



CITY OF GALT

MINUTES

SPECIAL CITY COUNCIL MEETING
Council Chambers, 380 Civic Drive, Galt, California
Tuesday, March 23, 2010, 6:30 p.m.

The meeting was called to order at 6:30 pm by the mayor. Council Members present: Payne, Clare, Haines, and Shelton. Absent: Meredith.

Staff members present: City Manager Behrmann, City Clerk Aguire, City Attorney Rudolph and Police Chief Cattolico.

PUBLIC COMMENTS The clerk announced that under Government Code Section 54954.3, members of the audience could address the council on any agenda item before or during the council's consideration of the item. 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 had a five minute time limit.

ADJOURN TO SPECIAL CLOSED EXECUTIVE SESSION:

1. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:** Initiation of litigation pursuant to Section 54956.9(c) - One potential case.

RECONVENE TO OPEN SESSION: The council reconvened to open session at 7:04 p.m. at which time the city attorney announced there was no reportable action.

There being no further business to come before council, the meeting was adjourned by the mayor at 7:04 p.m.

Respectfully submitted,

Elizabeth Aguire
City Clerk

CITY OF GALT

MINUTES



ADJOURNED REGULAR CITY COUNCIL MEETING
Council Chambers, 380 Civic Drive, Galt, California
Tuesday, March 23, 2010, 7:00 p.m.

The meeting was called to order at 7:04 p.m. by the mayor. Council Members present: Payne, Clare, Haines, Meredith, Shelton.

Staff members present: City Manager Behrmann, City Clerk Aguire, Community Development Director Campion, Public Works Director Halladay, City Attorney Rudolph, Chief of Police Cattolico, Finance Director Kiriou, Human Resources Administrator Islas, and Parks and Recreation Director Jeffries.

OPENING CEREMONIES - Silent prayer was observed, the flag salute was recited by Cub Scout Pack 84 Den 8 and the video statement was read by the city clerk.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS – Behrmann asked that items G3, G4, and G5 be moved to the top of the agenda immediately following the consent calendar. Payne pulled item E-7 for discussion. Aguire moved item K1 after item G5.

PRESENTATIONS:

1. **SUBJECT:** McFarland Ranch Annual Report – Genie Olson invited everyone to attend their Scottish dinner on May 22, 2010. Ron Jacobsen gave a presentation to council and showed the progress at the Ranch.

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.

Bob Hitchcock discussed the upcoming truck show on June 4, 5 and 6.

John Slaughterback talked about the lady who was in default of her utility payments. He said the city could be sued. He then discussed Phase Two Water Meter Installation and said council should discuss the issue.

CONSENT CALENDAR - Consisting of Items 1 through 8, excluding item E-7 which was pulled for discussion.

1. **SUBJECT:** Minutes of special and regular meetings of March 2, 2010.
RECOMMENDATION: Accept the minutes as submitted.
2. **SUBJECT:** City of Galt Warrants.
RECOMMENDATION: Approve the warrants as submitted.
3. **SUBJECT:** Destruction of records.
RECOMMENDATION: Adopt Resolution No. 2010-19 authorizing the destruction of city records pursuant to the City's Records Retention Policy.

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4. **SUBJECT:** Ordinance No. 2010-02
RECOMMENDATION: Adopt Ordinance No. 2010-02 authorizing an amendment to the contract with the Board of Administration of the California Public Employees' Retirement System.
5. **SUBJECT:** Real property acquisition – AM Enterprises, et al., Central Galt Interchange Project.
RECOMMENDATION: Approve the settlement agreement with AM Enterprises, et al, for purchase of real property and easements from APN 150-0092-001.
6. **SUBJECT:** 3rd Annual Shriners Hospital Cool Truck Show – June 5-6, 2010
RECOMMENDATION: 1) Approve usage of Market grounds, and 2) approve rental fee in the amount of \$1,400.
8. **SUBJECT:** July 4th fireworks proposal.
RECOMMENDATION: Authorizing the city manager to enter into an agreement with Pyro Spectaculars by Souza for the City's annual 4th of July fireworks display; and 2) authorize staff to pay deposit and include the amount of \$17,070 in the upcoming budget for the 2010-2011 fiscal year.

ACTION: Upon a motion by Clare, seconded by Meredith, the consent calendar was approved by a unanimous vote.

CONSENT CALENDAR ITEM E-7

7. **SUBJECT:** Galt Festival, July 2-4, 2010 – use of city facilities.
RECOMMENDATION: 1) Approve the usage and waive all fees for the Chabolla Community Center, Galt Market west and south parking lots and Veteran's Soccer Field; 2) authorize the police chief to close Chabolla Avenue from July 1 at 5:00 p.m. to July 4 at midnight; 3) allow the Festival Committee to sell beer and wine; 4) authorize the police chief to close C Street from 4th Street to Civic Drive on Sunday, July 4 at 2:00 p.m. for the Festival Parade; 5) waive all other appropriate fees for event; 6) direct the Festival Committee to adhere to the police chief requirement of private security personnel for the event; and 7) in the event the Festival Committee does not adhere to the police chief requirements on private security, the Festival Committee will reimburse the City for police personnel.

Payne asked Ms. Sealey to discuss the Galt Festival.

Corrinne Sealey, chair of the Galt Festival Board, spoke about the upcoming festival and the difficulty in organizing the parade. She commented on the number of non-profit organizations involved in putting on the festival and those that received funding from the festival proceeds.

ACTION: Upon a motion by Payne, seconded by Clare, all recommended actions were approved by a unanimous vote.

CITY MANAGER'S OFFICE

3. **SUBJECT:** Galt Public Service Unit memorandum of understanding.
RECOMMENDED ACTION: Adopt Resolution No. 2010-20 to approve the memorandum of understanding (MOU) with the Galt Public Service Unit (GPSU) for the period of January 1, 2010,

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through June 30, 2011, and authorize the city manager to sign the MOU.
Islas gave a staff report.

ACTION: Upon a motion by Clare, seconded by Meredith, Resolution No. 2010-20 was approved by a unanimous vote.

4. **SUBJECT:** Galt Police Officers Association memorandum of understanding.
RECOMMENDED ACTION: Adopt Resolution No. 2010-21 to approve the memorandum of understanding (MOU) with the Galt Police Officers Association (GPOA) for the period of January 1, 2010, through June 30, 2011, and authorize the city manager to sign the MOU.

Islas gave a staff report. Haines said he disagreed with furloughing police officers. Meredith said the City was faced with an economic crises and council gave the employees group the opportunity to work toward furloughs rather than layoffs during this time of fiscal crises and said he respected the decision by both employee groups. Behrmann said they were very concerned about reducing the level of service. He said there would be requested time off for furlough leave hours and it was structured in such a way that there was no reduction of service to the community. Haines said he did not think there would be a great deal of savings.

ACTION: Upon a motion by Meredith, seconded by Clare, Resolution No. 2010-21 was approved with Haines dissenting.

5. **SUBJECT:** Work furlough for full time unrepresented employees and changes to personnel manual.
RECOMMENDED ACTION: Adopt Resolution No. 2010-22: 1) authorizing implementation of a work furlough for full time unrepresented employees; 2) approving changes to the City of Galt Personnel Manual regarding work furloughs and cap to medical benefit waiver amounts; and 3) approving City of Galt 9/80 work schedule for employees where operational needs permit.

Islas gave a staff report.

ACTION: Upon a motion by Payne, seconded by Clare, Resolution No. 2010-22 was approved by a unanimous vote.

CITY CLERK'S REPORT

1. **SUBJECT:** Galt Historic Preservation Advisory Committee appointments.
RECOMMENDED ACTION: Appoint as necessary to fill the vacancies on the Galt Historic Preservation Advisory Committee.

Aguire gave a staff report.

ACTION: Upon a motion by Clare, seconded by Meredith, Denier and Berreth were appointed to the Historic Preservation Advisory Committee.

SCHEDULED MATTERS - PUBLIC HEARING

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**REGULAR CALENDAR:
CITY COUNCIL**

1. **SUBJECT:** Local hire ordinance.
RECOMMENDED ACTION: Discuss and take action as deemed appropriate.

John Slaughterback was opposed to the ordinance. He asked for a workshop to discuss the pros and cons and did not want to bypass staff.

Matt Hedges, Sacramento Regional Builders Exchange, said a local hiring ordinance did more harm than good and was opposed to the ordinance.

Nicole Goehring, Associated Builders, opposed the hiring ordinance.

Gene Davenport supported the ordinance and was amazed that people referred to people in favor of the ordinance as a special interest group. He recommended South County Services as a day labor hall.

Clare asked if it was Stockton's proposal and Davenport said it was with a larger radius. Clare asked if the ordinance was for union workers and Davenport said it was not about a union. Clare asked if he supported unskilled jobs and Davenport said he did. Clare brought up WalMart.

Terry Peterson, Cal Valley Solar, supported the local hiring ordinance and wanted help for the unemployed.

Scott Steelman, International Brotherhood of the Electrical Workers, supported the local hiring ordinance. He said local citizens should be able to vote on the issue and decide for themselves.

Marco Hernandez, Carpenters Union, said commercial construction was 30%-50% unemployment, and residential construction was 80%. He supported the local hiring ordinance and said the City should establish a local apprentice program at the high school level.

Steve Justice said he wanted the jobs to stay in Galt. He supported the local hiring ordinance.

Rick Salton thanked council for their work. He supported the local hiring ordinance.

Al Baldwin said the ordinance needed more public input. Baldwin said Meredith had previously mentioned that there were 2,400 unemployed in the community and Baldwin asked if the information was available as to the type of work these unemployed could do. Meredith indicated that there was a cost associated with acquiring that information. Baldwin emphasized again that there should be community input. Meredith asked Aguire the cost for placing an item on the ballot and Aguire said she estimated between \$1,200 and \$1,500. Meredith said he would waive his compensation as a council member in order to fund the ballot measure.

Payne said she was not in favor of the local hiring ordinance and said the people elected council to make decisions and she made a decision on the ordinance months ago. She said she thought it would not solve the problems in Galt with unemployment. She believed people should be hired because of

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their ability.

Clare said he was not present at the last vote on the ordinance. He reviewed the ordinance and the findings. He said he was very experienced with large bids and was worried that the ordinance would raise costs and lower competition. He said companies should be able to pick the best people. He did not support the ordinance and did not support the city council placing it on the ballot. He said Mr. Davenport could move forward with a citizen's initiative and get signatures to place it on the ballot.

Haines thanked everyone for coming to the meeting and expressing opinions. He said the ordinance would not solve all the problems but was a start. Haines said he would like to go back and redraft the ordinance and believed it should be in Galt.

Meredith said the issue was creating jobs in the community. He gave some statistics regarding unemployment and said the Galt community had major problems. He said the City had an opportunity to create fundamental change that would benefit the residents of Galt into the future. He said it was personal politics.

Shelton said he listened to everyone and did his own investigations and did not support the ordinance. Clare asked Meredith about personal politics and Meredith said his ideas were blocked out of vindictiveness. Payne said she disagreed with his statement. Meredith said citizens knew that some on the city council were trying to make changes and some just showed up to the meeting. He said some people were trying to make positive changes and make the community better.

ACTION: Meredith moved to approve placing the local hiring ordinance on the ballot as proposed by Meredith which included a sphere of influence limit as the boundary line, seconded by Haines.

DISCUSSION: Rudolph reviewed the process regarding bringing back a resolution with a ballot statement, procedural steps for the county as well as directing the preparation of an impartial analysis along with arguments for and against.

ACTION: The motion died with Payne, Clare and Shelton dissenting.

CITY ATTORNEY

2. **SUBJECT:** Ordinance amending section 2.16.070 of Chapter 2.16, and repealing section 2.20.020 of Chapter 2.20 of the Galt Municipal Code pertaining to the authority of the city manager to appoint and remove city employees.

RECOMMENDED ACTION: Introduce Ordinance No. 2010-03 amending 2.16.070 of Chapter 2.16 of the Galt Municipal Code entitled, "Powers and Duties" and repealing section 2.20.020 of Chapter 2.20 of the Galt Municipal Code entitled, "Appointment", and waive the first reading.

Rudolph gave a staff report. Payne asked about the position of the finance director and Rudolph said the finance director had certain duties that only they could perform and were regulated by State law to do so. He also mentioned the duties of the police chief. Haines asked what other cities did. Rudolph said in general the department heads served at the pleasure of the city manager.

ACTION: Upon a motion by Clare, seconded by Haines, Ordinance No. 2010-03 was introduced with Meredith absent.

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CITY MANAGER'S OFFICE

6. **SUBJECT:** Appointment of city attorney.
RECOMMENDED ACTION: 1) Authorize the creation of an in-house city attorney position and approve the job description; 2) approve the employment agreement with Steven Rudolph, appointing him to the position of city attorney; 3) approve the supplemental appropriation of \$53,607 in expenditures and \$4,000 in revenues through the end of the current fiscal year; and 4) authorize the termination of city attorney services with the law firm of Meyers Nave and direct staff to negotiate a revised agreement for the continuation of specialized legal services.

Behrmann gave a staff report and gave a background on Steve Rudolph. Payne reminded everyone that the City had an in-house city attorney in the past. Clare said he was in favor of bringing specifically Mr. Rudolph on and a great opportunity for the City. He thanked the subcommittee of Haines and Shelton. Haines said Rudolph was exactly what the City needed at this time and said Rudolph had a vast amount of experience. He welcomed Rudolph. Meredith said the legal bills dictated that the city council had to find a way to increase the opportunities and increase the benefits to the community. He said Rudolph did a fantastic job the last few years and appreciated Mr. Rudolph's candor. He said the litigation prevention was a huge benefit for the City and there were additional benefits besides the cost savings. Shelton said it was a pleasure to be on the subcommittee. He said Rudolph's land-use experience would be vital and the City was lucky to get Mr. Rudolph. He welcomed him.

ACTION: Upon a motion by Clare, seconded by Meredith, all recommended actions were approved by a unanimous vote.

CULTURE AND RECREATION DEPARTMENT

7. **SUBJECT:** Group picnic areas usage fees proposal.
RECOMMENDED ACTION: Adopt a resolution establishing rental fees for recommended group picnic areas.

Parks Superintendent Bonnet gave a staff report and a presentation to council. Payne said at first she was against the fees, but realized it was a service that could be offered to the citizens. Clare said he was having a hard time with the issue. Haines said the City should provide a service for reservations but could not support the prices. Meredith did not feel comfortable with the prices and wanted things left the way they were currently. Clare was looking at Community Park #2 because it was bigger than the rest. He thought the City could set aside some of the park. Haines wanted it left alone. There was no action on the item.

PUBLIC WORKS DEPARTMENT

8. **SUBJECT:** Public works administrative staffing.
RECOMMENDED ACTION: 1) Adopt Resolution No. 2010-23 creating the classification of supervising administrative assistant and approving the proposed job description and salary range; 2) approve the change from a part-time to a full-time office assistant I/II position within the public

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works department; and 3) adopt Resolution No. 2010-24 creating the classification series of administrative analyst I, administrative analyst II and senior administrative analyst, approving the proposed job descriptions and salary ranges, and 4) approving the change from a transit coordinator position to an administrative analyst position within the public works department.

Halladay gave a staff report. Meredith asked about Landscaping and Lighting District #3 having more of a cost share than the other two districts and Halladay said the cost of the other two districts was fixed and there were more administrative costs associated with #3.

John Slaughterback said the public works department needed additional help and said some employees from other departments could be transferred into the public works department. He thought an outside firm should evaluate the workload of the city department's efficiency. Meredith said the Central Galt Interchange and the Wastewater Treatment Plant Upgrade were all big projects.

Behrmann said he recommended the changes and the impact to the general fund was minimal. Payne said the positions were needed, but she feared the future economy, more city cuts and future layoffs.

Clare said he understood the needs in the department and thought a lot of the current administrative assistant. He added that there were grants and other opportunity that the City did not want to miss because of understaffing and said he supported the positions. Haines agreed with Clare. Meredith thought the department did a great job and agreed with the positions.

ACTION: Upon a motion by Clare, seconded by Meredith, Resolution No. 2010-23, Resolution No. 2010-24 and all other recommended actions were approved by a unanimous vote.

COMMUNICATIONS

ADJOURN AND RECONVENE TO THE GALT CITY COUNCIL.

CITY CLERK'S REPORT

2. **SUBJECT:** Galt Municipal Code Chapter 2.08 – office hours.

RECOMMENDED ACTION: Introduce Ordinance No. 2010-04 repealing chapter 2.08 of the Galt Municipal Code pertaining to office hours of the city clerk and waive the first reading.

Aguire gave a staff report. Haines and Clare asked about signage for the new office hours. Behrmann said they would provide signage and ads for the new office hours.

ACTION: Upon a motion by Clare, seconded by Haines, Ordinance No. 2010-04 was introduced with Meredith absent.

COMMENTS BY STAFF: Behrmann said he attended the National League of Cities Congressional City Conference with Meredith and attended some good workshops. He said they met with Lungren for future requests.

COMMENTS BY CITY COUNCIL MEMBERS/FUTURE AGENDA ITEMS

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VICE MAYOR PAYNE spoke about the activities planned for the Spring Eggstravaganza. Payne thanked Liberty Ranch High School, indicating they had invited her to participate in the forming of the school's principles. She attended the STA meeting in which they formed an oversight committee that would review the distribution of the gas tax and whether it was being done correctly. She also attended the First Five meeting and was hoping to bring pre-school funding to the community.

COUNCIL MEMBER CLARE said he had informed the SACOG Board that Payne, as alternate, would be attending the next couple of meetings. He also indicated to Meredith that he might not be able to attend future Sacramento Metropolitan Air Quality Control Board meetings.

COUNCIL MEMBER HAINES had no comment.

COUNCIL MEMBER MEREDITH commented on the conference he attended with Behrmann in Washington DC. and was concerned and disappointed about the earmarks from the government. He said the country was too divided and could not work towards the greater good. Behrmann indicated the City projects that were earmarked for federal funding. Meredith reported on discussion with Congressman Lungren.

MAYOR SHELTON: Aguire announced that the ground breaking for Galt Place would take place on March 30th and extended an invitation to the community to attend.

There being no further business to come before council, the meeting was adjourned by the mayor at 10:30 p.m.

Respectfully submitted,

Elizabeth Aguire
City Clerk