
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
APRIL 27, 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 9:01 a.m., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California.

FLAG SALUTE

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

AB 2449 VOTE ON EMERGENCY CIRCUMSTANCES (IF NECESSARY)

There was no need for AB 2449 vote, due to having a quorum. The webcast was then terminated.

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, Bianca Sparks, Assistant City Attorney; and Julie Gutierrez-Robles, City Clerk.

PRESENTATIONS

GIL VALENZUELA, OWNER OF GIL'S SWEET ABILITIES IN OBSERVATION OF AUTISM AWARENESS AND ACCEPTANCE MONTH.

Mayor Moss shared a news clip that was on local television regarding a well-attended training workshop on April 12th regarding the deputy autism training where forty deputies and officers from local police departments attended. Congresswoman Grace Napolitano spent a significant amount of time observing the training, and this workshop was reported by Spanish and local newspapers, as well as all our social media platforms.

She then introduced her good friend Gilbert Valenzuela to speak about his experience with the program and his baking business ventures.

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Mayor Moss provided a certificate to Gil Valenzuela.

Kate Movius was introduced and came up to provide more information on the Autism Communication and De-escalation Tactics course services. She spoke about the success of the program and talked very highly about Mayor Moss and the Council for their continued support.

Mayor Moss provided a certificate to Kate Movius.

PRESENTATION TO COMMANDER RECTOR IN RECOGNITION FOR HIS SERVICE AS INDUSTRY SHERIFF'S STATION CAPTAIN

Mayor Moss introduced her friend and supporter for the last four years, former Caption and now promoted Commander Recker. We will miss him and wish him continued success.

Commander Recker said he was very proud of the accomplishments at the City of Industry and introduced Acting Caption, Julie Geary. I will see you at Contract Cities and Mayor Moss provided a certificate to Commander Recker.

Mayor Moss recessed the meeting into a short break to take picture at 9:19 a.m.

Mayor Moss reconvened the meeting at 9:39 a.m.

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.

CONSENT CALENDAR

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

Council Member Ruggles asked for a staff report on Item Nos. 7.3 and 7.4.

City Manager Josh Nelson asked to pull Item No. 7.7 from today's agenda.

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7.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR APRIL 27, 2023

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

7.2 SECOND READING AND CONSIDERATION OF ORDINANCE NO. 824, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING SECTIONS 17.64.020 (COMPOSITION) AND 17.64.030 (TERMS) OF CHAPTER 17.64 (PLANNING COMMISSION) OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, AND ADOPTING A NOTICE OF EXEMPTION REGARDING SAME

RECOMMENDED ACTION: *Adopt Ordinance No. 824.*

7.3 CONSIDERATION OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH INTERIOR IMAGES, INC., FOR INTERIOR DESIGN SERVICES FOR THE IMPROVEMENT AND RENOVATION OF VARIOUS AREAS AT EL ENCANTO HEALTHCARE FACILITY, EXTENDING THE TERM THROUGH FEBRUARY 28, 2026, REVISING THE SCOPE OF SERVICES, REVISING THE RATE SCHEDULE, AND INCREASING TOTAL COMPENSATION BY \$60,000.00

RECOMMENDED ACTION: *Approve the Amendment.*

Director of Engineering James Cramsie, from CNC Engineering, provided a staff report and was available to answer any questions.

7.4 CONSIDERATION OF AMENDMENT NO. 1 TO THE MAINTENANCE SERVICES AGREEMENT WITH ELECTRA-MEDIA, INC., FOR MAINTENANCE SERVICES FOR THE ELECTRONIC BILLBOARD DISPLAY SYSTEM LOCATED AT THE 17673 GALE AVENUE, EXTENDING THE TERM THROUGH APRIL 1, 2028, INCREASING COMPENSATION BY \$90,000.00, UPDATING THE RATE SCHEDULE, UPDATING THE ADDRESS OF THE CITY AND CITY ATTORNEY, AND UPDATING THE INDEMNITY PROVISIONS CONSISTENT WITH BEST PRACTICES

RECOMMENDED ACTION: *Approve Amendment No. 1.*

Assistant City Manager, Bing Hyun provided a staff report and was available to answer any questions.

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7.5 CONSIDERATION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ELECTRA-MEDIA, INC., FOR ELECTRONIC BILLBOARD PROGRAMMING SERVICES FOR THE DISPLAY SYSTEM LOCATED AT 17673 GALE AVENUE, EXTENDING THE TERM THROUGH APRIL 1, 2028, INCREASING COMPENSATION BY \$28,500.00, UPDATING THE RATE SCHEDULE, UPDATING THE ADDRESS OF THE CITY AND CITY ATTORNEY, AND UPDATING THE INDEMNITY PROVISIONS CONSISTENT WITH BEST PRACTICES

RECOMMENDED ACTION:

Approve Amendment No. 1.

7.6 CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH ROGERS, ANDERSON, MALODY & SCOTT, LLP, FOR AUDITING SERVICES, IN AN AMOUNT NOT TO EXCEED \$82,995.00, THROUGH JUNE 20, 2024

RECOMMENDED ACTION:

Approve the Agreement.

Josh Nelson asked Assistant City Attorney Bianca Sparks to speak on this item about a minor amendment to this agreement with Rogers, Anderson, Malody & Scott, LLP. Assistant Attorney Sparks asked The City to allow the auditing firm the ability to maintain their auditing documents, so they keep their formulas and methods should there be a termination of the agreement. It is not necessary for us to retain those documents.

7.7 CONSIDERATION OF A PROFESSIONAL SERVICES AND SOFTWARE SERVICES AGREEMENT WITH OPENGOV, INC., FOR ONLINE PERMITTING AND LICENSING SERVICES, IN AN AMOUNT NOT TO EXCEED OF \$295,645.00 THROUGH MAY 1, 2028

RECOMMENDED ACTION:

Approve the Agreement.

THIS ITEM WAS PULLED FROM THE AGENDA.

7.8 CONSIDERATION OF RESOLUTION NO. CC 2023-18 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, NAMING THE GALE AVENUE RESURFACING, FIELDGATE AVENUE TO AZUSA AVENUE PROJECT AS AN SB 1 PROJECT FOR FISCAL YEAR 2023-2024

RECOMMENDED ACTION:
18.

Adopt Resolution No. CC 2023-

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7.9 CONSIDERATION OF RESOLUTION NO. CC 2023-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE CONFERENCE OF MINORITY TRANSPORTATION OFFICIALS, IN THE AMOUNT OF FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$5,250.00), FOR ITS 2023 SCHOLARSHIP GOLF TOURNAMENT.

RECOMMENDED ACTION:
21.

Adopt Resolution No. CC 2023-

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO APPROVE THE CONSENT CALENDAR ITEMS WITH ITEM NO. 7.6 AS AMENDED AND ITEM NO. 7.7 PULLED. 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

8.1 CONSIDERATION OF RESOLUTION NO. CC 2023-14, APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, AND RESOLUTION NO. CC 2023-15, APPROVING DEVELOPMENT PLAN APPLICATION NO. 22-01 WITH CONDITIONS OF APPROVAL, FOR THE DEMOLITION OF AN EXISTING 92,532 SQUARE FOOT INDUSTRIAL BUILDING, AND THE CONSTRUCTION OF A NEW 49,637 SQUARE-FOOT INDUSTRIAL BUILDING, FOR THE PROPERTY LOCATED AT 3951 CAPITOL AVE, CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION: 1) Adopt Resolution No. CC 2023-14 approving the IS/MND and notice of determination regarding same. 2) Adopt Resolution No. CC 2023-15 approving Development Plan No. 22-01 with the Standard Requirements and Conditions of Approval.

Contract Associate Planner, Dina Lomeli provided a staff report and was available to answer any questions.

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Mike Greenspan and Armando Herman each spoke for three minutes in opposition to Item No. 8.1.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER RUGGLES 1) ADOPT RESOLUTION NO. CC 2023-14 APPROVING THE IS/MND AND NOTICE OF DETERMINATION REGARDING SAME. 2) ADOPT RESOLUTION NO. CC 2023-15 APPROVING DEVELOPMENT PLAN NO. 22-01 WITH THE STANDARD REQUIREMENTS AND CONDITIONS OF APPROVAL. 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

8.2 CONSIDERATION OF A RESOLUTION NO. CC 2023-16, APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM, AND RESOLUTION NO. CC 2023-17, APPROVING DEVELOPMENT PLAN APPLICATION NO. 22-06 WITH CONDITIONS OF APPROVAL, FOR THE DEMOLITION OF AN EXISTING 92,532 SQUARE FOOT INDUSTRIAL BUILDING AND THE CONSTRUCTION OF A NEW 70,695 SQUARE-FOOT INDUSTRIAL BUILDING, FOR THE PROPERTY LOCATED AT 3951 CAPITOL AVE, CITY OF INDUSTRY, CALIFORNIA

RECOMMENDED ACTION: 1) Adopt Resolution No. CC 2023-16 approving the IS/MND and notice of determination regarding same. 2) Adopt Resolution No. CC 2023-17 approving Development Plan No. 22-06 with the Standard Requirements and Conditions of Approval.

Contract Associate Planner, Dina Lomeli provided a staff report and was available to answer any questions.

Mike Greenspan spoke for three minutes in opposition to Item No. 8.2.

MOTION BY MAYOR PRO TEM MARCUCCI, AND SECOND BY COUNCIL MEMBER GREUBEL TO 1) ADOPT RESOLUTION NO. CC 2023-16 APPROVING THE IS/MND AND NOTICE OF DETERMINATION REGARDING SAME. 2) ADOPT RESOLUTION NO. CC 2023-17 APPROVING DEVELOPMENT PLAN NO. 22-06 WITH THE

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STANDARD REQUIREMENTS AND CONDITIONS OF APPROVAL. 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

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

RECOMMENDED ACTION: *Discuss and provide direction to Staff.*

Mike Greenspan spoke for three minutes in opposition to Item No. 8.3.

City Manager Nelson said the Council had received two applications for the vacant seat on the Planning Commission. One from the current Commissioner Sandra Divers and one from a new City resident, Michael Rubalcava. With Sandra Divers in the audience, Mayor Moss asked for her to come up and speak if she wished. Sandra Divers thanked the City for the past four years and was glad to be part of the growth of the City and has enjoyed her term. Mayor Moss asked if Mr. Rubalcava was available to speak since they had never met. He was not available. She welcomed the enthusiasm of a newcomer to the City with a willingness to serve. With the Planning Commission working smoothly, Mayor Moss suggested renewing Sandra Divers to the position.

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO APPOINT SANDRA DIVERS AS COMMISSIONER ON THE PLANNING COMMISSION. 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

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CITY MANAGER REPORTS

City Manager Josh Nelson announced that April 30th through May 6th of this month is Municipal Clerks Week and gave a certificate to Julie Robles and Lynn Thompson.

CLOSED SESSION

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

Mike Greenspan spoke for three minutes in opposition to Closed Session.

9.1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *Xiaoling Mai v. County of Los Angeles, et al.*
Los Angeles County Superior Court Case No. 20STCV14705

9.2 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Case: *City of Industry v. Cruz*
Los Angeles County Superior Court Case No. Case No. 20STCV25407

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 10:32 a.m.

Mayor Moss reconvened the meeting at 11:22 p.m.

Assistant City Attorney Sparks reported out of Closed Session. All members of the Council were present except for Mayor Pro Tem Marcucci who, for the record, left at 10:56 a.m.

With regard to Closed Session Item No. 9.1 and 9.2, direction was given to the City Attorney's office, no final action taken. Nothing further to report as this time.

AB 1234 REPORTS

There were none.

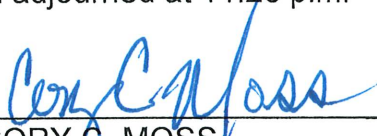
CITY COUNCIL COMMUNICATIONS

Mayor Moss read a letter received from Steve Torres regarding the West Covina Post Office recently being named after his grandfather Esteban E. Torres.

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ADJOURNMENT

There being no further business, the City Council adjourned at 11:26 p.m.



CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK