



CITY OF GALT

MINUTES

SPECIAL CITY COUNCIL MEETING Council Chambers, 380 Civic Drive, Galt, California Tuesday, August 4, 2010, 6:00 pm

The meeting was called to order at 6:00 pm by the mayor. Council Members present: Payne, Clare, Haines and Shelton.

Staff members present: City Manager Behrmann, City Clerk Aguire, City Attorney Rudolph and Public Works Director Halladay.

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 - EXISTING LITIGATION** pursuant to and under the authority of Government Code Section 54956.9(a).

City of Galt v. Galt Wellness Center, Sacramento Superior Court Case No. 34-2010-000078752

2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** pursuant to and under the authority of Government Code Section 54956.9(a).

Galt Wellness Center, Inc. v. City of Galt, Sacramento Superior Court Case No. 34-2010-000078791.

3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** pursuant to and under the authority of Government Code Section 54956.9(a).

Galt Citizens for Sensible Planning v. City of Galt, Sacramento Superior Court Case No. 34-2010-80000546.

4. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** pursuant to and under the authority of Government Code Section 54956.9(c) – One Case.

RECONVENE TO OPEN SESSION: The council reconvened to open session at 7:06 pm at which time the city attorney announced there was no action to report.

There being no further business to come before council, the meeting was adjourned by the mayor at 7:07 pm.

Respectfully submitted,

Elizabeth Aguire
City Clerk



CITY OF GALT

MINUTES

ADJOURNED REGULAR CITY COUNCIL MEETING Council Chambers, 380 Civic Drive, Galt, California Tuesday, August 4, 2010, 7:00 pm

The meeting was called to order at 7:01 pm by the mayor. Council Members present: Payne, Clare, Haines, and Shelton.

Staff members present: City Manager Behrmann, City Clerk Aguire, Community Development Director Campion, Public Works Director Halladay, City Attorney Rudolph, City Treasurer Farrell, Chief of Police Cattolico and Parks and Recreation Director Jeffries.

Absent: Finance Director Kiriu and Human Resources Administrator Islas.

OPENING CEREMONIES - Silent prayer was observed, the flag salute was recited and the video statement was read by the city clerk.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS - None

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.

Rick Walters asked Clare how many meetings he missed and about his residence.

John Slaughterback thanked Clare for his service and said he had a new respect for him.

Dave Dahlgren thanked Clare for his service and presented him with a picture of a newly painted rail car. He said he was involved with the city because of Clare.

CONSENT CALENDAR - Consisting of Items 1 through 3.

1. **SUBJECT**: Minutes of the special and regular meetings of July 20, 2010.
RECOMMENDED ACTION: Accept the minutes as submitted.
2. **SUBJECT**: City of Galt Warrants.
RECOMMENDED ACTION: Approve the warrants as submitted.
3. **SUBJECT**: Street Closure for Liberty Ranch High School homecoming parade.
RECOMMENDED ACTION: Authorize the chief of police to close the streets for the Liberty Ranch High School homecoming parade.

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

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PRESENTATIONS: The mayor presented Clare with a plaque and thanked him for his eight years of service to the community. Clare made a statement and thanked the council and staff. He thanked the voters, the volunteers, business partners, Pete Evich the federal lobbyist, elected officials in the region, SACOG, the Air District, the Board of Supervisors and specifically Supervisor Don Nottoli and Congressman Dan Lungren. He thanked the entire city council and individually recognized department heads. He thanked his family for all their sacrifices that allowed him to serve the community.

SCHEDULED MATTERS - PUBLIC HEARING

REGULAR CALENDAR

TREASURER'S OFFICE

1. **SUBJECT:** Treasurer's Report for period ending June, 2010.
RECOMMENDED ACTION: Accept the treasurer's report as submitted.

Farrell gave a staff report.

ACTION: Upon a motion by Clare, seconded by Haines, the treasurer's report was approved by a unanimous roll call vote.

CITY ATTORNEY'S OFFICE

2. **SUBJECT:** Vacancy on the City Council.
RECOMMENDED ACTION: Make an appointment to fill the vacancy, take no action or provide further direction to staff.

Rudolph discussed the appointment process and said it was his opinion that three members would constitute a quorum if there were two vacancies. He said the council had the ability to adopt a local rule which could be changed. It would warrant more review of the authority under state law. He said it was very clear that in order to adopt a resolution, ordinance or the payment of money would require three votes. The mayor informed everyone of the process and Aguire said she would call up the candidates alphabetically.

Ted Anderson was not available.

Al Baldwin gave council his philosophy of a good council member. He said he was an upstanding citizen active in the community.

Timothy Corcoran thanked the council. He reviewed his resume and his skills as it related to serving as a city council member.

Jeff Hood was not available.

Mattie Shepherd/Krachunis thanked council for the opportunity. She reviewed her resume and discussed her involvement within the community.

Mike McCune was not available.

Sam Moreno thanked council. He said he had a sense of community service and supported smart growth. He supported the Galt schools and he reviewed his work history and background.

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Ray Cormier reviewed his background.

Marylou Powers reviewed her resume and discussed her duties with the planning commission.

Mike Singleton reviewed his volunteer record and said he was attending the city council meeting for a few years. He said he was involved with people and listened.

John Slaughterback said council should appoint someone who would not run for election. He wanted to know more about the candidates. He suggested Al Baldwin or himself.

Rudolph reviewed Roberts Rules of Order and said council could make nominations with no second, then vote in the order received.

Haines thought Clare should be recused from the vote as ethically he was not a resident of Galt. Clare said his primary residence was in Galt. Rudolph reviewed the legalities of residency. Haines said he would vote no on all the candidates because he did not agree with filling the vacancy. Clare reviewed past council meetings when there were vacancies and encouraged council to fill the vacancy that he would leave as well.

Aguire opened the nominations. Payne nominated Powers. Hearing no further nominations, Aguire closed the nomination period. Aguire called for the roll call vote.

ACTION: The motion for Powers carried with Haines dissenting.

3. **SUBJECT:** Ordinance No. 2010-06 of the city council of the city of Galt adding chapter 2.60 of the Galt Municipal Code regarding conflicts of interest guidelines and a resolution of the city council of the city of Galt designating filing positions and creating disclosure categories for conflict of interest. **RECOMMENDED ACTION:** Introduce an ordinance adding chapter 2.60 of the Galt Municipal Code regarding conflicts of interest guidelines; waive further reading of the ordinance; and, continue the matter to the next regular meeting.

Rudolph gave a staff report.

ACTION: Upon a motion by Clare, seconded by Payne, Ordinance No. 2010-06 was introduced by a unanimous roll call vote.

FINANCE DEPARTMENT

4. **SUBJECT:** Foreclosure proceedings for Community Facilities District 1988-1. **RECOMMENDED ACTION:** Adopt Resolution No. 2010-65 approving foreclosure proceedings to be initiated against properties in payment of the 2009-2010 levy for Community Facilities District 1988-1.

Neeley gave a staff report.

Mike Guttridge asked what would happen if the water was shut off and the sprinkler systems. Shelton was concerned about fire and safety. Halladay discussed dual lines which would bypass the meter and serve only the sprinkler systems in the house. He said they were still working on the technology.

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ACTION: Upon a motion by Payne, seconded by Haines, Resolution No. 2010-65 was adopted by a unanimous roll call vote with Clare abstaining.

5. **SUBJECT:** Foreclosure proceedings for 1999-1 Assessment District.
RECOMMENDED ACTION: Adopt Resolution No. 2010-66 approving foreclosure proceedings to be initiated against properties delinquent in payment of the 2009-2010 levy for the 1999-1 Assessment District.

Neeley gave a staff report.

ACTION: Upon a motion by Payne, seconded by Clare, Resolution No. 2010-66 was adopted with a unanimous roll call vote

PUBLIC WORKS DEPARTMENT

6. **SUBJECT:** Status of wastewater plant upgrade and National Pollutant Discharge Elimination System (NPDES) permit.
RECOMMENDED ACTION: 1) Receive a status update of the Wastewater Treatment Plant Upgrade Project and NPDES permit and provide direction, if any, as deemed appropriate; and 2) authorize a change order in the amount of \$11,077 to the task order dated June 15, 2010 to Carollo Engineers, Inc. for additional supplemental engineering services for the NPDES permit renewal.

Halladay gave a history of the NPDES Permits.

Scott Parker, Carollo Engineers, discussed the process of the upgrade, the negotiation highlights and reviewed the limits of some concerns including arsenic, Bis2, Copper, etc. He then discussed the next steps in the permit process.

ACTION: Upon a motion by Payne, seconded by Clare, council received a status update of the Wastewater Treatment Plant Upgrade Project and NPDES permit; and authorized a change order in the amount of \$11,077 to the task order dated June 15, 2010 to Carollo Engineers, Inc. for additional supplemental engineering services for the NPDES permit renewal by a unanimous roll call vote.

COMMUNICATIONS: None.

ADJOURN AND RECONVENE TO THE GALT CITY COUNCIL.

CITY CLERK'S REPORT: Aguire thanked the Mosquito Abatement District for the mosquito wipes for National Night Out. She then presented the city with a plaque from the Census Bureau and gave council a list of upcoming events.

COMMENTS BY STAFF: Behrmann announced the award of \$6.8 million in federal stimulus money to Softcom. Rudolph then announced that it was Coastguard Day. Halladay said the city received an award for the Wastewater Treatment Plant Upgrade, Project of the Year award. He added that the Central Galt Interchange Project was out to bid. Aguire gave a tentative date of October 5th for the ground breaking for the Central Galt Interchange Project.

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COMMENTS BY CITY COUNCIL MEMBERS/FUTURE AGENDA ITEMS

VICE MAYOR PAYNE: Thanked the police department for National Night Out. She said the County's Aging Commission discussed SB120 and SB407. Behrmann discussed SB407 and gave an overview of the bill.

COUNCIL MEMBER CLARE: Thanked everyone in the van from the cable company and said he hoped that council would replace him with one of the qualified candidates who submitted a letter.

COUNCIL MEMBER HAINES: Had nothing.

MAYOR SHELTON: Thanked everyone for National Night Out.

There being no further business to come before council, the meeting was adjourned by the mayor at 10:15 pm.

Respectfully submitted,

Elizabeth Aguire
City Clerk