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CITY COUNCIL REGULAR MEETING MINUTES  
CITY OF INDUSTRY, CALIFORNIA  
JANUARY 12, 2023  
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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 9:09 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: 192 360 670#.

**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 - Telephonically  
Mark Radecki, Council Member  
Newell W. Ruggles, Council Member

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**

Kyle Miller, representing State Senator Bob Archueta, came to introduce himself and say how excited he and Senator Archueta are, through re-districting, to represent The City of Industry. We would like to come by in the next couple of weeks and hopefully tour the city and we are here to provide any help you may have with state issues.

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.

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**CONSENT CALENDAR**

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

Mayor Moss 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 DECEMBER 22, 2022**

*RECOMMENDED ACTION: Ratify the Register of Demands*

**5.2 CONSIDERATION OF THE REGISTER OF DEMANDS FOR JANUARY 12, 2023**

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

**5.3 CONSIDERATION OF RESOLUTION CC 2023-01 – 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 Resolution No. CC 2023-01.*

**5.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE LICENSE AGREEMENT WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS FOR ACCESS TO ASSESSOR'S PARCEL NO. 8264-004-908, LOCATED AT 1123 SOUTH HATCHER AVENUE, FOR TEMPORARY STORAGE FOR E-BIKES AND RELATED EQUIPMENT**

*RECOMMENDED ACTION: Approve Amendment No. 1.*

**5.5 CONSIDERATION OF THE RATIFICATION OF A LICENSE AGREEMENT WITH HB COLLECTIVE, LLC, FOR ACCESS TO 1 INDUSTRY HILLS PARKWAY PARKING LOT LOCATED AT PACIFIC PALMS RESORT, FOR TEMPORARY USE FOR THE FILMING OF A COMMERCIAL**

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*RECOMMENDED ACTION:* *Ratify the License Agreement.*

**5.6 CONSIDERATION OF THE RATIFICATION OF A LICENSE AGREEMENT WITH EVANS FOOD GROUP LTD., FOR ACCESS TO THE PARKING LOT LOCATED AT WORKMAN AND TEMPLE FAMILY HOMESTEAD MUSEUM, TO UTILIZE AS A TEMPORARY OVERFLOW PARKING AREA**

*RECOMMENDED ACTION:* *Ratify the License Agreement.*

With regards to the Consent Calendar, Council Member Radecki recused himself from voting on check number 79165 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 RUGGLES THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 79165 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

**PUBLIC HEARING**

**6.1 SECOND READING AND ADOPTION OF AN ORDINANCE ADOPTING BY REFERENCE THE LOS ANGELES COUNTY BUILDING CODE**

**AN ORDINANCE 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**

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**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 ADOPTING A NOTICE OF EXEMPTION REGARDING SAME**

*RECOMMENDED ACTION:* Open Public Hearing, take testimony, and adopt Ordinance No. 820, and Notice of Exemption regarding same.

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

Mayor Moss opened the public hearing at 9:30 a.m.

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.

Mayor Moss closed the public hearing at 9:37 a.m.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER RADECKI TO OPEN PUBLIC HEARING, TAKE TESTIMONY, AND ADOPT ORDINANCE NO. 820, AND NOTICE OF EXEMPTION REGARDING SAME. 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**

Mike Greenspan and Armando Herman each spoke for three minutes in opposition to Item Nos. 7.1, 7.2, 7.3, 7.4, 7.5, and 7.6.

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

7.1 PUBLIC EMPLOYMENT PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957(b)(1)  
TITLE: CITY CLERK

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

Property: 18071 Arenth Avenue; 8264-028-001  
Agency Negotiators: Joshua Nelson, City Manager  
James M. Casso, City Attorney  
Negotiating Parties: Blue Giant Investment, LLC  
Under Negotiation: Price and terms of payment

7.3 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

7.4 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(d)(1)

Case: *City of Industry v. Superior Court of the State of California for the County of Los Angeles*  
Case No: State of California, Second Appellate District, Division Eight B325163

7.5 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

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7.6 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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

Case: *Cordoba Corporation v. City of Industry*

Case No: State of California, Second Appellate District, Division Eight B316304

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 9:45 a.m.

Mayor Moss reconvened the meeting at 12:37 p.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present except Council Member Greubel who participated remotely.

With regard to Closed Session Item No. 7.1, direction was given to the City Manager, no final action taken.

With regard to Closed Session Item Nos. 7.2 and 7.3, direction was given to the Agency Negotiators, no final action taken.

With regard to Closed Session Item Nos. 7.4, 7.5 and 7.6, direction was given to the City Attorney's office, no final action taken.

### **CITY MANAGER REPORTS**

There were none.

### **AB 1234 REPORTS**

Council Member Greubel said he and Assistant City Manager Sam Pedroza, attended the 2023 Sacramento Legislative Tour hosted by California Contract Cities Association last week, January 9<sup>th</sup> through 11<sup>th</sup>, which provided many very good sessions and gave us the opportunity to network.

Council Member Greubel especially wanted to thank Senator Bob Archuleta and Assemblymember Lisa Calderon for their time and for reaching out to us to discuss the priorities for the City of Industry. It was a great trip, and he is looking forward to going again next year, which will be in Florida.

### **CITY COUNCIL COMMUNICATIONS**

There were none.


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**ADJOURNMENT**

There being no further business, the City Council adjourned at 12:41 p.m.

  
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CORY C. MOSS  
MAYOR

  
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JULIE GUTIERREZ-ROBLES  
CITY CLERK