

**CITY COUNCIL  
MINUTES**

**CITY COUNCIL MEETING OF DECEMBER 9, 2014**

**CALL TO ORDER**

Mayor Huerta called the meeting to order at 6:03 p.m.

**ROLL CALL**

**PRESENT:** Mayor Huerta, Mayor Pro-tem Hurley, Councilmembers Moreno, Rodriguez and Walker

**ABSENT:** None

**STAFF:** City Manager Stanton, City Attorney Sullivan, Community Services Director Steinmann, Chief Fresé, Administrative Services Director Corgill, City Clerk Rathbun

**GUESTS:** Avelina Torres, Leah Santibanez, Andres Cruz, Ray Diaz, Beatriz Diaz, Jessica Diaz, Maria Castillo, David Kong, Antonio Martinez, Ramiro Lugo, Yaneli Martinez, Ernie Gallardo, Maria Montoya, Claudia Rios, Miguel Ramirez, Rogelio de Jesus, Artemio Ramirez, Nestor Quintana, Christine Kemp, Charles Nichols, Stephanie Garcia, Juan Garcia Sanchez

**INVOCATION**

Invocation by Pastor Ramiro Lugo.

**PLEDGE OF ALLEGIANCE**

All recited the Pledge of Allegiance.

**AGENDA REVIEW**

Staff distributed an amended agenda with all the same items in different order.

**PUBLIC COMMENTS FROM THE AUDIENCE REGARDING ITEMS NOT ON THE AGENDA**

Claudia Rios stated that she was here asking for the Council's support regarding getting a charter high school for the Greenfield Union School District.

Juan Garcia Sanchez asked that the City bring a hospital, farm labor housing, parks with full restrooms, security for the City and a tortilla factory.

## **CONSENT CALENDAR**

**A MOTION** by Mayor Pro-tem Hurley, seconded by Councilmember Rodriguez to approve the Warrants #295696 through #295780 and Bank Drafts #887 through #977 in the amount of \$301,249.27 and approve Minutes of the November 18, 2014 City Council Meeting. All in favor. Motion carried.

## **CITY COUNCIL BUSINESS**

### **APPROVAL OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD CANVASSING AND DECLARING THE RESULT OF THE GENERAL ELECTION HELD IN THE CITY OF GREENFIELD ON NOVEMBER 4, 2014 RESOLUTION #2014-75**

Staff report was given by City Clerk Rathbun.

**A MOTION** by Mayor Pro-tem Hurley, seconded by Councilmember Walker to adopt **Resolution #2014-75," A Resolution of the City Council of the City of Greenfield Canvassing and Declaring the Result of the General Election Held in the City of Greenfield on November 4, 2014"**. All in favor. Motion carried.

### **SWEARING IN – MAYOR HUERTA, COUNCILMEMBERS SANTIBANEZ AND TORRES**

City Clerk Rathbun sworn in Mayor John Huerta, Councilmember Leah Santibanez and Councilmember Avelina Torres.

Avelina Torres thanked everyone that supported her.

Leah Santibanez thanked her family and friends for their support.

### **APPROVE A PROCLAMATION HONORING ANNIE G. MORENO**

City Council thanked Councilmember Moreno for her service.

Mayor Huerta read the proclamation and presented it to Councilmember Moreno.

Councilmember Moreno thanked everyone for all their support.

### **APPROVE A PROCLAMATION HONORING G. RANDY HURLEY**

Mayor Pro-tem Hurley advised the new Council to embrace the opportunity and thanked everyone and wished them good luck.

City Council thanked Mayor Pro-tem Hurley for his service.

Mayor Huerta read the proclamation and presented it to Mayor Pro-tem Hurley.

### **SELECTION OF NEW MAYOR PRO-TEM**

**A MOTION** by Councilmember Torres, seconded by Councilmember Walker to elect Councilmember Rodriguez as the Mayor Pro-tem. All in favor. Motion carried.

Mayor Pro-tem Rodriguez stated that he would like to encourage the Council to speak nice and loud into the mic for the people watching on-line and that he would do his best.

### **ADOPTION A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD MAKING APPOINTMENTS TO THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC), ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (AMBAG), SALINAS VALLEY SOLID WASTE AUTHORITY (SVSWA), MONTEREY-SALINAS TRANSIT DISTRICT BOARD (MST), GREENFIELD PARKS COMMITTEE AND GREENFIELD DEVELOPMENT COMMITTEE RESOLUTION #2014-76**

Staff report was given by City Clerk Rathbun.

The following appointments were made:

Transportation Agency for Monterey County (TAMC) – Mayor Huerta – Member and Councilmember Torres - Alternate

Association of Monterey Bay Area Governments (AMBAG) – Mayor Huerta – Member and Councilmember Walker - Alternate

Salinas Valley Solid Waste Authority (SVSWA) – Councilmember Torres – Member and Mayor Pro-tem Rodriguez – Alternate

Monterey Salinas Transit (MST) – Councilmember Santibanez – Member and Councilmember Walker - Alternate

Greenfield Parks Committee – Councilmember Walker and Councilmember Santibanez

Greenfield Development Committee – Mayor Huerta and Mayor Pro-tem Rodriguez

**A MOTION** by Mayor Pro-tem Rodriguez, seconded by Councilmember Walker to adopt **Resolution #2014-76, “A Resolution of the City Council of the City of Greenfield Making Appointments to the Transportation Agency for Monterey County (TAMC),**

**Association of Monterey Bay Area Governments (AMBAG), Salinas Valley Solid Waste Authority (SVSWA), Monterey-Salinas Transit District Board (MST), Greenfield Parks Committee and Greenfield Development Committee” All in favor.**  
Motion carried.

#### **ADJOURN TO CLOSED SESSION**

#### **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION – SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE)**

Meeting adjourned to closed session at 6:43 p.m.

#### **RECONVENE TO OPEN SESSION**

Meeting reconvened to open session at 7:35 p.m.

City Attorney Sullivan reported that he briefed the City Council on a complaint the City received and the need to hire outside personnel to investigate and the Council agreed.

#### **ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD AWARDING A PUBLIC WORKS CONSTRUCTION CONTRACT FOR THE PATRIOT PARK LITTLE LEAGUE FIELD LIGHTING PROJECT RESOLUTION #2014-77**

Staff report was given by Community Services Director Steinmann.

Mayor Pro-tem Rodriguez asked if there was some sort of ordinance available to give local contractors preference to awarding bids. City Attorney Sullivan explained the local hiring ordinance. Mayor Huerta asked if staff could look into this matter.

Councilmember Walker asked if approved, when the project would be completed. Doug Pike, City Engineer, stated that it should be completed by mid-February.

Brent Slama, Greenfield Little League President, thanked the City Council for their consideration and approval of this project and moving forward with the lights. He stated that they were excited to start utilizing the ball fields at Patriot Park.

Ernie Gallardo stated that he would personally like to thank the City Council for investing in their youth.

**A MOTION** by Councilmember Walker, seconded by Councilmember Torres to adopt **Resolution #2014-77, “A Resolution of the City Council of the City of Greenfield Awarding a Public Works Construction Contract for the Patriot Park Little League Field Lighting Project”**. All in favor. Motion carried.

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH EDWARDS & ASSOCIATES FOR REQUIRED PARK PLAYGROUND AND EQUIPMENT REPAIRS  
RESOLUTION #2014-78**

Staff report was given by Community Services Director Steinmann.

**A MOTION** by Mayor Pro-tem Rodriguez, seconded by Councilmember Santibanez to adopt **Resolution #2014-78, "A Resolution of the City Council of the City of Greenfield Authorizing the City Manager to Negotiate a Contract with Edwards & Associates for Required Park Playground and Equipment Repairs"**. All in favor. Motion carried.

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD ADOPTING A LABOR COMPLIANCE PROGRAM IN COMPLIANCE WITH THE REQUIREMENTS OF THE CALIFORNIA PUBLIC RESOURCE CODE AND CALIFORNIA LABOR CODE  
RESOLUTION #2014-79**

Staff report was given by Community Services Director Steinmann.

**A MOTION** by Mayor Pro-tem Rodriguez, seconded by Councilmember Santibanez to adopt **Resolution #2014-79\*, "A Resolution of the City Council of the City of Greenfield Adopting a Labor Compliance Program in Compliance with the Requirements of the California Public Resource Code and California Labor Code"**. All in favor. Motion carried.

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD UPDATING MASTER FEE SCHEDULE FOR THE CITY OF GREENFIELD FOR BUILDING AND CONSTRUCTION AND PLANNING/LAND USE FEES  
RESOLUTION #2014-80**

Staff report was given by Community Services Director Steinmann.

**A MOTION** by Councilmember Walker, seconded by Councilmember Santibanez to adopt **Resolution #2014-80, "A Resolution of the City Council of the City of Greenfield Updating Master Fee Schedule for the City of Greenfield for Building and Construction and Planning/Land Use Fees"**. All in favor. Motion carried.

**CONSIDERATION OF APPOINTMENT OF PLANNING COMMISSION MEMBERS**

Staff report was given by Community Services Director Steinmann.

Stephanie Garcia stated that with the recent opening in the Planning Commission when would the City be accepting applications. Community Services Director Steinmann stated that the City was accepting applications immediately.

Councilmember Santibanez stated the all the individuals seeking re-appointment were very good and professional individuals. Councilmember Walker asked that staff advertise the position in the newspaper or on the radio as well as in the city manager's newsletter.

**A MOTION** by Mayor Pro-tem Rodriguez, seconded by Councilmember Walker to re-appoint Enrique Ramirez, Maria Castillo and Tina Martinez to the City of Greenfield Planning Commission for a three (3) year term commencing January 1, 2015. All in favor. Motion carried.

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD APPOINTING ERNEST GALLARDO, SR. TO THE CITY OF GREENFIELD CODE ENFORCEMENT APPEALS BOARD  
RESOLUTION #2014-80**

Staff report was given by City Manager Stanton.

City Attorney Sullivan stated that there was no conflict of interest in appointing Mr. Gallardo to a board as outlined in the Fair Political Practices Commission guidelines.

Ernest Gallardo stated that if being on the Code Enforcement Board would stir controversy among the Council then the Council maybe should not appoint him. He stated he knew the City was looking for people so he applied.

Stephanie Garcia stated that she was aware that it was not a conflict of interest; however, there was a course for AB1234 that covered ethics and one of the most important things was the public's perspective. She recommended that the two members recuse themselves and allow the remaining three vote Mr. Gallardo in.

Councilmember Torres stated that if the attorney wanted her to recuse herself from the vote she would, however, that was not the case and stated she would be voting.

Mayor Pro-tem Rodriguez stated that it was his understanding that at the previous meeting it was discussed that there were not enough volunteers and the appointment was not made because the Council wanted the new City Council seated and make the appointments. He stated that there was no conflict of interest so recusing themselves would be unnecessary.

Mayor Huerta stated that the AB1234 class was required of the Council and stated that he understood that; however, the City needed volunteers. He stated that Mr. Gallardo was his father-in-law and he had no reservations appointing him and that he felt that appointing him would not be an issue or conflict of interest.

Councilmember Walker stated that his no vote last month was not for Mr. Gallardo but to wait for the new City Council. He also stated that he would like to extend the terms for Mr. Smith and Ms. Bautista another year.

Councilmember Santibanez stated she understood Councilmember Walker and stated that the decision to vote would be up to the individual; however, each Councilmember must keep in mind the perspective of the public and any concerns from a fellow Councilmember and the public.

**A MOTION** by Councilmember Torres, seconded by Councilmember Walker to adopt **Resolution #2014-81, "A Resolution of the City Council of the City of Greenfield Appointing Ernest Gallardo, Sr. to the City of Greenfield Code Enforcement Appeals Board"**. All in favor. Motion carried.

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD REPEALING THE EXISTING FIRE MITIGATION FEE AND ADOPTING A NEW FIRE MITIGATION FEE TO BE IMPOSED UPON FUTURE DEVELOPMENT WITHIN THE CITY OF GREENFIELD  
RESOLUTION #2014-82**

Staff report was given by Community Services Director Steinmann.

Roy Morris, Chairman of the Greenfield Fire Protection District, stated that the Board met and had come up with setting the fire impact fee at 60% of the ceiling and asked that the Council support the Board's decision.

Alan Panziera stated that he was concerned about the study and stated that it was loaded on the commercial side; however, 90 % of the calls were from the residential area. He asked that the Council support the Fire District's decision.

Mayor Pro-tem Rodriguez asked why the District only wanted 60% of the fee and not the full amount. Mr. Morris stated that 60% was sufficient to operate. He stated that the fee would be reviewed every March.

Councilmember Walker stated that if the Fire Board was okay with the 60% of the fire impact fee then the Council should support the Board's decision.

Mayor Pro-tem Rodriguez stated that the fire department was a critical part of the community and maybe 80% of the fee would be a good compromise.

City Manager Stanton stated that the City was concerned that the costs that would be not collected by the full impact fee would be bore by the existing residents even though they already have paid. She stated that if the department included depreciation of the equipment and all their expenditures it would be underfunded.

Mayor Huerta stated that it was important to recoup costs; however, there also needed to be a balance and the City needed to be aware of the companies that wanted to come to Greenfield.

**A MOTION** by Mayor Pro-tem Rodriguez, seconded by Councilmember Torres to adopt **Resolution #2014-82, “A Resolution of the City Council of the City of Greenfield Repealing the Existing Fire Mitigation Fee and Adopting a New Fire Mitigation Fee to be Imposed Upon Future Development within the City of Greenfield”**. AYES: Mayor Huerta, Mayor Pro-tem Rodriguez, Councilmember Torres and Santibanez. NOES: Councilmember Walker. Motion carried.

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD APPROVING AN AGREEMENT WITH CHARLES AND JUDITH NICHOLAS, GREENFIELD FIRE PROTECTION DISTRICT AND CITY OF GREENFIELD  
RESOLUTION #2014-83**

Staff report was given by City Attorney Sullivan.

Christine Kemp, representing Mr. and Mrs. Nicholas, asked that the Council approve the agreement and move forward.

Mayor Pro-tem Rodriguez asked about terminating the annexation of the property. Ms. Kemp stated that they were committed to the City of Greenfield; however, the termination of the annexation at this time was a matter of timing and stated that the County had the manpower to push the map forward.

Charles Nicholas, applicant, stated that it would be best for both the City and the applicant to have the entire property annexed at once instead of parcel by parcel.

Mayor Pro-tem Rodriguez stated that the City was very excited about having Yanks come into the City. He stated that there was no barrier that they couldn't deal with and thought that was the understanding of the applicant; however, why wasn't the annexation process going through the City. Ms. Kemp stated that the process was complex and they needed to get the map processed the fastest way possible and believed the City did not have the staffing to do it. City Manager Stanton stated that the staffing was not an issue because they had talked to the County and have received a commitment from the County to process the annexation expeditiously. Ms. Kemp stated that the County could do the work and it would be the fastest way to get it done. Mayor Huerta stated that the City had been supported and were honoring the 2001 agreement by not re-opening the agreement. He stated that he did not think it was fair to the City that Ms. Kemp was stated that the City was not being workable. He stated that the City had shown for a small agriculture city all the support in that 2001 agreement.

There was additional discussion among the Council, applicant and staff regarding this item.

Councilmember Walker stated that he was ready to approve this.

**A MOTION** by Councilmember Walker to adopt a Resolution of the City Council of the City of Greenfield Approving an Agreement with Charles and Judith Nicholas, Greenfield Fire Protection District and City of Greenfield.

Councilmember Santibanez stated that she does not see any concerns with this agreement. Motion was seconded by Councilmember Santibanez.

Councilmember Torres stated that she also wanted the project to be completed; however, the annexation was important and stated that she would like to wait until that was resolved.

Mayor Pro-tem Rodriguez stated he was encouraged that Mr. Nicholas was willing to sit down with the County and talk to them regarding the annexation; however, he believed that waiting a month or so to get things done would satisfy everyone.

**ROLL CALL VOTE:**

Councilmember Santibanez – yes

Councilmember Torres – no

Councilmember Walker – yes

Mayor Pro-tem Rodriguez – no

Mayor Huerta – no

Motion died.

City Attorney Sullivan stated that it was his understanding that the Council wanted him to follow up by setting up a meeting with Ms. Kemp and Mr. Nicholas and the County of Monterey CEO Office to make Mr. Nicholas comfortable that the City could process the annexation through the County.

**CONSIDERATION OF A REVENUE OPTIONS STUDY**

Staff report was given by Administrative Services Director Corgill.

Councilmember Walker stated that \$6,500 was a lot of money and believed that this study could be done in house. Councilmember Santibanez stated that she believed that City Manager Stanton was very capable of doing the study and asked that this be done in house.

**A MOTION** by Mayor Pro-tem Rodriguez, seconded by Councilmember Torres to approve Authorizing the City Manager to Execute a Contract with Bill Statler for a Revenue Options Study in the amount of \$6,500. AYES: Mayor Huerta, Mayor Pro-tem

Rodriguez and Councilmember Torres. NOES: Councilmember Walker and Councilmember Santibanez. Motion carried.

**FIRST READING OF AN ORDINANCE OF THE GREENFIELD MUNICIPAL CODE AMENDING CHAPTER 13.34 ADOPTING A MANDATORY RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND SPECIAL EVENTS RECYCLING PROGRAM**

Staff report was given by Community Services Director Steinmann.

**A MOTION** by Councilmember Walker, seconded by Mayor Pro-tem Rodriguez, to read by title only, first reading, "An Ordinance of the City of Greenfield of the Greenfield Municipal Code Amending Chapter 13.34 Adopting a Mandatory Residential, Commercial, Industrial, and Special Events Recycling Program". All in favor. Motion carried.

**ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD APPROVING THE PURCHASE OF TWO FORD UTILITY POLICE INTERCEPTORS  
RESOLUTION #2014-83**

Staff report was given by Chief Frese.

Yaneli Martinez stated that she was part of the Police Academy and did do a ride along and she recommended that the Council purchase these vehicles.

**A MOTION** Councilmember Walker, seconded by Councilmember Torres to adopt **Resolution #2014-83, "A Resolution of the City Council of the City of Greenfield Approving the Purchase of Two Ford Utility Police Interceptors"**. All in favor. Motion carried.

**CONFERENCES, SEMINARS, AND MEETINGS ATTENDED BY MAYOR AND CITY COUNCIL**

Mayor Huerta encouraged that the new councilmembers get involved with the League of California Cities. He stated that on Monday Mayor Rubio stepped down and Mayor Pro-tem Scott Funk, City of Gonzales, was elected as the new president of the League of California Cities, Monterey Bay Division.

Community Services Director Steinmann reported that at the Planning Commission meeting the Commission approved an application for A&S Metals to establish a business on Maple & Third Street.

**COMMENTS FROM CITY COUNCIL**

Councilmember Torres stated that she really liked her first meeting and was proud to be here.

Mayor Pro-tem Rodriguez asked if staff could look into an ordinance regarding future bids and the hiring of local contractors.

### **CITY MANAGER REPORT**

City Manager Stanton reported that Christmas in the Park would be on the 13<sup>th</sup> of December at Greenfield Village Park.

She also stated that next Friday, December 19<sup>th</sup> City staff would be getting together and having lunch at 1 p.m. and invited the Council to attend. She stated that she would like to schedule a goals/vision workshop in January.

It was the consensus of the Council to hold the workshop the third or fourth Saturday of January at the community center or civic center.

### **ADJOURNMENT**

Meeting adjourned at 10:17 p.m.

---

Mayor of the City of Greenfield

---

City Clerk of the City of Greenfield