



CITY OF GALT

MINUTES

SPECIAL CITY COUNCIL MEETING
Council Chambers, 380 Civic Drive, Galt, California
Tuesday, September 28, 2010, 6:00 pm

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

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

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:** Exposure from another party pursuant to Section 54956.9(c) - One potential case.
2. **PUBLIC EMPLOYEE EVALUATION** - pursuant to and under the authority of Government Code Section 54957 – City Manager

RECONVENE TO OPEN SESSION: The council reconvened to open session at 7:00 pm at which time the city attorney announced there was no action to report and the council would reconvene into closed session after the regular meeting.

ADJOURN TO SPECIAL CLOSED EXECUTIVE SESSION: 8:30pm

2. **PUBLIC EMPLOYEE EVALUATION** - pursuant to and under the authority of Government Code Section 54957 – City Manager

RECONVENE TO OPEN SESSION: The council reconvened to open session at 9:30 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 9:30 pm.

Respectfully submitted,

Elizabeth Aguire
City Clerk



CITY OF GALT

MINUTES

SPECIAL CITY COUNCIL MEETING Council Chambers, 380 Civic Drive, Galt, California Tuesday, September 28, 2010, 7:00 pm

The meeting was called to order at 7:00 pm by the mayor. Council Members present: Payne, Haines, Powers, and Shelton.

Staff members present: City Manager Behrmann, City Clerk Aguire, Public Works Director Halladay, City Attorney Rudolph, City Treasurer Farrell, Chief of Police Cattolico, Finance Director Kiriu and Human Resources Administrator Islas.

Absent: Parks and Recreation Director Jeffries, Community Development Director Campion.

OPENING CEREMONIES - Silent prayer was observed, the flag salute was recited by Cub Scout Pack 84 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.

Kayla Cole discussed the Emerge Team which is a coalition of youth and adults working together. Ms. Cole invited council to an awards ceremony on October 14th at the 24th Street Theater in Sacramento from 4:00pm-6:00pm for their National American Promise Award.

Al Baldwin reminded council of the GALEP program. He invited everyone to the meeting at 1018 C Street, October 17th at 7:00 pm. He explained the GALEP project and said it was wonderful for the kids and asked everyone to get involved.

John Slaughterback was concerned about the city of Bell and said the public needed to be aware and involved.

Gene Davenport spoke on reintegrating service and military persons locally.

CONSENT CALENDAR - Consisting of Items 1 through 4.

1. **SUBJECT**: Minutes of the special and regular meetings of September 7, 2010.
RECOMMENDED ACTION: Accept the minutes as submitted.
2. **SUBJECT**: City of Galt Warrants.
RECOMMENDED ACTION: Approve the warrants as submitted.
3. **SUBJECT**: Tuition Reimbursement Policy.
RECOMMENDED ACTION: Approve the proposed tuition reimbursement policy.

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4. **SUBJECT:** World Polio Day.
RECOMMENDED ACTION: Approve the proclamation as submitted.

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

REGULAR CALENDAR

POLICE DEPARTMENT

1. **SUBJECT:** Sacramento County Probation Department Memorandum of Understanding (MOU).
RECOMMENDED ACTION: Authorize staff to hire a full time police officer from Measure R funds to serve on the Sacramento County Narcotics Task Force and approve the budget change.

Cattolico gave a staff report.

Rick Walters said he thought the ordinance was designed for the city council to amend the ordinance. He said the intent was to fund police patrols and said the government should not deviate from the main goal of police patrols. He challenged council to fund the seven patrol officers and two dispatchers.

Al Baldwin said he was in favor of a probation officer but said it should not be funded through the Measure R funds. He suggested waiting until after the election for a full council before making the decision.

Dan Jimenez said the proposal was an end run from the last proposal and said the proposal did not make sense since there were not enough funds to sustain any officer for more than three years.

Mike Singleton said he supported the probation officer. He said it was an experienced officer for half price. The officer would be protecting the Galt citizens against gangs. He encouraged council to support the issue and said it was money well spent.

Gene Davenport thought the probation officer fell within the limits of Measure R. He said it was an opportunity for the city but said the item was disingenuous to the process since the Measure R Committee did not review the report. It was an opportunity for the city as it would be a sworn officer under the Chief of Police. He thought the item needed to be tabled to allow the Measure R Committee to review the item and then come back to council.

Payne asked if it was appropriate to send back to the Committee and Rudolph said it was within council's discretion to send to the committee. Behrmann said the probation position was reviewed by the Oversight Committee without the new options of the narcotics task force. Haines said he understood the reasoning, but said there needed to be a regular stream of revenue. He said the Measure stated that there would be seven patrol officers hired before anything else was done. He did not feel it was in the best interest to support the item and said the commitments needed to be filled before hiring a probation officer which would ensure the public trust.

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Behrman said Measure R stated that the city would hire five patrol officers, two dispatchers, one school resource officer and one narcotics task force officer. He said they already filled the school resource officer. Haines said they should have filled the patrol officers first. Powers said the narcotics task force officer was well within Measure R and an opportunity for the city since the County was paying half.

Shelton said the narcotics task force officer fit within Measure R. Payne asked for the description of the Oversight Committee. Mr. Davenport reviewed the committee duties. Cattolico reviewed the committee process and said the intent of the committee was not to approve positions. Powers said the committee reviewed funds and kept an eye on where the funds were being expended after positions were in place for checks and balances. Shelton asked if council wanted the item to go back to the Committee and Haines said yes.

ACTION: Upon a motion by Payne, seconded by Haines, sending the item to the Oversight Committee for review then bringing it back to council was approved by a unanimous roll call vote.

PUBLIC WORKS DEPARTMENT

2. **SUBJECT:** Central Galt Interchange Project – Award of construction contract.
RECOMMENDED ACTION: Adopt Resolution No. 2010-75: 1) denying the bid protest by RGW Construction Inc.; and 2) waiving the irregularities in Teichert Construction Inc.'s bid regarding submittal of subcontractor information on the grounds that such irregularities are immaterial; and 3) authorizing the city manager to execute a contract with Teichert Construction, Inc. in the amount of \$20,938,093.40 for construction of the Central Galt Interchange Project; and 4) authorizing the public works director to accept the improvements within city right-of-way and issue the notice of completion upon completion of the improvements; and 5) authorizing the city manager to execute Amendment No. 12 to the engineering services contract with Omni-Means for the Central Galt Interchange Project, in an amount not to exceed \$84,082.00.

Halladay gave a staff report. Rudolph suggested asking if RGW was present to address council. The mayor asked if RGW was in the audience. Hearing no comments, Rudolph recommended giving Teichert an opportunity to provide additional information if they desired.

Clyde Hamilton, Teichert Construction, said they had a minor irregularity which did not affect the bid and said they were excited to work with the city.

Ted Anderson congratulated staff and said the city needed to move forward.

Rudolph reviewed a few amendments to the resolution which included changing the date of the council meeting from September 21, 2010, to the special meeting of September 28, 2010. He then clarified the three exhibits of the resolution which included, 1) the staff report which included all the letters, 2) a letter received from the attorney on behalf of RGW dated September 15, 2010, and, 3) a letter received from RGW dated September 17, 2010. He then discussed the findings included in the resolution.

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Payne said after careful consideration and legal aspects, it was her conclusion that the omissions were not material to the project. Powers and Haines agreed as did Shelton.

ACTION: Upon a motion by Payne, seconded by Powers, Resolution No. 2010-75 was adopted by a unanimous roll call vote of the city council.

ADJOURN AND RECONVENE TO THE GALT CITY COUNCIL.

CITY CLERK'S REPORT: Aguire gave a list of reminders for the city and invited everyone out to the ground breaking ceremony on October 5th at 4:00pm and mentioned there would be a community BBQ.

COMMENTS BY STAFF: Behrmann said the last Farmer's Market would be held Thursday and invited the community.

COMMENTS BY CITY COUNCIL MEMBERS/FUTURE AGENDA ITEMS

VICE MAYOR PAYNE said she attended the League conference in San Diego and gave a report of Linking Education and Economic Development (LEED) which focused on education and jobs.

COUNCIL MEMBER HAINES had nothing.

COUNCIL MEMBER POWERS had nothing.

MAYOR SHELTON said he also attended the League conference and said there were a lot of good speakers. He said he also attended the Old Car Show at McFarland Ranch.

There being no further business to come before council, the meeting was adjourned by the mayor at 8:30 pm.

Respectfully submitted,

Elizabeth Aguire
City Clerk