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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.

FLAG SALUTE

The flag salute was led by Mayor Moss.

AB 2449 VOTE ON EMERGENCY CIRCUMSTANCES (IF NECESSARY)

There was no need for AB 2449 vote, due to having a quorum and there were no Council Members taking part remotely. 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; James M. Casso, City Attorney; Bianca Sparks, Assistant City Attorney; and Julie Gutierrez-Robles, City Clerk.

PUBLIC COMMENTS

Mayor Moss reminded everyone to please be respectful. Please silence your phones and do not interrupt anyone while they are speaking and any outbursts and/or disruptions at all, during the meeting, will result in being removed from the Council Chambers. There will be no warning.

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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Council Member Ruggles asked for a staff report on Item Nos. 6.3, 6.6, 6.7, 6.10, and 6.12.

Mayor Moss asked for a staff report on Item No. 6.5.

CONSENT CALENDAR

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

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR JUNE 22, 2023, AND PRE-AUTHORIZATION OF A MANUAL CHECK TO BE DATED JULY 3, 2023

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

6.2 CONSIDERATION OF RESOLUTION NO. CC 2023-31 – 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 FORTY THOUSAND DOLLARS (\$40,000.00), FOR THE ANNUAL FORTUNATO JIMENEZ INDEPENDENCE DAY CELEBRATION

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-31.*

6.3 CONSIDERATION OF RESOLUTION NO. CC 2023-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE LEARNING CENTERS AT FAIRPLEX, IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00), FOR PARTICIPATION AND DISPLAY IN THE FAIRPLEX GARDEN RAILROAD DURING THE LOS ANGELES COUNTY FAIR

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-32.*

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

6.4 CONSIDERATION OF RESOLUTION NO. CC 2023-33 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

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INDUSTRY STATION FOR THE INDUSTRY STATION ATHLETIC FUND, IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) FOR THE INDUSTRY SHERIFF'S STATION GOLF TOURNAMENT

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-33.

6.5 CONSIDERATION OF RESOLUTION NO. CC 2023-34 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO MEGAN'S WINGS INC., IN THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00), FOR ITS PATIENT AID AND GAS/GROCERY ASSISTANCE PROGRAMS

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-34.

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

6.6 CONSIDERATION OF RESOLUTION NO. CC 2023-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, RESCINDING RESOLUTION NO. CC 2020-46, AND ADOPTING AN EMPLOYER'S CONTRIBUTION FOR ALL ELIGIBLE EMPLOYEES (PEPRA) FROM 7.5% TO 8.25% FOR DEFINED CONTRIBUTION PLAN WITH THE PUBLIC AGENCY RETIREMENT SYSTEM (PARS)

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-36.

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

6.7 CONSIDERATION OF RESOLUTION NO. 2023-39, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING BLANKET PURCHASE ORDERS FOR VENDORS TOTALING \$10,000.00 AND OVER FOR FY 2023-2024

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-39.

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Director of Finance, Yamini Pathak provided a staff report and stated this is renewed every year. For the record, Yamini Pathak stated there was an error in the Register of Demands on today's agenda, Item No. 6.1, therefore a hand-out was provided for transparency of the changes.

6.8 CONSIDERATION OF A LICENSE AGREEMENT WITH MOXIE PICTURES, INC., FOR ACCESS TO THE PARKING LOT LOCATED AT EL ENCANTO HEALTHCARE AND REHABILITATION CENTER, TO UTILIZE AS A TEMPORARY OVERFLOW PARKING AREA

RECOMMENDED ACTION: *Approve the License Agreement.*

6.9 CONSIDERATION OF A LICENSE AGREEMENT WITH LUCAS BUILDERS, INC., FOR ACCESS TO ASSESSOR'S PARCEL NO. 8208-027-918 LOCATED AT THE NORTHWEST CORNER OF DON JULIAN ROAD AND PARRIOTT PLACE, FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS AND EQUIPMENT

RECOMMENDED ACTION: *Approve the License Agreement*

6.10 CONSIDERATION OF AWARD OF CONTRACT NO. CITY-1491, FULLERTON ROAD RECONSTRUCTION WITH PCC PAVEMENT FROM SAN JOSE AVENUE TO SAN JOSE CREEK BRIDGE, TO LCR EARTHWORK & ENGINEERING, CORP., IN AN AMOUNT NOT TO EXCEED \$1,861,764.18, AND ADOPT NOTICE OF EXEMPTION REGARDING SAME (CIP-STR-19-042-B/MP 17-05 #1)

RECOMMENDED ACTION: *Award the Contract to M. LCR Earthwork & Engineering, Corp in the amount of \$1,861,764.18, and adopt a Notice of Exemption for the project.*

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

6.11 CONSIDERATION OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ADVANCED AVANT-GARDE CORPORATION, DBA AVANT-GARDE, INC., FOR CONTRACT AND FUNDING ADMINISTRATION SERVICES, EXTENDING THE TERM THROUGH JUNE 30, 2025

RECOMMENDED ACTION: *Approve the Amendment.*

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6.12 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HISTORICAL RESOURCES, INC., FOR ADMINISTRATION AND MANAGEMENT SERVICES AT HOMESTEAD MUSEUM, EXTENDING THE TERM THROUGH JUNE 30, 2026, REVISING THE SCOPE OF SERVICES, REVISING THE RATE SCHEDULE, AND INCREASING COMPENSATION BY \$1,960,413.65

RECOMMENDED ACTION:

Approve the Amendment.

Development Services Manager, Kathy Tai provided a staff report and Council Member Ruggles asked more specifically about the change to the scope of work. Kathy Tai stated, with the amendment, it will enable school programs and their names to change, to remove names of specific events, and to clarify HRI may approve the public's request to use the Museum for photography and meetings.

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

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

7.1 Consideration of the following related to the City's adoption of the Housing Element 2021-2029 Update:

- a. **RESOLUTION NO. CC 2023-37, ADOPTING AN ADDENDUM TO THE 2014 INITIAL STUDY/NEGATIVE DECLARATION (SCH NO. 2014011026) FOR THE 2013-2021 HOUSING ELEMENT, AND MAKING FINDINGS IN SUPPORT THEREOF; AND**
- b. **RESOLUTION NO. CC 2023-38, ADOPTING GENERAL PLAN AMENDMENT 23-01, TO ADOPT THE HOUSING ELEMENT 2021-2029 UPDATE; AND**

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c. ORDINANCE NO. 825, APPROVING ZONING ORDINANCE AMENDMENT NO. 23-01, ESTABLISHING THE HOUSING OVERLAY ZONE, AND AMENDING THE CITY'S LAND USE MAP SET FORTH IN SECTION 17.28.060 OF THE CITY'S MUNICIPAL CODE

RECOMMENDED ACTION: 1. Open the public hearing and take public testimony; 2. Adopt Resolution No. CC 2023-37, Adopting an Addendum to the 2014 Initial Study/Negative Declaration (SCH No. 2014011026) for the 2013-2021 Housing Element, and Making Findings in Support Thereof; and 3. Adopt Resolution No. CC 2023-38, Approving General Plan Amendment 23-01, to Adopt the Housing Element 2021-2029 Update; and 4. Waive the reading of Ordinance No. 825, and read by title only; and introduce Ordinance No. 825, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO ADD CHAPTER 17.22 (HOUSING OVERLAY ZONE), AND AMENDING SECTION 17.28.060 (MAP-ADOPTED) OF CHAPTER 17.28 (ZONED DISTRICTS) OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO CHANGE THE EXISTING ZONING DESIGNATION OF THE PROPERTY LOCATED AT 20249 EAST WALNUT DRIVE SOUTH, CITY OF INDUSTRY, CALIFORNIA, FROM INDUSTRIAL TO INDUSTRIAL WITH A HOUSING OVERLAY, AND MAKING FINDINGS IN SUPPORT THEREOF

Assistant City Manager Bing Hyun provided a staff report summarizing the Housing Element 2021-2029 Update. All local governments must adopt plans and regulatory systems that provide opportunities for housing development to adequately plan to meet the housing needs of the community. To complete certification with HCD and comply with state law, the Housing Element, zoning ordinance amendments, and re-zoning of one (1) parcel is being submitted to the Planning Commission for consideration. Assistant City Manager Bing Hyun provided a detailed summary of the proposed Housing Element Update, new Housing Overlay Zone, Zone Change for 20249 E. Walnut Drive South, City of Industry, California, and Addendum to the 2014 Initial Study/Negative Declaration. Backup documentation was provided within the agenda packet. Assistant City Manager Bing Hyun recommended the City Council adopt the related resolutions and was available to answer any questions.

Mayor Moss opened the public hearing at 9:50 a.m.

Mayor Moss inquired if anyone wanted to be heard in opposition or in favor of the project.

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

Mayor Moss closed the public hearing at 10:20 a.m.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2023-37. 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

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER GREUBEL TO ADOPT RESOLUTION NO. CC 2023-38. 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

MOTION BY MAYOR MOSS, AND SECOND BY COUNCIL MEMBER RADECKI TO WAIVE THE READING OF ORDINANCE NO. 825 AND READ BY TITLE ONLY. 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

MOTION BY MAYOR MOSS, AND SECOND BY MAYOR PRO TEM MARCUCCI TO INTRODUCE ORDINANCE NO. 825, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, AMENDING TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE TO ADD CHAPTER 17.22 (HOUSING OVERLAY ZONE), AND AMENDING SECTION 17.28.060 (MAP-ADOPTED) OF

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CHAPTER 17.28 (ZONED DISTRICTS) OF TITLE 17 (ZONING) OF THE CITY OF INDUSTRY MUNICIPAL CODE, TO CHANGE THE EXISTING ZONING DESIGNATION OF THE PROPERTY LOCATED AT 20249 EAST WALNUT DRIVE SOUTH, CITY OF INDUSTRY, CALIFORNIA, FROM INDUSTRIAL TO INDUSTRIAL WITH A HOUSING OVERLAY, AND MAKING FINDINGS IN SUPPORT THEREOF. 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.

8.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One potential case

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

Mayor Moss reconvened the meeting at 11:14 a.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present.

With regard to Closed Session Item No. 8.1, direction was given to the City Attorney's office, no final action taken. Nothing further to report at this time.

CITY MANAGER REPORTS

There were none.

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AB 1234 REPORTS


There were none.

CITY COUNCIL COMMUNICATIONS

There were none.

ADJOURNMENT

There being no further business, the City Council adjourned at 11:15 a.m.



CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK