
CITY COUNCIL REGULAR MEETING MINUTES
CITY OF INDUSTRY, CALIFORNIA
SEPTEMBER 10, 2015
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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 Mark D. Radecki at 9:01 a.m. in the City of Industry Council Chamber, 15651 East Stafford Street, California.

FLAG SALUTE

The flag salute was led by Mayor Mark D. Radecki.

ROLL CALL

PRESENT: Mark D. Radecki, Mayor
Cory C. Moss, Mayor Pro Tem
Roy Haber, Council Member
Jeff Parriott, Council Member
Newell W. Ruggles, Council Member

STAFF PRESENT: Paul J. Philips, City Manager; James M. Casso, City Attorney; Cecelia Dunlap, Deputy City Clerk; John Ballas, City Engineer; and Brian James, Planning Director.

PUBLIC COMMENTS

Mr. Richard Hopkins, from the East San Gabriel Coalition for Homelessness, provided a brief introduction and overview of the organization and the services they provide, along with providing pamphlets and flyers to the City Council. Mr. Hopkins indicated any financial assistance from the City would be greatly appreciated.

CONSENT CALENDAR

Mayor Radecki recused himself from check number 62594 for item 1 (Register of Demands) because he had a potential or actual financial conflict of interest in that he is employed by Square Root Golf and Landscape.

Mayor Pro Tem Moss recused herself from check number 62547 for item 1 (Register of Demands) because she had a potential or actual financial conflict of interest in that she is employed by CNC Engineering.

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Council Member Ruggles recused himself from check number 62561 for item 1 (Register of Demands) because he had a potential or actual financial conflict of interest in that he is employed by Haddick's Auto Body.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRO TEM MOSS THAT THE RECOMMENDATIONS BE ACCEPTED FOR THE REMAINING ITEMS LISTED ON THE CONSENT CALENDAR. MOTION CARRIED 5-0, WITH MAYOR RADECKI RECUSING FROM CHECK NUMBER 62594 ON ITEM 1 (REGISTER OF DEMANDS), WITH MAYOR PRO TEM MOSS RECUSING FROM CHECK NUMBER 62547 ON ITEM 1 (REGISTER OF DEMANDS), AND WITH COUNCIL MEMBER RUGGLES RECUSING FROM CHECK NUMBER 62561 ON ITEM 1 (REGISTER OF DEMANDS).

1. CONSIDERATION OF REGISTER OF DEMANDS

APPROVED THE REGISTER OF DEMANDS AND AUTHORIZED THE APPROPRIATE CITY OFFICIALS TO PAY THE BILLS.

2. CONSIDERATION AND APPROVAL OF SETTLEMENT AGREEMENT BETWEEN THE CITY OF INDUSTRY AND 8 NET, INC.

APPROVED THE SETTLEMENT AGREEMENT.

Deputy City Clerk Dunlap announced in order to facilitate Public Hearing – Continued Agenda Items No. 6.1 and 6.2, Agenda Item No. 7.1 would be taken out of order and recommended action prior to the consideration of Agenda Items No. 6.1 and 6.2.

PUBLIC HEARING REGARDING GENERAL PLAN AMENDMENT 15-1, A PROPOSED AMENDMENT TO THE ROADWAY CLASSIFICATION PLAN OF THE GENERAL PLAN CIRCULATION ELEMENT TO REMOVE A PORTION OF EL ENCANTO ROAD

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER HABER TO OPEN THE PUBLIC HEARING. MOTION CARRIED 5-0.

Planning Director James provided a staff report to the City Council.

Mayor Radecki inquired if anyone wanted to be heard on the matter. There were no comments.

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MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRO TEM MOSS TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 5-0.

CONSIDERATION OF RESOLUTION NO. CC 2015-29 - A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT 15-1 TO ELIMINATE A PORTION OF EL ENCANTO ROAD FROM THE ROADWAY CLASSIFICATION PLAN OF THE GENERAL PLAN CIRCULATION ELEMENT AND AN ADDENDUM TO THE PREVIOUSLY ADOPTED ENVIRONMENTAL IMPACT REPORT FOR THE 2014 GENERAL PLAN

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT RESOLUTION NO. CC 2015-29. MOTION CARRIED 5-0.

PUBLIC HEARING REGARDING THE INTENT TO VACATE A PORTION OF VIRGIL WATERS WAY THAT BECAME EXCESS RIGHT OF WAY DUE TO THE REALIGNMENT OF THE INTERSECTION OF VIRGIL WATERS WAY AND AZUSA AVENUE

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER HABER TO OPEN THE PUBLIC HEARING. MOTION CARRIED 5-0.

Mayor Radecki inquired if anyone wanted to be heard on the matter. There were no comments.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER RUGGLES TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 5-0.

CONSIDERATION OF RESOLUTION NO. CC 2015-26 - A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF INDUSTRY VACATING A PORTION OF VIRGIL WATERS WAY IN THE CITY OF INDUSTRY

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT RESOLUTION NO. CC 2015-26. MOTION CARRIED 5-0.

PUBLIC HEARING REGARDING THE INTENT TO VACATE A PORTION OF EL ENCANTO ROAD THAT BECAME EXCESS RIGHT OF WAY DUE TO THE CREATION OF PARRIOTT PLACE WEST

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER RUGGLES TO OPEN THE PUBLIC HEARING. MOTION CARRIED 5-0.

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Mayor Radecki inquired if anyone wanted to be heard on the matter. There were no comments.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER HABER TO CLOSE THE PUBLIC HEARING. MOTION CARRIED 5-0.

CONSIDERATION OF RESOLUTION NO. CC 2015-27 - A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF INDUSTRY VACATING A PORTION OF EL ENCANTO ROAD IN THE CITY OF INDUSTRY

MOTION BY COUNCIL MEMBER RUGGLES, AND SECOND BY COUNCIL MEMBER HABER TO ADOPT RESOLUTION NO. CC 2015-27. MOTION CARRIED 5-0.

CONSIDERATION OF DEVELOPMENT PLAN 15-6 SUBMITTED BY ORANGE COAST PETROLEUM EQUIPMENT INC. ON BEHALF VELOCITY TRUCK RENTAL LEASING TO CONSTRUCT AN ABOVE-GROUND, DIESEL FUEL TANK AND AN ACCOMPANYING NEGATIVE DECLARATION LOCATED AT 2425 KELLA AVENUE

Senior Planner Helling presented a staff report to the City Council.

CONSIDERATION OF RESOLUTION NO. CC 2015-30 - A RESOLUTION OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A NEGATIVE DECLARATION AND DEVELOPMENT PLAN 15-6 FOR THE CONSTRUCTION OF A 12,000-GALLON ABOVE GROUND, DIESEL FUEL STORAGE TANK AT 2425 KELLA AVENUE, CITY OF INDUSTRY, CALIFORNIA, WITHIN THE "MC" MANUFACTURING/COMMERCIAL OVERLAY ZONE, AND MAKING FINDINGS IN SUPPORT THEREOF

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY COUNCIL MEMBER RUGGLES TO ADOPT RESOLUTION NO. CC 2015-30. MOTION 5-0.

CONSIDERATION OF CONTRACT COMPLETION DOCUMENTS SUBMITTED BY SOUTHERN CONTRACTING COMPANY IN THE AMOUNT \$7,201,006.20 FOR CONTRACT NO. CITY-1389, INDUSTRY'S 66KV ELECTRICAL SUBSTATION FACILITIES LOCATED AT 208 S. WADDINGHAM WAY

City Engineer Ballas provided a staff report to the City Council.

MOTION BY COUNCIL MEMBER HABER, AND SECOND BY MAYOR PRO TEM MOSS TO AUTHORIZE THE CITY ENGINEER TO EXECUTE AND FILE CONTRACT

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COMPLETION DOCUMENTS AND TO RECEIVE AND FILE THE FINAL ACCOUNTING. MOTION 5-0.

CONSIDERATION OF REJECTION OF BIDS RECEIVED FOR CONTRACT NO. CITY-1420, WALNUT DRIVE SOUTH WIDENING AND STORM DRAIN IMPROVEMENTS (IPD-233)

City Engineer Ballas presented a staff report to the City Council.

MOTION BY MAYOR PRO TEM MOSS, AND SECOND BY COUNCIL MEMBER HABER TO REJECT ALL BIDS. MOTION CARRIED 5-0.

CONSIDERATION OF LOAN AGREEMENT BETWEEN THE CITY OF INDUSTRY AND THE SUCCESSOR AGENCY TO THE INDUSTRY URBAN-DEVELOPMENT AGENCY FOR THE ADVANCE AND REIMBURSEMENT OF COSTS FOR CONSTRUCTION CONTRACTS CONSTITUTING ENFORCEABLE OBLIGATIONS FOR THE 600-ACRE INDUSTRY BUSINESS CENTER

City Manager Philips stated that the item was being removed from the agenda and continued to a future meeting.

CITY COUNCIL COMMITTEE REPORTS

There were none.

AB1234 REPORTS

There were none.

CITY COUNCIL COMMUNICATIONS

Council Member Ruggles announced that on Friday, September 11, 2015, at 6:30 p.m., the City of La Puente was holding a Community Rally for the recognition of Public Safety Officers.

Mayor Pro Tem Moss wished Mayor Radecki a happy birthday and indicated there was cake in the lobby in celebration of his birthday, and asked to take a short recess before recessing into Closed Session.

Mayor Radecki recessed the City Council meeting at 9:27 a.m.

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Mayor Radecki reconvened the meeting at 9:45 a.m. All members of the City Council were present.

CLOSED SESSION

City Attorney Casso announced there was a need for Closed Session as follows:

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Two Potential Case.

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
One Case.

There were no public comments on the Closed Session items.

Mayor Radecki recessed the meeting into Closed Session at 9:45 a.m.

RECONVENE CITY COUNCIL MEETING

Mayor Radecki reconvened the meeting at 10:55 a.m. All members of the City Council were present. City Attorney Casso reported out of Closed Session.

With regard to Closed Session item A, Case One, with a 5-0 vote, the City Council provided direction to the City Manager and City Attorney, and took no reportable action.

With regard to Closed Session item A, Case Two, with a 5-0 vote, the City Council provided direction to the City Manager and City Attorney, and took no reportable action.

With regard to Closed Session item B, with a 5-0 vote, the City Council provided direction to the City Manager and City Attorney, and took no reportable action.

ADJOURNMENT

There being no further business, the City Council adjourned at 10:56 a.m.

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MARK D. RADECKI
MAYOR



CECELIA DUNLAP
DEPUTY CITY CLERK