
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
SEPTEMBER 14, 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 9:02 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
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.

PRESENTATIONS

There were none.

Mayor Moss requested that we pull forward Item No. 13., Public Comments.

PUBLIC COMMENTS

There were none.

CONSENT CALENDAR

Mayor Moss asked for a staff report on Item Nos. 6.3, 6.4, 6.5, and 6.6.

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Council Member Ruggles asked for a staff report on Item No. 6.10.

Council Member Radecki recused himself from voting on check number 81300 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.

6.1 CONSIDERATION OF THE REGISTER OF DEMANDS FOR SEPTEMBER 14, 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 24, 2023, REGULAR MEETING

RECOMMENDED ACTION: *Approve as submitted.*

6.3 CONSIDERATION OF RESOLUTION NO. CC 2023-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE LAND OF THE FREE FOUNDATION, IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), FOR THE 2023 VETERANS DAY GOLF CLASSIC

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-46.*

Sam Pedroza spoke about the Land of the Free Foundation and how the City of Industry has supported this Veterans Day Golf Fundraiser event since 2007. He then introduced Kent Valley, one of the Founders, to speak.

Kent Valley came to thank the City of Industry for their continued support and said they are very proud of what has been accomplished and presented a short video.

Mayor Moss thanked Kent Valley for being here, and the City is a very proud supporter of the foundation and what they do.

6.4 AUTHORIZATION TO JOIN THE SAN GABRIEL VALLEY REGIONAL HOUSING TRUST AS AN AFFILIATE MEMBER

RECOMMENDED ACTION: *Approve the membership.*

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Development Services Manager, Kathy Tai provided a staff report and explained the two membership levels. Staff recommends that The City authorize a letter to join as an Affiliate Member as per the attached sample letter. Kathy Tai was available to answer any questions.

6.5 CONSIDERATION OF CHANGE ORDER NO. 4 IN THE AMOUNT OF \$24,495.00, FOR CONTRACT NO. CITY-1467, PUENTE HILLS AUTO CENTER PYLON SIGN UPGRADE

RECOMMENDED ACTION:

Approve Change Order No. 4.

Chris Lum, Construction Manager, at CNC Engineering provided a staff report regarding the upgraded electronic freeway display and indicated that additional ventilation measures were needed to reduce the overheating that was causing outages. Council Member Ruggles asked if this was caused by the summer heat and Chris Lum indicated that, yes it was necessary to remove existing fans and install six new intake fans for increased air circulation due to the heat, in addition to replacing the CAT 5 cables to the message board.

6.6 CONSIDERATION OF AMENDMENT NO. 1 TO THE FACILITIES USE AGREEMENT WITH PRICELESS PUPPY RESCUE CORP. DBA PRICELESS PETS, FOR THE USE OF A PORTION OF 15710-15724 RAUSCH ROAD

RECOMMENDED ACTION:

Approve the Amendment.

Engineering Manager Mat Hudson provided a staff report and went over the additional supplies and expenses needed at Priceless Pets that were not included in the original agreement entered in October of 2021. This amendment would include primarily an X-Ray machine. Lisa Price from Priceless Puppy came to the podium and extended her sincere thanks to the Council and Staff and indicated that they wanted the ability to include both spade/neutering capabilities along with vaccines to this location at a low cost. Both were available to answer any questions.

6.7 CONSIDERATION OF 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.

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6.8 CONSIDERATION OF CHANGE ORDER NOS. 3 AND 4, IN THE AMOUNT OF \$24,203.83, FOR CONTRACT NO. CITY-1480, STIMSON AVENUE GRADE CROSSING IMPROVEMENTS

RECOMMENDED ACTION: *Approve Change Order Nos. 3 and 4.*

6.9 CONSIDERATION OF AMENDMENT NO. 3 TO THE LICENSE AGREEMENT WITH R C FOSTER CORPORATION, FOR ACCESS TO ASSESSOR PARCEL NOS. 8208-024-906 AND 8208-024-907, FOR TEMPORARY STAGING OF CONSTRUCTION MATERIALS FOR THE PUENTE VALLEY WATER OPERABLE UNIT TREATMENT PLANT PROJECT

RECOMMENDED ACTION: *Approve Amendment No. 3.*

6.10 CONSIDERATION OF AN AGREEMENT FOR DESIGN-BUILD SERVICES WITH R. DEPENDABLE CONSTRUCTION, INC. FOR THE DESIGN AND CONSTRUCTION OF THE PHYLLIS TUCKER MEMORIAL GARDEN

RECOMMENDED ACTION: *Staff recommends the City Council accept the written findings set forth in the Staff Report and approve the Agreement for Design-Build Services with R. Dependable Construction.*

Engineering Manager, Mat Hudson provided a staff report and reviewed the RFP process. Council Member Ruggles asked what the difference was between a Class A and Class B License, which Mat Hudson explained in detail. In addition, City Manager Josh Nelson asked to include the approval of final changes subject to review by the City Attorneys and to add the findings recommended within the staff report.

6.11 CONSIDERATION OF AMENDMENT NO. 2 TO THE EMPLOYMENT AGREEMENT WITH JOSHUA NELSON FOR CITY MANAGER SERVICES

RECOMMENDED ACTION: *Approve the Amendment.*

City Manager Josh Nelson stated for the record that a hand-out was distributed to each Council Member prior to the meeting for Item No. 6.1, with a revised Record of Demands.

There were no public comments.

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MOTION BY COUNCIL MEMBER RADECKI, AND SECOND BY MAYOR MOSS THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR, WITH COUNCIL MEMBER RADECKI RECUSING HIMSELF FROM CHECK NUMBER 81300 ON ITEM 1 (REGISTER OF DEMANDS) AND WITH THE CHANGES SUBJECT TO REVIEW BY THE CITY ATTORNEYS AND ALSO WITH THE ADDED FINDINGS WITHIN THE STAFF REPORT ON ITEM 6.10. 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

Mayor Moss thanked everyone for wearing purple today in recognition of September being Thyroid Cancer Month.

CLOSED SESSION

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

There were no public comments.

9.1 CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

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

Case: *Olivares v. City of Industry, et al*

Superior Court of California, County of Los Angeles

Case No. 19STCV01071

9.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

9.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8:

Property: 130, 132, 134, and 138 Turnbull Canyon Road,
also known as Assessor Parcel Number 8208-
023-901

Agency Negotiators: Josh Nelson, City Manager

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Negotiating Parties: James M. Casso, City Attorney
Industry Property and Housing Management Authority

Under Negotiation: Price and terms of payment

- 9.4 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

Mayor Moss, recessed the meeting into Closed Session at 9:42 a.m.

Mayor Moss reconvened the meeting at 12:06 p.m.

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

With regard to Closed Session Item Nos. 9.1, 9.2, and 9.4, direction was given to the City Attorney's office, no final action taken.

With regard to Closed Session Item No. 9.3, direction was given to the Agency negotiators, no final action taken.

Nothing further to report at this time.

ACTION ITEMS

There were none.

PUBLIC HEARING

There were none.

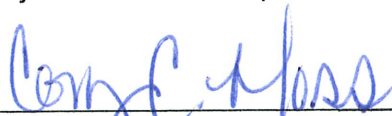
CITY COUNCIL COMMUNICATIONS

Mayor Moss mentioned the BMX event coming up on the 22nd through the 24th of this month.

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ADJOURNMENT

There being no further business, the City Council adjourned at 12:07 p.m.



CORY C. MOSS
MAYOR



JULIE GUTIERREZ-ROBLES
CITY CLERK