 8263-  
027-270

Agency Negotiators: Josh Nelson, City Manager  
James M. Casso, City Attorney

Negotiating Parties: Majestic Industry Hills, LLC, a Delaware limited  
liability company

Under Negotiation: Price and terms of payment

7.2 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(d)(1)  
Case: *Cabanlit v. Con-Way Freight, Inc., et al.*  
Superior Court of California, County of Los Angeles  
Case No. BC656364

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

Property: Assessor Parcel Number 8264-026-902

Agency Negotiators: James M. Casso, City Attorney  
Joshua Nelson, City Manager

Negotiating Parties: Rowland Water District

Under Negotiation: Price and terms of payment

7.4 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code Section 54956.9(d)(2):  
two potential cases

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 7

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Mayor, Cory C. Moss, recessed the meeting into Closed Session at 9:29 a.m.

Mayor Moss reconvened the meeting at 11:11 a.m.

Assistant City Attorney Sparks reported out of Closed Session. All members of the Council were present except Mayor Tem Marcucci who participated telephonically.

With regard to Closed Session Item No. 7.1, direction was given to the Agency Negotiators. No final action taken, nothing further to report.

With regard to Closed Session Item No. 7.2, no action taken.

With regard to Closed Session Item No. 7.3, direction was given to the City Negotiators. No final action taken, nothing further to report.

With regard to Closed Session Item No. 7.4, direction was given. No final action taken, nothing further to report.

**CITY MANAGER REPORTS**

On behalf of City Manager, Josh Nelson, there is nothing to report.

**AB 1234 REPORTS**

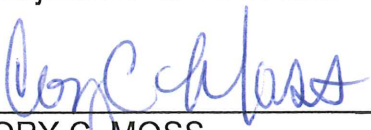
There were none.

**CITY COUNCIL COMMUNICATIONS**

There were none.

**ADJOURNMENT**

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

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

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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JULY 28, 2022  
PAGE 8

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JULIE ROBLES  
CITY CLERK