
CITY COUNCIL SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
DECEMBER 21, 2021
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CALL TO ORDER

The Special Meeting of the City Council of the City of Industry, California, was called to order by Mayor Pro Tem Cathy Marcucci at 8:30 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: 950 297 907#.

FLAG SALUTE

The flag salute was led by Mayor Pro Tem Cathy Marcucci.

ROLL CALL

PRESENT: Cathy Marcucci, Mayor Pro Tem
Michael Greubel, Council Member
Mark Radecki, Council Member
Newell W. Ruggles, Council Member

ABSENT: Cory C. Moss, Mayor

STAFF PRESENT: Josh Nelson, City Manager; Bing Hyun, 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.

CONSENT CALENDAR

5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR NOVEMBER 25, 2021 AND DECEMBER 9, 2021

RECOMMENDED ACTION: *Ratify the Register of Demands.*

5.2 CONSIDERATION OF THE MINUTES OF THE NOVEMBER 18, 2021 SPECIAL MEETING

RECOMMENDED ACTION: *Approve as submitted.*

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5.3 CONSIDERATION OF AMENDMENT NO. 1 TO THE MAINTENANCE SERVICES AGREEMENT WITH WEST COAST ARBORISTS, INC., FOR ARBORISTS SERVICES, INCREASING COMPENSATION BY \$1,000,000.00 AND UPDATING THE ADDRESS FOR THE CITY

RECOMMENDED ACTION: *Approve Amendment No. 1 to the Maintenance Services Agreement with West Coast Arborists, Inc., for arborists services and increase compensation by \$1,000,000.00.*

5.4 CONSIDERATION OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC., FOR LANDFILL OPERATION, MONITORING AND MAINTENANCE CONSULTING SERVICES, EXTENDING THE TERM THROUGH DECEMBER 31, 2024, REVISING THE RATE SCHEDULE, REVISING INDEMNITY SPECIFIC TO INDEPENDENT CONSULTANTS, REVISING THE ADDRESS FOR THE CITY, AND INCREASING COMPENSATION BY \$700,000.00

RECOMMENDED ACTION: *Approve the Agreement.*

5.5 CONSIDERATION OF RESOLUTION NO. CC 2021-71 - RESCINDING RESOLUTION NO. CC 2016-48, CONCERNING WATER CONSERVATION MEASURES

RECOMMENDED ACTION: *Adopt Resolution No. CC 2021-71.*

Council Member Radecki recused himself from voting on check number 77221, 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 77107, 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 COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 77221 ON ITEM 1 (REGISTER OF

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DEMANDS) AND COUNCIL MEMBERS RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 77107 ON ITEM 1 (REGISTER OF DEMANDS). MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

ACTION ITEMS

6.1 CONSIDERATION OF MATTERS RELATED TO THE COVID-19 PANDEMIC:

- a. Consideration of an Amended and Restated Proclamation and Order of the City Council of the City of Industry, California, Proclaiming the Existence of a Local Emergency
- b. Consideration of Resolution No. CC 2021-69 - A Resolution of the City Council of the City of Industry, California Authorizing the Continuance of Remote Teleconferencing Meetings Pursuant to AB 361

RECOMMENDED ACTION: Adopt the Amended and Restated Proclamation proclaiming existence of a local emergency, and adopt Resolution No. CC 2021-69, authorizing the continuance of remote teleconferencing meetings pursuant to AB 361.

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

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT THE AMENDED AND RESTATED PROCLAMATION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY, AND ADOPT RESOLUTION NO. CC 2021-69, AUTHORIZING THE CONTINUANCE OF REMOTE TELECONFERENCING MEETINGS PURSUANT TO AB 361. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.2 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH IDS GROUP, INC. FOR ENGINEERING SERVICES FOR THE SOLAR PANEL PROJECT AT CITY HALL IN AN AMOUNT NOT-TO-EXCEED \$80,000.00

RECOMMENDED ACTION: Approve the Agreement.

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

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

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

6.3 CONSIDERATION OF TERMINATION OF CONTRACT NO. CIP-FAC-19-049-B, (CITY-1456), SITE PLAN FOR SHERIFF'S TRAILER, WITH MVC ENTERPRISES, INC., DUE TO DEFAULT BY CONTRACTOR

RECOMMENDED ACTION: Terminate the Contract and authorize staff to pursue all remedies available under the Contract for default by the Contractor.

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

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TERMINATE THE CONTRACT AND AUTHORIZE STAFF TO PURSUE ALL REMEDIES AVAILABLE UNDER THE CONTRACT FOR DEFAULT BY THE CONTRACTOR. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.4 CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA URBAN FORESTS COUNCIL AND WEST COAST ARBORISTS, INC., FOR THE UPPER SAN GABRIEL RIVER WATERSHED URBAN GREENING PROJECT

RECOMMENDED ACTION: 1.) Approve the Memorandum of Understanding; and 2.) Authorize the City Manager to execute the Memorandum of Understanding.

Development Services Manager, Kathy Tai provided a staff report and was available to answer any questions.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO 1.) APPROVE THE MEMORANDUM OF UNDERSTANDING; AND 2.) AUTHORIZE THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.5 CONSIDERATION OF APPOINTMENT FOR ONE (1) VACANT SEAT ON THE PLANNING COMMISSION

RECOMMENDED ACTION: Discuss and make appointment to the Planning Commission and / or provide additional direction to Staff.

City Manager Josh Nelson pulled this item from the agenda to come back at a later date.

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6.6 INTRODUCTION AND CONSIDERATION OF ORDINANCE NO. 818 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY DELETING IN ITS ENTIRETY CHAPTER 8.20 OF THE INDUSTRY MUNICIPAL CODE AND REPLACING IT WITH A NEW CHAPTER 8.20, “INTEGRATED WASTE MANAGEMENT”, AND IMPLEMENTING THE MANDATORY ORGANIC WASTE REDUCTION PROGRAMS IN COMPLIANCE WITH SENATE BILL 1383

RECOMMENDED ACTION: (1) waive reading of Ordinance No. 818 and read by title only; (2) introduce Ordinance No. 818.

Assistant City Manager, Bing Hyun provided a staff report and Contract Environmental Consultant Trieu Lee provided additional information. Both were available to answer any questions.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO (1) waive reading of Ordinance No. 818 and read by title only. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RADECKI TO INTRODUCE ORDINANCE NO. 818. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

CITY MANAGER REPORTS

City Manager thanked everyone for attending this special meeting and to have a Merry Christmas and Happy New Year.

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AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

There were none.

CLOSED SESSION

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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property:	220 N. Hacienda Boulevard, City of Industry, CA also known as Assessor's Parcel Number 8204-025-952
Agency Negotiators:	Josh Nelson, City Manager Bing Hyun, Assistant City Manager
Negotiating Parties:	One West Bank
Under Negotiation:	Price and terms of payment

Mayor Pro Tem, Cathy Marcucci, recessed the meeting into Closed Session at 10:09 a.m.

Mayor Pro Tem, Cathy Marcucci reconvened the meeting at 11:26 p.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present except for Mayor Moss.

With regard to Closed Session item 10.1, direction was given to City Attorney's office, no final action was taken.

With regard to Closed Session items 10.2, direction was given to Agency Negotiators, and no final action was taken.


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ADJOURNMENT

There being no further business, the City Council adjourned at 11:28 a.m.



JULIE ROBLES
CITY CLERK



CATHY MARCUCCI
MAYOR PRO TEM