



CITY OF GALT

MINUTES

REGULAR CITY COUNCIL MEETING
Council Chambers, 380 Civic Drive, Galt, California
Tuesday, January 19, 2016, 5:30 pm

The mayor called the meeting to order at 5:30 pm. Council Members present: Payne, Heuer, Campion, Powers and Crews.

Staff members present: Interim City Manager Rudolph, City Clerk Settles, and Human Resource Administrator Islas.

ADJOURNED TO CLOSED SESSION:

1. **PUBLIC EMPLOYMENT** pursuant to Government Code section 54957.

Title: Finance Director

Title: Police Chief

2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** pursuant to Government Code section 54957.

Title: City Clerk Administrator

Title: Interim City Manager

3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** pursuant to Government Code section 54956.9

City of Galt vs. Michael Cohen, Director of Department of Finance, State Court of Appeal, Third District, Case No. C075897

4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** pursuant to Government Code section 54956.9(d)(3).

Significant exposure to litigation – one potential case.

RECONVENED TO OPEN SESSION: The council reconvened to open session at 7:04 pm at which time the city manager announced there was no reportable action.

The mayor called the meeting to order at 7:04 pm. Council Members present: Payne, Heuer, Campion, Powers and Crews.

Staff members present: Interim City Manager Rudolph, City Clerk Settles, Community Development Director Stewart, Interim Finance Director Lucido, Human Resources Administrator Islas, Parks & Recreation Director Solis, Interim Police Chief Drummond and Public Works Director Winkler. Absent: Interim City Attorney Hood.

OPENING CEREMONIES - Silent prayer was observed, Boy Scout Troop 119 recited the flag salute and the city clerk read the video statement.

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AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS: None.

PRESENTATION:

1. Military Banner Presentation – Crews presented a certificate and military banner to Matthew Farrell returning from active duty.

PUBLIC COMMENTS - The clerk announced that members of the audience could address the council on any matter, which is not on the agenda but within the subject matter jurisdiction. She advised the location of the speaker sheets, asked that speaker sheets be presented to the clerk prior to addressing council and advised that each person would have a five-minute time limit to speak.

Gene Davenport was concerned about stolen recyclables from curbside in residential neighborhoods.

Campion said there was an ordinance prohibiting tampering with recycling containers once they were on the street. Rudolph concurred and said it would be discussed at the next department head meeting.

CONSENT CALENDAR - Consisting of Items 1 through 5.

1. **SUBJECT:** Minutes of the regular meeting of December 15, 2015.
RECOMMENDED ACTION: Accept the minutes as submitted.
2. **SUBJECT:** City of Galt Warrants.
RECOMMENDED ACTION: Approve the warrants as submitted.
3. **SUBJECT:** Treasurer's Report for period ending November 2015.
RECOMMENDED ACTION: Accept the Treasurer's Report as submitted.
4. **SUBJECT:** Designation of an Approved Signatory for City Construction and Industrial General Storm Water Permits.
RECOMMENDED ACTION: Adopt Resolution No. 2016-01 designating the Director of Public Works as an approved signatory for submitting and certifying permit registration documents in the State Water Resources Control Board's Storm Water Multi-Application Report Tracking System for compliance with requirements for the Construction and Industrial General Storm Water Permits and granting the Director of Public Works delegation authority.
5. **SUBJECT:** Capital Improvement Program Status Update – October 2, 2015 to December 31, 2015.
RECOMMENDED ACTION: Receive the 2nd quarter Capital Improvement Program status report.

ACTION: Upon a motion by Payne, seconded by Powers, the consent calendar was approved by a unanimous roll call vote.

SCHEDULED MATTERS - PUBLIC HEARING:

1. **SUBJECT:** Public Hearing and Consideration of Dry Creek Oaks General Plan Amendment, Rezone, and Tentative Subdivision Map Project.

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RECOMMENDED ACTION: 1) Adopt Resolution No. 2016-02 approving the Initial Study, Mitigated Negative Declaration, and adopting the Mitigation Monitoring and Reporting Program for the Dry Creek Oaks Project; 2) Adopt a resolution approving the proposed amendment to the City's General Plan land use map and approving the tentative subdivision map for the Dry Creek Oaks Project; and 3) Introduce an ordinance approving the proposed rezone for the Dry Creek Oaks Project.

Chris Erias, Principal Planner, gave the presentation and reviewed the recommendations from the Planning Commission.

Powers and Crews were in favor of the gated community. Heuer had concerns about the cost to the seniors through the homeowners association.

Crews opened the public hearing.

Ryan Vorhees, Project Applicant, said a public trail through a private project does work. Mr. Vorhees added the project would be built to accessibility standards.

Gene Davenport asked about the distance between the retention pond to the guest home.

Crews closed the public hearing.

Campion wanted to amend the subdivision ordinance to include a category for senior projects to address Quimby Fees and bring back traffic impact fees. Rudolph said a supplemental report to the Nexus Report that was prepared for the Traffic Impact Fee would need to be completed and brought back to council for consideration.

ACTION: Upon a motion by Campion, seconded by Payne, amending the subdivision ordinance to modify the multiplier for senior projects on Quimby Fees and examining the traffic impact fees as it relates to senior projects was approved by a unanimous roll call vote.

Campion agreed with Powers the current location of the recreation trail cuts right through private property. Powers asked what the Planning Commission recommended and Erias said the Commission wanted the private nature of the subdivision protected.

Ryan Vorhees, Project Applicant, suggested bringing back a proposal for the location of the recreation trail when the project architecture went to the Planning Commission for approval.

ACTION: Upon a motion by Campion, seconded by Powers, adopting Resolution No. 2016-02, introducing Ordinance No. 2016-01 and adopting Resolution No. 2016-03 adding under the conditions of approval the relocation of the recreation trail to the east along the project's open space area and fencing of the trail to be determined when the project architecture was presented to the Planning Commission was approved by a unanimous roll call vote.

2. **SUBJECT:** Public Hearing Regarding Adoption of Proposed Water Rates.

RECOMMENDED ACTION: 1) Receive a presentation regarding Proposed Water Rate adjustment; 2) Open public hearing to receive comments on proposed water rates; 3) Receive a

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report on the tabulation of written protests regarding the proposed water rate adjustments; and 4) In absence of a majority protest, adopt the proposed water rate adjustments set forth in the public notice sent to customers and property owners, including an annual inflationary adjustment through 2020, based upon the percentage change in the Consumer Price Index.

Mark Clarkson, Utilities Manager, gave the agenda report.

Habib Isaac, Raftelis Financial Consultants, gave an overview of the water rate study report.

Campion was disappointed no information was provided for comparison purposes of industrial and commercial rates. He believed all customers, including previously metered customers, would receive the mock billing. He thought the metered rates would come back before council after one year of implementation.

Crews opened the public hearing.

Kevin Triplett opposed the proposed water rate increase.

Terry Parker, Galt Chamber of Commerce and industrial property owner, asked if more time was needed to educate industrial/commercial users.

Dave Darchek asked if all customers had been notified and received the same information.

Gene Davenport suggested tabling the issue until Council had their questions answered.

John Sigala asked if it was possible for a gradual increase over time.

Unknown name opposed the water rate increase.

Crews closed the public hearing.

Settles announced there were 147 written protest received at the close of the public hearing.

Payne suggested giving commercial/industrial more time to receive additional information on the proposed water rates and more time for customers to receive the mock billings. Winkler said the mock billings only included the flat rate customers. Powers wanted all customers, including metered customers, to receive mock billings and additional time to educate the commercial/industrial customers. Heuer said this was the fourth meeting on the proposed water rates and she wanted to move forward. Campion was not opposed to continuing the meeting. He asked for additional information on the assumptions used to determine the water rate as it relates to meter size.

Heuer motioned to move forward. Died due to lack of a second.

ACTION: Upon a motion by Payne, seconded by Crews, continuing the meeting to March 1, 2016, to give time to distribute mock billings to all residential and non-residential customers failed with Heuer, Campion and Powers dissenting.

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A motion was made by Campion, seconded by Heuer, approving the residential one inch rate structure, continuing the meeting to March 1, 2016, giving the non-residential and remaining residential an opportunity to receive the mock billings and bringing back alternatives to capacity charges to 3 inch meters and above.

Rudolph said the motion would strike everything from Exhibit A, attached to the resolution, except residential user and the one-inch or smaller meter size. He said all other rates would remain at the current rate.

Habib Isaac, Raftelis Financial Consultants, said the fixed charge was independent of customer class. He said the rate study determined the proportionality that created and established all of the rates. Isaac added if Council chooses to go forward with one rate, the report was no longer the basis of the rate the motion was proposing.

Campion withdrew his motion.

ACTION: Upon a motion by Heuer, seconded by Powers, adopting the resolution accepting the proposed water rate adjustments set forth in the public notice sent to customers and property owners, including an annual inflationary adjustment through 2020, based upon the percentage change in the Consumer Price Index failed with Payne, Campion and Crews dissenting.

ACTION: Upon a motion by Payne, seconded by Campion, continuing the meeting to March 15, 2016 in order to give all customers, residential and non-residential, an opportunity to receive a mock billing was approved with Heuer and Powers dissenting.

Heuer asked if the water rate implementation date was coming back to Council for action at the next meeting and Rudolph confirmed.

REGULAR CALENDAR

CITY MANAGER'S OFFICE:

1. **SUBJECT:** Delta Community College: Update on North County Campus.
RECOMMENDED ACTION: Receive the report and provide direction to staff, if desired.

Rudolph gave the agenda report.

Gene Davenport supported the North County Campus.

2. **SUBJECT:** Animal Control Ordinance.
RECOMMENDED ACTION: Adopt Ordinance No. 2015-10 repealing and replacing Title 6 of the Galt Municipal Code relating to animals.

Rudolph gave the agenda report.

ACTION: Upon a motion by Campion, seconded by Payne, adopting Ordinance No. 2015-10 was approved by a unanimous roll call vote.

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PUBLIC WORKS DEPARTMENT:

3. **SUBJECT:** Union Pacific Railroad Open Space Fence Beautification Project Concepts.
RECOMMENDED ACTION: Receive a presentation and provide staff direction on a preferred concept for the Union Pacific Railroad (UPRR) fence beautification project.

Gwen Owens, Deputy Public Works Director, gave the agenda report.

City Council gave direction to use the rustic finish, similar to the Twin Cities Roundabout Project, a variety of motifs, with a combination of draught and freeze resistant planting that would be low maintenance.

4. **SUBJECT:** Amendment No. 1 to the contract with Raftelis Financial Consultants.
RECOMMENDED ACTION: Adopt a resolution authorizing the Interim City Manager to execute contract Amendment No. 1 with Raftelis Financial Consultants, Inc. in an amount up to \$10,000 for water rate study services and an additional \$3,000 for project contingency needs.

Winkler gave the agenda report.

ACTION: Upon a motion by Heuer, seconded by Payne, approving Resolution No. 2016-04 was adopted by a unanimous roll call vote.

COMMUNICATIONS: None.

CITY CLERK'S REPORT: Nothing.

COMMENTS BY STAFF: Winkler gave an update on the City's water usage for the month of December.

COMMENTS BY CITY COUNCIL MEMBERS/FUTURE AGENDA ITEMS:

VICE MAYOR PAYNE: Nothing.

COUNCIL MEMBER HEUER: invited the community to the Winter Bird Festival and congratulated Payne for being recognized by the Galt Herald as the Person of the Year.

COUNCIL MEMBER CAMPION: Nothing

COUNCIL MEMBER POWERS: Nothing.

MAYOR CREWS: Nothing.

There being no further business to come before council, the mayor adjourned the meeting at 10:43 pm.

Respectfully submitted,

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Donna Settles
City Clerk