
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
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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 9:02 a.m., in the City of Industry Council Chamber, 15651 Mayor Dave Way, California.

As I do so, I would like to remind everyone to be respectful. Please silence your phones and do not interrupt anyone while they are speaking and any outbursts or any disruptions at all, during the meeting, will result in being removed from the Council Chambers. There will be no warning.

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
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; and Julie Gutierrez-Robles, City Clerk.

City Attorney Casso asked the Council if they would consider a motion to add an item, Conference with Legal Counsel – Initiation of litigation, pursuant to Government Code Section 54956.9(d)(4), one potential case, to Closed Session (Item 7.2) on today's agenda. This will require at least two thirds vote. This was brought to the attention of the Attorney's office following the posting of the agenda.

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MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO ADD ONE CLOSED SESSION ITEM TO THE AGENDA. 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 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

Mayor Moss asked for a staff report on Item Nos. 6.3 and 6.5.

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR MAY 25, 2023

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

6.2 CONSIDERATION OF THE MINUTES OF THE AUGUST 25, 2022 REGULAR MEETING, OCTOBER 13, 2022 REGULAR MEETING, DECEMBER 12, 2022 SPECIAL MEETING, JANUARY 12, 2023 REGULAR MEETING, JANUARY 23, 2023 SPECIAL MEETING, AND THE FEBRUARY 23, 2023 REGULAR MEETING

RECOMMENDED ACTION: *Approve as submitted.*

6.3 CONSIDERATION OF RESOLUTION NO. CC 2023-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA APPROVING AND ESTABLISHING THE FISCAL YEAR 2023-2024 APPROPRIATIONS LIMITATION AND SELECTING THE GROWTH IN CALIFORNIA PER CAPITA INCOME AND POPULATION GROWTH ADJUSTMENT FACTORS FOR THE CITY PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION

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RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-22, approving the Appropriations Limit for FY 2023-24.*

Director of Finance, Yamini Pathak provided a staff report and was available to answer any questions.

6.4 CONSIDERATION OF RESOLUTION NO. CC 2023-23 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RESCINDING RESOLUTION NO. CC 2022-24, AND ADOPTING SALARY RANGE SCHEDULES FOR CITY EMPLOYEES AND CITY ELECTED AND APPOINTED OFFICIALS FOR FISCAL YEAR 2023-2024

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-23.*

6.5 CONSIDERATION OF RESOLUTION NO. CC 2023-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING AND ADOPTING THE CITY'S FISCAL YEAR 2023-24 OPERATING BUDGET AND FISCAL YEAR 2023-2024 CAPITAL IMPROVEMENT PROGRAM BUDGET

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-24.*

Director of Finance, Yamini Pathak provided a staff report and was available to answer any questions.

6.6 CONSIDERATION OF RESOLUTION NO CC 2023-25, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AUTHORIZING THE CREATION OF A CITY OPERATING RESERVE FUND, SPECIAL REVENUE OPERATING RESERVE, ENTERPRISE FUND OPERATING RESERVE, AND A CITY CAPITAL IMPROVEMENT RESERVE FUND, AND AUTHORIZING CERTAIN APPROPRIATIONS TO THE VARIOUS FUNDS

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-25.*

6.7 CONSIDERATION OF RESOLUTION NO. CC 2023-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE CITY OF LA PUENTE, IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00), FOR THE BRUNCH BY THE BRIDGE EVENT

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RECOMMENDED ACTION:
29.

Adopt Resolution No. CC 2023-

6.8 CONSIDERATION OF CLOSEOUT CHANGE ORDER NO. 4 AND NOTICE OF COMPLETION FOR CONTRACT NO. CITY-1473 HOMESTEAD MUSEUM EXTERIOR SITE IMPROVEMENTS & ADA UPGRADES

RECOMMENDED ACTION:
No. 4 and Notice of Completion.

Approve Closeout Change Order

6.9 CONSIDERATION OF A FACILITY USE AGREEMENT WITH INDUSTRY SHERIFF'S YOUTH ATHLETIC LEAGUE, FOR ACCESS TO 205 HUDSON AVENUE, FOR USE FOR ITS MARTIAL ARTS AND YOUTH PROGRAMMING

RECOMMENDED ACTION:

Approve the Agreement.

6.10 CONSIDERATION OF A FACILITY USE AGREEMENT WITH INDUSTRY SHERIFF'S YOUTH ATHLETIC LEAGUE FOR ACCESS TO 19001 TONNER CANYON ROAD, FOR USE FOR ITS SUMMER YOUTH PROGRAMMING

RECOMMENDED ACTION:

Approve the Agreement.

Mike Greenspan spoke for three minutes in opposition to the Consent Calendar.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO APPROVE THE CONSENT CALENDAR. 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

CITY MANAGER REPORT

City Manager Josh Nelson acknowledged the week of May 21st thru May 27th as National Public Works Week and said we are participating in the creation of education awareness and celebrating all the great things that Public Works Industry does for our community.

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Mr. Nelson presented to Mat Hudson, City Engineering Manager, a proclamation, and Mat Hudson then acknowledged the crew at CNC Engineering, in particular Justin Aguilar for always accomplishing tasks and never saying it can't be done.

AB 1234 REPORTS

Mayor Moss spoke about the California Contract Cities Seminar at Indian Wells that she and several staff members attended. It is a very beneficial event and would recommend attending next year if you can. Council Member Greubel said it was an amazing conference with good seminars, one of which was on smart cities.

CITY COUNCIL COMMUNICATIONS

Before we go into Closed Session, Mayor Moss said she would like to close this meeting in recognition of Memorial Day. Of the two official United States holidays recognizing the commitment of members of America's military services, Memorial Day honors those who lost their lives while defending our county.

CLOSED SESSION

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

For the records Attorney Casso made mention that the Brown Act does not require disclosure of the potential litigant in item 7.2, that the City may initiate litigation under. If any member of the public has an issue with that provision, they would be encouraged to take it up with the state legislature, not the City. We are just following what is in the Brown Act.

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

7.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8

Property:	555 S. El Encanto Road, City of Industry, California 91745, also known as Assessor Parcel Numbers 8208-27-901, 902, 906, 907, and 918.
Agency Negotiators:	Josh Nelson, City Manager James M. Casso, City Attorney
Negotiating Parties:	El Encanto Healthcare & Habilitation Center

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Under Negotiation: Price and terms of payment

- 7.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section
54956.9(d)(4)
One Case

Mayor, Cory C. Moss, recessed the meeting into Closed Session at 10:45 a.m.

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

City Attorney Casso reported out of Closed Session. All members of the Council were present except for MPT/Marcucci.

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

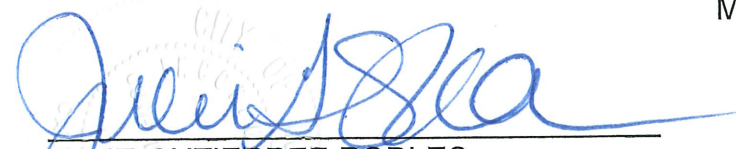
With regard to Closed Session Item No. 7.2, direction was given to the City Attorney's office, no final action taken. Nothing further to report at this time.

ADJOURNMENT

There being no further business, the City Council adjourned at 12:13 p.m.



CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK