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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 9:00 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 and there were no Council Members taking part remotely. 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.

PRESENTATIONS:

Declaring the Month of March as American Red Cross Month – presentation by Christine Sanchez.

Christine Sanchez came with a disaster kit and talked about how to be more aware of your surroundings and how to prepare for a disaster at home, the office or anywhere you may be at the time. She has been our local Ambassador with the Red Cross for 18 years and came to update us and to declare the month of March as American Red Cross Month.

Air Quality Updates Presentation by South Coast Air Quality Management District – Michael Cacciotti, Governing Board Vice Chair

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Michael Cacciotti provided a detailed presentation along with slides.

PUBLIC COMMENTS

Mayor Moss asked if there were any public comments. There were none.

CONSENT CALENDAR

Council Member Ruggles asked for a Staff Report on Item Nos. 7.3, 7.4, 7.6, 7.7, and 7.9.

Mayor Moss asked for a Staff Report on Item No., 7.8.

Council Member Radecki recused himself from voting on check number 80205 for Item 1 (Register of Demands) due to a potential or actual financial conflict of interest due to he is employed by Square Root Golf and Landscape.

7.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR MARCH 23, 2023

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

7.2 CONSIDERATION OF THE MINUTES OF THE DECEMBER 21, 2021 REGULAR MEETING, AND NOVEMBER 10, 2022 REGULAR MEETING

RECOMMENDED ACTION: *Approve as submitted.*

7.3 CONSIDERATION OF A CONSTRUCTION, OPERATION AND MAINTENANCE AGREEMENT BETWEEN THE CITY, UNION PACIFIC RAILROAD, LOS ANGELES COUNTY, AND THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS, FOR THE TURNBULL CANYON GRADE SEPARATION PROJECT (MP 99-60 #15)

RECOMMENDED ACTION: *Approve the Agreement.*

Senior Project Manager, Upendra Joshi from CNC Engineering, provided a staff report and was available to answer any questions. City Manager Josh Nelson explained that in order to do the work, permission from everyone including Union Pacific Railroad was necessary to be approved within the agreement, although the County and City will own the infrastructure and improvements. No funding from The City will be necessary.

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7.4 CONSIDERATION OF AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STILLWATER ECOSYSTEM, WATERSHED & RIVERINE SCIENCES FOR ENVIRONMENTAL CONSULTING SERVICES AT FOLLOWS CAMP, EXTENDING THE TERM THROUGH SEPTEMBER 30, 2023, REVISING THE SCOPE OF SERVICES, REVISING THE RATE SCHEDULE, AND INCREASING COMPENSATION BY \$38,000.00

RECOMMENDED ACTION:

Approve Amendment No. 5.

City Manager, Josh Nelson provided a staff report and was available to answer any questions. Council Member Ruggles asked when we will be submitting the grant? City Manager Nelson said within the next month or two.

7.5 CONSIDERATION OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GRANICUS, LLC, FOR WEBSITE MAINTENANCE AND HOSTING, EXTENDING THE TERM THROUGH FEBRUARY 13, 2024, INCREASING COMPENSATION BY \$19,085.23, AND UPDATING THE RATE SCHEDULE

RECOMMENDED ACTION:

Approve Amendment No.3.

7.6 CONSIDERATION OF AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAGE ENVIRONMENTAL GROUP LLC, FOR ON-CALL BIOLOGICAL MONITORING SUPPORT SERVICES, EXTENDING THE TERM THROUGH MARCH 31, 2026, REVISING THE RATE SCHEDULE AND INCREASING COMPENSATION BY \$300,000.00

RECOMMENDED ACTION:

Approve Amendment No.3.

Director of Operations, Sean Calvilo, from CNC Engineering provided a staff report and was available to answer any questions. Council Member Ruggles asked why there was an increase in rate and Sean Calvilo noted this was a three-year extension, not-to-exceed \$100,000.00 per year with rates going up and they are doing some extra work at Brea Creek.

7.7 CONSIDERATION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH OLDHAM ARCHITECTS INC., FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE 15710-15718 RAUSCH ROAD BUILDING IMPROVEMENT PROJECT, EXTENDING THE TERM THROUGH JULY 31, 2023, AND INCREASING COMPENSATION BY \$3,500.00

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RECOMMENDED ACTION:

Approve Amendment No.2.

Director of Operations, Sean Calvilo, from CNC Engineering provided a staff report and was available to answer any questions. This project is currently under construction with a lot going on and this additional compensation will align with the end of the project.

7.8 CONSIDERATION OF RESOLUTION NO. CC 2023-11, APPROVING A DONATION TO THE INDUSTRY SHERIFF'S YOUTH ATHLETIC LEAGUE, IN THE AMOUNT OF \$50,000.00 FOR ITS ANNUAL GOLF TOURNAMENT

RECOMMENDED ACTION:
11.

Adopt Resolution No.CC 2023-

Public Affairs Manager/Assistant City Manager, Sam Pedroza provided a staff report and indicated that this was our annual contribution to the YAL for outreach to 25,000 kids in after-school programs. This money is already accounted for in our annual budget.

7.9 CONSIDERATION OF THE 2022 HOUSING ELEMENT ANNUAL PROGRESS REPORT

RECOMMENDED ACTION:

Receive and file the Housing Element Annual Progress Report for 2022, and direct Staff to transmit copies to the California Department of Housing and Community Development and Governor's Office of Planning and Research by email not later than April 1, 2023, as required by State law.

Assistant City Manager, Bing Hyun provided a staff report indicating that we receive and file the Housing Element Annual Progress Report for 2022 and transfer this information to the state. Council Member Ruggles asked about the report sent to HCD in December of 2022. Bing Hyun said that City Staff submitted a revised Draft Housing Element to HCD in December 2022, and HCD responded in February 2023. Staff and City's consultant are continuing to work with HCD toward certification and bringing the Housing Element back to the City Council for final adoption, after approval from the Planning Commission.

Mayor Moss asked if there were any public comments on the Consent Calendar. There were none.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY COUNCIL MEMBER GREUBEL THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI

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RECUSING HIMSELF FROM CHECK NUMBER 80205 ON ITEM 1 (REGISTER OF DEMANDS). 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

8.1 CONSIDERATION OF RESOLUTION CC-2023-12 - CANCELLING THE JUNE 6, 2023, GENERAL MUNICIPAL ELECTION AND PROVIDING FOR THE APPOINTMENT TO THE OFFICE OF COUNCIL MEMBER

RECOMMENDED ACTION: *Adopt Resolution CC 2023-12, appointing Cory Moss, Mark Radecki and Newell Ruggles to the City Council for four-year terms; and cancelling the June 6, 2023, General Municipal Election.*

City Attorney, Jaime M. Casso provided a staff report. There were three individuals that submitted paperwork for the nomination of appointments to the City Council. No one else submitted any paperwork therefore the election of June 6, 2023, can be cancelled. This will take effect on the first Tuesday following June 6, 2023. Therefore, June 13th each of you can be sworn in for a new four-year term. This will save the City approximately \$100 to \$150 thousand dollars relative to the cost of an election.

City Manager Josh Nelson congratulated the renewal of each member and said to keep in mind a June 13th special meeting will be scheduled for the swearing in.

Mayor Moss asked if there were any public comments for Item No. 8.1. There were none.

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2023-12, APPOINTING CORY MOSS, MARK RADECKI AND NEWELL RUGGLES TO THE CITY COUNCIL FOR FOUR-YEAR TERMS; AND CANCELLING THE JUNE 6, 2023 GENERAL MUNICIPAL ELECTION. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

8.2 CONSIDERATION OF RESOLUTION NO. CC 2023-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPOINTING ONE OF THE CITY'S THREE REPRESENTATIVES TO SERVE AS DIRECTOR AND ONE TO SERVE AS ALTERNATE ON THE BOARD OF DIRECTORS OF THE TRES HERMANOS CONSERVATION AUTHORITY

RECOMMENDED ACTION:

Staff seeks Council direction.

City Manager, Josh Nelson pulled this item from the agenda until we have all five (5) Council Members available to vote.

8.3 CONSIDERATION OF ORDINANCE NO. 823, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, REPEALING ORDINANCE NO. 801 AND APPROVING AN ADJUSTMENT TO THE COMPENSATION FOR THE MEMBERS OF THE CITY COUNCIL

RECOMMENDED ACTION:

Staff recommends that the City Council (1) Waive reading of Ordinance No. 823 and read by title only; and (2) introduce Ordinance No. 823, an Ordinance of the City Council of the City of Industry, California, repealing Ordinance No. 801 and approving an adjustment to the compensation for the members of the City Council.

City Attorney, Jaime M. Casso provided a staff report regarding the repealing of Ordinance No. 8.1 and approving an adjustment to the compensation for the Members of the City Council. Pursuant to Section 36516(a)(4), the amount of the salary increase for a Council Members cannot exceed five percent for each calendar year from the date of the last salary adjustment which was June 22, 2017. City Staff recommends a five percent increase per year for the past six years, resulting in a compensation amount of \$2,611.31 dollars per month. Staff recommends this take effect July 1, 2023.

Mayor Moss asked if there were any public comments for Item No. 8.3. There were none.

MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR MOSS TO WAIVE READING OF ORDINANCE NO. 823 AND READ BY TITLE ONLY. MOTION CARRIED 4-0, BY THE FOLLOWING VOTE:

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

MOTION BY COUNCIL MEMBER GREUBEL, AND SECOND BY COUNCIL MEMBER RUGGLES TO INTRODUCE ORDINANCE NO. 823, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, REPEALING ORDINANCE NO. 801 AND APPROVING AN ADJUSTMENT TO THE COMPENSATION FOR THE MEMBERS OF THE CITY COUNCIL. 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 Robles-Gutierrez announced there was a need for Closed Session as follows:

9.1 *PUBLIC EMPLOYMENT PERFORMANCE EVALUATION*
Pursuant to Government Code Section 54957(b)(1)
TITLE: CITY TREASURER

9.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8:

Property: Assessor Parcel Numbers 8208-024-906 and 8208-024-907
City Negotiators: Joshua Nelson, City Manager
James M. Casso, City Attorney
Negotiating Parties: HKTSNTRLT LLC
Under Negotiation: Price and terms of payment

Mayor Moss asked if there were any public comments on Closed Session. There were none.

Mayor Moss recessed the meeting into Closed Session at 9:49 a.m.

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Mayor Moss reconvened the meeting at 12:05 p.m.

City Attorney Casso reported out of Closed Session. All members of the Council were present except for Mayor Pro Tem Marcucci.

With regard to Closed Session Item No. 9.1, this item needs further evaluation and will come back at a later date, prior to the current fiscal year.

With regard to Closed Session Item No. 9.2, direction was given to the Agency Negotiators, no final action taken. Nothing further to report.

CITY MANAGER REPORTS

There were none.

AB 1234 REPORTS

Mayor Moss spoke about her travels to Washington DC with Council Member Greubel, City Manager Nelson, City Attorney Casso, Assistant City Manager Pedroza and Sean Calvillo from CNC Engineering. We met with Kevin Jones who arranged multiple meetings with Representatives from the offices of Grace Napolitano, Senators Alex Padilla, and Dianne Feinstein. We also met with Congresswomen Linda Sanchez. The meetings went great, and their staff members were very helpful and provided good feedback on our requests for funds. Kevin Jones did an excellent job in getting our applications in on time for consideration. We were able to do a little sightseeing and had some very nice meals.

Council Member Greubel said it was an amazing trip and a moving experience seeing the Arlington National Cemetery and the Tomb of the Unknown Soldier. It was filled with rich history.

CITY COUNCIL COMMUNICATIONS

There were none.

ADJOURNMENT

There being no further business, the City Council adjourned at 12:06 p.m.

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CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK