

---

CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 22, 2022  
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 9:00 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: 790 206 916#.

**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, Telephonically

STAFF PRESENT: Josh Nelson, City Manager; Bing Hyun, Assistant City Manager; James M. Casso, City Attorney; Bianca Sparks, Assistant City Attorney; Lynn Thompson, Administrative Technician III; and Julie Gutierrez-Robles, City Clerk, telephonically.

**PUBLIC COMMENTS**

Mike Greenspan and Armando Herman each spoke for three minutes 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.

Mayor Moss asked if anyone else was on the line for 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.

**CONSENT CALENDAR**

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of the Consent Calendar.

---

CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 22, 2022  
PAGE 2

---

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.

**5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR SEPTEMBER 22, 2022**

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

**5.2 CONSIDER RATIFYING THE APPROVAL OF THE CITY'S PUBLICATION IN CIVIC PUBLICATIONS, INC.'S STATE OF THE CITY, IN THE AMOUNT OF \$38,068.00**

*RECOMMENDED ACTION:* *Ratify the approval of the State of the City publication in the amount \$38,068.000*

**5.3 CONSIDERATION OF A PARTICIPANT AGREEMENT WITH THE COUNTY OF LOS ANGELES AND PARTICIPATING ENTITIES FOR THE LOS ANGELES REGION – IMAGERY ACQUISITION CONSORTIUM 7 PROJECT, IN THE AMOUNT OF \$37,210.00**

*RECOMMENDED ACTION:* *Approve the Agreement.*

**5.4 CONSIDERATION OF THE AUTHORIZATION TO ADVERTISE FOR PUBLIC BIDS FOR CONTRACT NO. CITY-1488, ANNUAL PAVEMENT REHABILITATION FY 22, FOR AN ESTIMATED COST OF \$1,700,000.00**

*RECOMMENDED ACTION:* *Approve the plans and specifications and authorize the solicitation of public bids.*

**5.5 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1480, STIMSON AVENUE GRADE CROSSING IMPROVEMENTS, TO SULLY-MILLER CONTRACTING COMPANY, IN AN AMOUNT NOT-TO-EXCEED \$691,650.00, AND ADOPT NOTICE OF EXEMPTION REGARDING SAME**

*RECOMMENDED ACTION:* *Award the Contract to Sully-Miller Contracting Company in the amount of \$691,650.00 and adopt a Notice of Exemption for the project.*

---

CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 22, 2022  
PAGE 3

---

With regards to the Consent Calendar, Council Member Radecki recused himself from voting on check number 79045 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.

MOTION BY COUNCIL MEMBER RADECKI, 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 79045 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**

#### **6.1 CONSIDERATION OF RESOLUTION NO. CC 2022-40, NOMINATING CATHY MARCUCCI TO SERVE AS AN ALTERNATE MEMBER ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

*RECOMMENDED ACTION:* *Adopt Resolution No. CC 2022-40, nominating Cathy Marcucci to serve as an alternate member of the Board of the San Gabriel Basin Water Quality Authority.*

Assistant City Manager, Sam Pedroza provided a staff report regarding the San Gabriel Basin Water Quality Authority. He gave a brief overview on how the boards work. He stated that they have representation from each of the three Water Districts and a couple members from private water companies and one member from the cities with pumping rights and one member from the cities without pumping rights, and each one has an alternate. The alternate with the city with pumping rights has a vacancy. Mayor Pro Tem Marcucci would like to fill that seat. In order to do that, it has to be done by a resolution, which is before you today. He was available to answer any questions.

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 6.1.

---

CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 22, 2022  
PAGE 4

---

Mayor Moss thanked Mayor Pro Tem Marcucci for her willingness to serve as an alternate member on the board.

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 ADOPT RESOLUTION NO. CC 2022-40, NOMINATING CATHY MARCUCCI TO SERVE AS AN ALTERNATE MEMBER OF THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY 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**

Mayor Moss reported that she attended the 2022 League of California Cities Annual Conference at the Long Beach Convention Center for one and a half days. She was nominated as the voting member of this council; she was there to do her duty. It was a good conference yet not as informative as she would have liked.

#### **CITY COUNCIL COMMUNICATIONS**

There were none.

#### **CLOSED SESSION**

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Closed Session Items 10.1 and 10.2.

---

---

CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
SEPTEMBER 22, 2022  
PAGE 5

---

---

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.

10.1 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

10.2 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case: *Ruiz v. City of Industry*

Superior Court of California, County of Los Angeles

Case No. 20STCV29058

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 9:34 a.m.

Mayor Moss reconvened and recessed the meeting into the City Council Special Meeting at 10:15 a.m.

Mayor Moss reconvened the meeting at 12:10 p.m.

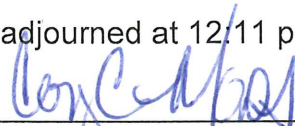
City Attorney Casso reported out of Closed Session. All members of the Council were present or online telephonically.

With regard to Closed Session Items No. 10.1 and 10.2, direction was given to the City Attorneys office, no final action taken.

**ADJOURNMENT**

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

  
\_\_\_\_\_  
JULIE GUTIERREZ-ROBLES  
CITY CLERK

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