
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
OCTOBER 13, 2022
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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: 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
Michael Greubel, Council Member
Mark Radecki, Council Member
Newell W. Ruggles, Council Member

STAFF PRESENT: Josh Nelson, City Manager; Bing Hyun, Assistant City Manager, telephonically; James M. Casso, City Attorney; and Julie Gutierrez-Robles, City Clerk.

PRESENTATION – Jim Kleinpell from Meals on Wheels provided a brief update on the services being made by Meals on Wheels and to say thank you from the Board of Directors and himself for the cities continued support.

City Manager Josh Nelson recognized six staff members at the City of Industry for five years and above of service. Pins were distributed, then a brief recess was taken to take pictures.

Mayor Moss pointed out that everyone wearing pink and purple today, did so in recognition to Breast Cancer awareness for the month of October and Thyroid Cancer for the month of September. She also wished Cathy Marcucci a Happy Birthday.

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.

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Mayor Moss asked if anyone else was on the line for public comments regarding items not listed on the agenda. There were none.

CONSENT CALENDAR

Council Member Ruggles asked for a staff report on Item Nos. 6.3, 6.4 and 6.7.

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR OCTOBER 13, 2022

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

6.2 CONSIDERATION OF AN AMENDED AND RESTATED PROCLAMATION AND ORDER OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY; AND

CONSIDERATION OF A RESOLUTION CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECOMMENDED ACTION: *Adopt the Amended and Rested Proclamation proclaiming existence of a local emergency, and the Resolution continuing the authorization of remote teleconferencing meeting pursuant to AB 361*

6.3 CONSIDERATION OF AN ACKNOWLEDGEMENT FORM FOR THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS MEASURE M MULTI-YEAR SUBREGIONAL PROGRAM

RECOMMENDED ACTION: *Approve the Acknowledgement Form.*

Director of Operations, Sean Calvilo, from CNC Engineering provided a staff report. Council Member Ruggles asked if there was a timeframe of which to start and/or finish this project and Sean Calvilo said it needed to be complete by 2028.

6.4 CONSIDERATION OF RESOLUTION NO. CC 2022-41, SUPPORTING THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY'S COMPLETE STREETS POLICY

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RECOMMENDED ACTION:
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Adopt Resolution No. CC 2022-

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

6.5 CONSIDERATION OF RESOLUTION NO. CC 2022-42, APPROVING A DONATION TO THE INDUSTRY SHERIFF'S YOUTH ATHLETIC LEAGUE, IN THE AMOUNT OF \$15,000.00 FOR ITS FALL FESTIVAL PROGRAM

RECOMMENDED ACTION:
42

Adopt Resolution No. CC 2022-

6.6 CONSIDERATION OF AMENDMENT NO. 1 TO THE MAINTENANCE SERVICES AGREEMENT WITH JANUS PEST MANAGEMENT, INC., FOR PEST CONTROL SERVICES, REVISING THE SCOPE OF SERVICES

RECOMMENDED ACTION:

Approve the agreement.

6.7 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH ELEVATE PUBLIC AFFAIRS, LLC, FOR PUBLIC RELATIONS CONSULTING SERVICES, FOR A NOT-TO-EXCEED AMOUNT OF \$1,000,000.00, THROUGH OCTOBER 31, 2027

RECOMMENDED ACTION:

Approve the agreement.

Sam Pedroza, Assistant City Manager provided a staff report. Council Member Ruggles asked if any services had changed and Sam Pedroza said no, they are providing the same work, this is just to include the terms of five years. Council Member Ruggles asked if they could support the YAL in updating their calendar on their website, which they could use some help on, and Mr. Pedroza said yes, that could be done.

6.8 CONSIDERATION OF AN EXCLUSIVE NEGOTIATING AGREEMENT WITH NEWAGE PHM, LLC FOR PROPERTIES GENERALLY KNOWN AS 1560-1630 S. AZUSA AVENUE, CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:

Approve the agreement.

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

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Mayor Moss asked if anyone else was on the line for public comments regarding the Consent Calendar, there was none.

With regards to the Consent Calendar, Council Member Radecki recused himself from voting on check number 79160 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.

With regards to the Consent Calendar, Council Member Ruggles recused himself from voting on check number 79120 for item 1 (Register of Demands) due to a potential or actual financial conflict of interest due to he is currently employed by Haddicks Auto Body.

MOTION BY MAYOR PRO TEM MARCUCCI, 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 79160 ON ITEM 1 (REGISTER OF DEMANDS) AND COUNCIL MEMBER RUGGLES RECUSING HIMSELF FROM CHECK NUMBER 79120 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

7.1 PRESENTATION AND DISCUSSION REGARDING THE WILDLIFE CONSERVATION BOARD FUNDING STRATEGY FOR FOLLOWS CAMP

RECOMMENDED ACTION: Discuss and provide direction to Staff.

Tracy Egoscue and Wendy Katagi from Stillwater Sciences provided a slide presentation to the Council by first sharing the project history of Follows Camp. Also, they described the Wildlife Conservation Board (WCB) grant application with the updated California

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Department of Fish and Wildlife applications, approach, and project refinements. After much discussion the Council asked Staff to start going down this patch, by starting a conversation with the resource agencies, then come back to the Council for review and consideration. No vote was taken, direction was given.

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 7.1.

Mayor Moss asked if anyone was on the line for public comments regarding Item No. 7.1, there were none.

7.2 PRESENTATION, DISCUSSION, AND DIRECTION REGARDING THE HOMESTEAD MUSEUM'S DRAFT MISSION STATEMENT

RECOMMENDED ACTION:
Staff.

Discuss and provide direction to

Development Services Manager, Kathy Tai presented the City Council with a status update on the creation of a Strategic Plan for the Homestead Museum and requested input regarding a draft mission statement which includes three elements: Why does the museum exist; for whom; and with what impact.

Assistant City Manager, Sam Pedroza then presented two draft options. Mayor Moss thanked everyone for their hard work on this, with a lot of information to convey, but preferred draft one for its stronger message but also liked the wording of "students of all ages" rather than "children", which was provided in draft two. Council Member Ruggles suggested blending the two into one mission statement. Conversation ensued and it was agreed to have this come back with a good blend of the two drafts. Direction was given, no vote was taken.

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 7.2.

Mayor Moss asked if anyone was on the line for public comments regarding Item No. 7.2, there were none.

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7.3 CONSIDERATION OF ORDINANCE NO. 819 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 3.04.040 (BIDDING PROCEDURES), 3.04.050 (PURCHASES ON THE OPEN MARKET), 3.04.055 (PROFESSIONAL SERVICES), AND 3.04 9 PURCHASING SYSTEM), OF TITLE 3 (REVENUE AND FINANCE) OF THE CITY OF INDUSTRY MUNICIPAL CODE, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME; AND CONSIDERATION OF AN AMENDED PROCUREMENT POLICY

RECOMMENDED ACTION: 1) Waive the reading of Ordinance No. 819, and read by title only; and 2) Introduce Ordinance No. 819 An Ordinance of the City of Council of the City of Industry, California, Amending Section 3.04.040 (Bidding procedures), 3.04.050 (Purchases on the open market), 3.04.055 (Professional services), and 3.04 9 Purchasing System), of Title 3 (Revenue and Finance) of the City of Industry Municipal Code, and Adopting a Notice of Exemption Regarding Same; and 3) Adopt the Amended Procurement Policy, which will become effective upon the effective date of Ordinance No. 819

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 7.3.

Mayor Moss asked if anyone was on the line for public comments regarding Item No. 7.3, there were none.

City Manager Josh Nelson provided a staff report and explained to the Council that the former Procurement Policy was dated June 27, 2013 and was due for a cleanup. The City wishes to amend the Code and Policy to update purchase level authorizations, bidding procedures and types, exemptions for municipal utilities and streetlights, etc. It is necessary to identify inconsistencies, changes or general updates to the way the City is conducting business. Several sections in the Code and Policy require updates and each were explained. Council Member Ruggles suggested increasing the City Manager's authority to enter into an agreement for professional services to \$50,000.00 rather than the suggested \$10,000.00 to \$25,000.00, of which the Council Members agreed. Josh Nelson said that adjustment could be made in the second reading for the Council to approval at the next meeting.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR PRO TEM MARCUCCI TO WAIVE THE READING OF ORDINANCE NO. 819 AND READ BY TITLE ONLY. MOTION CARRIED 5-0, BY THE FOLLOWING VOTE:

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

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RUGGLES TO INTRODUCE ORDINANCE NO. 819 AN ORDINANCE OF THE CITY OF COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTION 3.04.040 (BIDDING PROCEDURES), 3.04.050 (PURCHASES ON THE OPEN MARKET), 3.04.055 (PROFESSIONAL SERVICES), AND 3.04 9 PURCHASING SYSTEM), OF TITLE 3 (REVENUE AND FINANCE) OF THE CITY OF INDUSTRY MUNICIPAL CODE, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME; AND 3) ADOPT THE AMENDED PROCUREMENT POLICY, WHICH WILL BECOME EFFECTIVE UPON THE EFFECTIVE DATE OF ORDINANCE NO. 819. 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

7.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GAA ARCHITECTS, INC., FOR ARCHITECTURAL DESIGN SERVICES FOR THE PROPOSED RECREATION CENTER BUILDING, EXTENDING THE TERM THROUGH SEPTEMBER 30, 2023, AND INCREASING COMPENSATION BY \$15,500.00

RECOMMENDED ACTION:

Approve the Amendment.

Assistant City Manager, Bing Hyun provided a staff report and was available to answer any questions. Council Member Ruggles asked why the Civic Center Design Development Committee was interested in possibly changing the location and both Bing Hyun and City Manager Josh Nelson discussed the space and look of the tall wall in the downtown area that may not look inviting and thought this was the time to consider something different and change any ideas that were previously discussed.

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Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 7.4.

Mayor Moss asked if anyone was on the line for public comments regarding Item No. 7.4, there were none.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND COUNCIL MEMBER GREUBEL TO APPROVE THE AMENDMENT. 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

CLOSED SESSION

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

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Closed Session Items 8.1, 8.2, 8.3, 8.4, 8.5 and 8.6.

Mayor Moss asked if anyone was on the line for public comments regarding Closed Session, there was none.

8.1 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

8.2 Conference with real property negotiators pursuant to Government Code Section 54956.8:

Property: Portion of street right of way at Grand Avenue and Grand Crossing Parkway, north of SR-60 and south of Marcellin Drive

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Agency Negotiators: James M. Casso, City Attorney
Joshua Nelson, City Manager
Negotiating Parties: Grand Diamond Bar Properties, LLC
Under Negotiation: Price and terms of payment

8.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): one potential case

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

Property: 1560, 1576, 1580, 1590, 1600, 1620, and 1630 S. Azusa Ave., City of Industry, CA, 91744 also known as Assessor Parcel Numbers 8254-004-040, 8254-004-041, 8254-004-118, 8254-004-120, and 8254-004-121
Agency Negotiator: Joshua Nelson, City Manager
Negotiating Party: Newage PHM, LLC
Under Negotiation: Price and Terms of Payment

8.5 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Cisneros v. City of Industry, et al*
Superior Court of California, County of Los Angeles
Case No. 22STCV04118

8.6 PUBLIC EMPLOYMENT PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
TITLE: City Manager

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 12:21 p.m.

Mayor Moss reconvened the City Council Special Meeting at 12:41 p.m.

City Attorney Casso reported out of Closed Session and stated for the record, Council Member Greubel left the Chamber at 1:15 p.m. He did participate on all Closed Session items but was remote for Item 8.6. All members of the Council were present.

With regard to Closed Session Items No. 8.1, 8.2 and 8.3, there was no reportable action.

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With regard to Closed Session Items No. 8.4, this item was not discussed.

With regard to Closed Session Items No. 8.5, direction was given to the City Attorney's office, no final action taken.

With regard to Closed Session Items No. 8.6, direction was given to the City Attorney's Office, there was no reportable action.

CITY MANAGER REPORTS

City Manager Josh Nelson mentioned that the City/IUDA won an award for the Urban Land Development Project of the year (IBC 600 acres project) by the American Society of Civil Engineers, Los Angeles section.

AB 1234 REPORTS

There were none.


CITY COUNCIL COMMUNICATIONS

Mayor Moss again wished Mayor Pro Tem Cathy Marcucci a Happy Birthday.


Council Member Newell Ruggles reminded everyone of the Terror Trail event happening this next Friday and Saturday.

ADJOURNMENT

There being no further business, the City Council adjourned at 1:25 p.m.



CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK