
CITY COUNCIL SPECIAL MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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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 Cory C. Moss 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: 766 683 388#.

FLAG SALUTE

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

ROLL CALL

PRESENT: Cory C. Moss, Mayor
Michael Greubel, Council Member
Mark Radecki, Council Member
Newell W. Ruggles, Council Member

ABSENT: Cathy Marcucci, Mayor Pro Tem

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

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.

City Manager Josh Nelson 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.

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Council Member Ruggles asked for a staff report on Item Nos. 5.11, 5.12, 5.13, and 5.16.

City Manager Josh Nelson asked if anyone else was on the line for public comments regarding the Consent Calendar. If so, press *5 to raise your hand and the City Clerk can unmute you. There was none.

5.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR NOVEMBER 24, 2022

RECOMMENDED ACTION: *Ratify the Register of Demands*

5.2 CONSIDERATION OF THE REGISTER OF DEMANDS FOR DECEMBER 8, 2022

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

5.3 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 2022-56 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY CONTINUING THE AUTHORIZATION OF REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

RECOMMENDED ACTION: *Adopt the Amended and Restated Proclamation proclaiming existence of a local emergency, adopt the Resolution continuing the authorization of remote teleconference meetings pursuant to AB 361, and provide direction regarding the City's current COVID-19 relief programs.*

Assistant City Manager Bing Hyun provided a staff report and walked through each program stated in the Amended and Restated Proclamation and Order for the local emergency, pertaining to reimbursements to businesses and continuing the authorization of remote teleconference meetings. With Governor Gavin Newsom announcing the COVID-19, state of emergency ending on Feb 28, 2023, The City should begin discussion to either extend or phase out the relief programs. Conversation ensued

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amongst the Council Members, City Manager and suggestions were made as to how and when to phase out the COVID-19 assistance. It was suggested to bring this item back in 60 days with an update.

5.4 CONSIDERATION OF RESOLUTION NO. CC 2022-52 APPROVING THE DONATION OF ONE (1) 2008 FORD F-350 PASSENGER VAN TO THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT LANCASTER STATION FOR ITS DEPUTY EXPLORER PROGRAM

RECOMMENDED ACTION:

Adopt Resolution No.CC 2022-

52.

5.5 CONSIDERATION OF RESOLUTION NO. CC 2022-51 CASTING THE CITY COUNCIL'S VOTE FOR MAYOR PRO TEM CATHERINE MARCUCCI TO REPRESENT CITIES WITH PRESCRIPTIVE PUMPING RIGHTS AS AN ALTERNATE MEMBER ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

RECOMMENDED ACTION:

Adopt Resolution No.CC 2022-

51.

5.6 CONSIDERATION OF RESOLUTION NO. CC 2022-57 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ACCEPTING A DEDICATION OF STORM DRAIN EASEMENT AS SHOWN ON PARCEL MAP NO. 354, FOR PROPERTY LOCATED AT SOUTH SIDE OF CASTLETON STREET, EAST OF HANOVER ROAD AND WEST OF WALNUT HALL ROAD

RECOMMENDED ACTION:

Adopt Resolution No.CC 2022-

57.

5.7 CONSIDERATION OF RESOLUTION NO. CC 2022-50, RATIFYING A DONATION TO POLICE UNITY TOUR CHAPTER VII OF SOUTHERN CALIFORNIA, IN THE AMOUNT OF \$532.50, TO SUPPORT THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT'S PARTICIPATION IN THE POLICE UNITY TOUR

RECOMMENDED ACTION:

Adopt Resolution No.CC 2022-

50.

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5.8 CONSIDERATION OF A LICENSE AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-025-940, FOR TEMPORARY USE FOR THE COUNTY'S MENTAL EVALUATION TEAM PROGRAM

RECOMMENDED ACTION: *Approve the Agreement.*

5.9 CONSIDERATION OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GEO-ADVANTEC INC., FOR ON-CALL GEOTECHNICAL ENGINEERING SERVICES, EXTENDING THE TERM THROUGH DECEMBER 30, 2024, REVISING THE RATE SCHEDULE, INCREASING COMPENSATION BY \$300,000.00, AND UPDATING THE ADDRESS FOR THE CITY
RECOMMENDED ACTION: *Approve the Agreement.*

5.10 CONSIDERATION OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH NINYO & MOORE GEOTECHNICAL AND ENVIRONMENTAL SERVICES CONSULTANTS, FOR ON-CALL GEOTECHNICAL ENGINEERING SERVICES, EXTENDING THE TERM THROUGH DECEMBER 30, 2024, REVISING THE RATE SCHEDULE, REVISING THE ADDRESSES FOR THE CITY AND CITY ATTORNEY'S OFFICE, AND INCREASING COMPENSATION BY \$200,000.00

RECOMMENDED ACTION: *Approve Amendment No. 3.*

5.11 CONSIDERATION OF CHANGE ORDER NO. 3, IN THE AMOUNT OF \$154,227.03 TO THE CONTRACT WITH BLD BUILDERS, INC. (CIP-FAC-19-064-B), FOR EL ENCANTO HEALTHCARE FACILITY INTERIOR IMPROVEMENTS

RECOMMENDED ACTION: *Approve Change Order No.3.*

Gerardo Perez, Senior Construction Manager, with CNC Engineering provided a staff report and was available for any questions.

5.12 CONSIDERATION OF CHANGE ORDER NOS. 5, 6, AND 7 IN THE AMOUNT OF \$245,404.60, FOR CONTRACT NO. CITY-1456, SITE PLAN FOR SHERIFF'S TRAILER

RECOMMENDED ACTION: *Approve Change Order No.5,6, and 7.*

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Gerardo Perez, Senior Construction Manager, with CNC Engineering provided a staff report explaining each change order. He was available for any questions.

5.13 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1497, INDUSTRY BUSINESS COUNCIL INTERIOR IMPROVEMENTS, PHASE I, TO M. BREY ELECTRIC, INC., IN AN AMOUNT NOT-TO-EXCEED \$532,370.00, AND ADOPT A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION: *Award the Contract to M. Brey Electric, Inc. in the amount of \$532,370.00, and adopt a Notice of Exemption for the project.*

Director of Engineering James Cramsie, from CNC Engineering provided a staff report and said this project had gone out to bid in August of 2022. This project requires the contractor perform 50% of the labor themselves and not by using a third-party contractor. Council Member Ruggles asked what was the majority of work being done on this project, of which James Cramsie said carpet and electrical. It boiled down to M. Brey Electric, Inc. in that they had a Class B License, would perform 50% or the labor and was the lowest bidder.

5.14 CONSIDERATION OF MATTERS RELATED TO PROPOSITION A AND C FUNDING:

- a. **CONSIDERATION OF A CAPITAL RESERVE AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE FAIRWAY DRIVE GRADE SEPARATION PROJECT**
- b. **CONSIDERATION OF A CAPITAL RESERVE AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR THE PARK AND RIDE LOT**

RECOMMENDED ACTION: *Ratify the Agreements.*

5.15 CONSIDERATION OF AMENDMENT NO. 2 TO THE LICENSE AGREEMENT WITH R C FOSTER CORPORATION, FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-024-906 AND 8208-024-907, FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS FOR THE PUENTE VALLEY WATER OPERABLE UNIT TREATMENT PLANT PROJECT

RECOMMENDED ACTION: *Approve Amendment No. 2.*

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5.16 CONSIDERATION OF RESOLUTION NO. CC 2022-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, DECLARING CERTAIN CITY-OWNED REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF AZUSA AVENUE AND INDUSTRY HILL PARKWAY, CITY OF INDUSTRY, CALIFORNIA (APNS: A PORTION OF PARCELS 8262-015-900 AND 8262-015-901), AS SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE SECTIONS 54220 ET SEQ., AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION:
58.

Adopt Resolution No. CC 2022-

City Manager Josh Nelson provided a staff report. Resolution No. CC 2022-58 establishes the process for this surplus land owned by the City of Industry. Some discussion and changes need to be made; therefore Item No. 5.16, will be voted on after Closed Session, due to changes necessary to the Resolution and Legal Description.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RADECKI TO APPROVE THE CONSENT CALENDAR ITEMS 5.1 THROUGH 5.15. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

ACTION ITEMS

6.1 CONSIDERATION OF A RESOLUTION APPROVING DEVELOPMENT PLAN APPLICATION NO. 22-02, FOR THE DEMOLITION OF AN EXISTING 32,500 SQUARE FOOT INDUSTRIAL BUILDING, AND CONSTRUCTION OF A NEW 58,500 SQUARE FOOT INDUSTRIAL BUILDING, AT THE PROPERTY LOCATED AT 530 NORTH BALDWIN PARK BOULEVARD, ASSESSOR'S PARCEL NUMBER 8563-003-01, CITY OF INDUSTRY, CALIFORNIA, ADOPTING A NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS THEREOF.

CONSIDERATION OF RESOLUTION NO. CC 2022-55 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN APPLICATION NO. 22-02 FOR THE DEMOLITION OF AN

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EXISTING 32,500 SQUARE FOOT INDUSTRIAL BUILDING AND PROPOSING TO CONSTRUCT A NEW 58,500 SQUARE FOOT INDUSTRIAL BUILDING, AT THE PROPERTY LOCATED AT 530 NORTH BALDWIN PARK BOULEVARD, CITY OF INDUSTRY, CALIFORNIA, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION:
55.

Adopt Resolution No. CC 2022-

Contract Associate Planner, Dina Lomeli provided a staff report and was available to answer any questions. Council Member Ruggles asked to go over the footprint of this property in that it appears to be going over a railroad easement and asked how much space is this over? Dina said, yes it will be abandoned officially before they can build up and City Manager Josh Nelson said it is approximately 50 feet. Council Member Ruggles thanked the applicant for taking on this demolition and re-build. The current building is very old and having a brand-new building will make our City look better and will bring new jobs to our City.

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

Mayor Moss asked if anyone was on the line for public comments regarding Item No. 6.1, there were none.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2022-55. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.2 CONSIDERATION OF A RESOLUTION APPROVING DEVELOPMENT PLAN APPLICATION NO. 21-03, FOR THE CONSTRUCTION OF A NEW 219,242 SQUARE-FOOT INDUSTRIAL BUILDING, FOR THE PROPERTY LOCATED AT 15010 DON JULIAN ROAD CITY OF INDUSTRY, CALIFORNIA, AND CONSIDERATION OF A MITIGATED NEGATIVE DECLARATION REGARDING SAME

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Contract Assistant Planner II, Nathalie Vasquez provided a staff report for Item Nos. 6.2a and 6.2b and was available to answer any questions. Council Member Ruggles asked about the northwest corner on the site map, if it was part of this property? Natalie Vasquez said it was not part of the project, but it is part of the parcel. Contract Associate Planner, Dina Lomeli, said yes the property to the west currently leases that area as parking per a previous entitlement approved by the City Council.

Mayor Moss then introduced Steve Masura, the Developer from Rexford Industrial, who provided a short presentation.

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 6.2.

City Manager Josh Nelson asked if anyone was on the line for public comments regarding Item No. 6.2. If so, press *5 to raise your hand and the City Clerk can unmute you. There were none.

a. CONSIDERATION OF RESOLUTION NO.CC 2022-53 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR DEVELOPMENT PLAN APPLICATION NO. 21-03, FOR THE DEMOLITION OF AN EXISTING 103,500 SQUARE FOOT INDUSTRIAL BUILDING, AND THE PROPOSED CONSTRUCTION OF A NEW 219,242 SQUARE-FOOT INDUSTRIAL BUILDING ON A 9.75-ACRE SITE, LOCATED AT 15010 DON JULIAN ROAD, CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION:
53.

Adopt Resolution No. CC 2022-

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2022-53. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

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b. CONSIDERATION OF RESOLUTION NO.CC 2022-54 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING DEVELOPMENT PLAN APPLICATION NO. 21-03, FOR THE DEMOLITION OF AN EXISTING 103,500 SQUARE FOOT INDUSTRIAL BUILDING AND THE CONSTRUCTION OF A NEW 219,242 SQUARE-FOOT INDUSTRIAL BUILDING ON A 9.75-ACRE SITE, LOCATED AT 15010 DON JULIAN ROAD, CITY OF INDUSTRY, CALIFORNIA, AND MAKE FINDINGS IN SUPPORT THEREOF

RECOMMENDED ACTION:
54.

Adopt Resolution No. CC 2022-

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER RADECKI TO ADOPT RESOLUTION NO. CC 2022-54. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.3 INTRODUCTION AND CONSIDERATION OF AN ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING CODE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, TITLE 26 OF THE LOS ANGELES COUNTY BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA BUILDING CODE 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY PLUMBING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA PLUMBING CODE 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY ELECTRICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA ELECTRICAL CODE 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY MECHANICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA MECHANICAL CODE 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY RESIDENTIAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA RESIDENTIAL CODE 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY EXISTING BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA EXISTING BUILDING CODE 2022 EDITION; AND ADOPTING LOCAL AMENDMENTS THERETO, AND MAKING FINDING FOR SAME

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RECOMMENDED ACTION: 1) Waive the reading of Ordinance No. 820 and read by title only; and 2) Set the public hearing on Ordinance No. 820 for January 12, 2023.

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

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 6.3.

City Manager Josh Nelson asked if anyone was on the line for public comments regarding Item No. 6.3. If so, press *5 to raise your hand and the City Clerk can unmute you. There were none.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO 1) WAIVE THE READING OF ORDINANCE NO. 820 AND READ BY TITLE ONLY; AND 2) SET THE PUBLIC HEARING ON ORDINANCE NO. 820 FOR JANUARY 12, 2023. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

6.4 CONSIDERATION OF THE APPOINTMENT OF TWO (2) SEATS ON THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY

RECOMMENDED ACTION: Discuss and make appointments to the Industry Property and Housing Management Authority and/or provide additional direction to Staff.

Mike Greenspan and Armando Herman each spoke for three minutes in opposition of Item No. 6.4.

City Manager Josh Nelson asked if anyone was on the line for public comments regarding Item No. 6.4. If so, press *5 to raise your hand and the City Clerk can unmute you. There were none.

Mayor Moss appointed Ken Calvo as Chair and Phil Cook as Vice Chair to the Industry Property and Housing Management Authority.

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MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER RADECKI TO APPOINT KEN CALVO AS CHAIR AND PHIL COOK AS VICE CHAIR TO THE INDUSTRY PROPERTY AND HOUSING MANAGEMENT AUTHORITY. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

PUBLIC HEARING

7.1 CONSIDERATION OF AN URGENCY ORDINANCE, ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING CODES

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, TITLE 26 OF THE LOS ANGELES COUNTY BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA BUILDING CODE 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY PLUMBING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA PLUMBING CODE 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY ELECTRICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA ELECTRICAL CODE 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY MECHANICAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA MECHANICAL CODE 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY RESIDENTIAL CODE, INCORPORATING BY REFERENCE THE CALIFORNIA RESIDENTIAL CODE 2022 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY EXISTING BUILDING CODE, INCORPORATING BY REFERENCE THE CALIFORNIA EXISTING BUILDING CODE 2022 EDITION; ADOPTING LOCAL AMENDMENTS THERETO, AND MAKING FINDINGS FOR SAME, AND DECLARING THE URGENCY THEREOF

RECOMMENDED ACTION: 1) Open the public hearing; 2) Take public testimony; 3) Close the public hearing; 4) Waive the reading and read Ordinance No. 821 U by title only; and (5) adopt Ordinance No. 821 U.

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

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

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Mayor Moss opened the public hearing at 10:27 a.m.

Mayor Moss inquired if anyone wanted to be heard on the matter. There was none.

City Manager Josh Nelson asked if anyone was on the line for public comments regarding Item No. 7.1. If so, press *5 to raise your hand and the City Clerk can unmute you. There were none.

Mayor Moss closed the public hearing at 10:34 a.m.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO 1) OPEN THE PUBLIC HEARING; 2) TAKE PUBLIC TESTIMONY; 3) CLOSE THE PUBLIC HEARING; 4) WAIVE THE READING AND READ ORDINANCE NO. 821 U BY TITLE ONLY; AND 5) ADOPT ORDINANCE NO. 821U. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

CLOSED SESSION

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

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

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

8.1 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-

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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

- 8.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Four potential case
- 8.3 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
One potential case
- 8.4 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Mai v. County of Los Angeles, et al.*
Superior Court of California, County of Los Angeles
Case No. 20STCV14705
- 8.5 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Rivera Martino, et al v. City of Industry, et al.*
Superior Court of California, County of Los Angeles
Case No. 22STCV30742
- 8.6 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Rosa Olivares v. Industry Hills Expo Center, et al.*
Los Angeles Superior Court Case No. 19STCV01071

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 10:42 a.m.

Mayor Moss reconvened the meeting at 1:27 p.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present except MPT/Marcucci. Council Member Greubel left the Chamber at 12:18 p.m. but joined by phone and did participate in every matter that was discussed.

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With regard to Closed Session Item No. 8.1, direction was given to the Agency Negotiators, no final action taken.

With regard to Closed Session Item No. 8.2, 8.3, 8.4, 8.5 and 8.6, direction was given to the City Attorney's office, no final action taken. Nothing further to report as this time.

CONSENT CALENDAR

5.16 CONSIDERATION OF RESOLUTION NO. CC 2022-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, DECLARING CERTAIN CITY-OWNED REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF AZUSA AVENUE AND INDUSTRY HILL PARKWAY, CITY OF INDUSTRY, CALIFORNIA (APNS: A PORTION OF PARCELS 8262-015-900 AND 8262-015-901), AS SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE SECTIONS 54220 ET SEQ., AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION:
58.

Adopt Resolution No.CC 2022-

Assistant City Attorney, Bianca Sparks said that Staff has made a few revisions and need to read into the record, the following:

Under the 2nd Recital, it should read: WHEREAS, prior to selling or leasing the Property, under the provisions of the Surplus Land Act., and the Guidelines, the City is required to take formal action declaring the Property as "surplus", and then comply with the process set forth in the Act; and

Under Section 3, it should read: The City Council hereby declares the Property as surplus, and not necessary for the City's use at this time. Notwithstanding the foregoing, the Property shall be made available for lease only, and is not for sale.

Under Section 4, 3rd Sentence, it should read: If and when the property is sold or leased to a purchaser/lessee and that purchaser/lessee proposes a use for the Property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

City Manager Josh Nelson said he had a few changes to the Legal Description as follows: The acres were incorrect at 12.3090, because it included the Indian Hills Parkway. The

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total acres should be 11.5208 Acres (501,846 Square Feet) on page 2 of 3 and on page 3 of 3.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2022-58, WITH THE RESOLUTION CHANGES AND THE LEGAL DESCRIPTION CHANGES MADE. MOTION CARRIED 3-0, BY THE FOLLOWING VOTE:

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

CITY MANAGER REPORTS

City Manager Josh Nelson wished everyone a Merry Christmas and Happy New Year. He thanked everyone for their help this year and looking forward to next year.

AB 1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

Mayor Moss thanked everyone for their patience today. We powered down on so many items that we needed to finalize prior to the end of the year. She wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT

There being no further business, the City Council adjourned at 1:33 p.m.



JULIE GUTIERREZ-ROBLES
CITY CLERK



CORY C. MOSS
MAYOR