



## CITY OF GALT

### MINUTES

#### **SPECIAL CITY COUNCIL MEETING Council Chambers, 380 Civic Drive, Galt, California Tuesday, October 19, 2010, 6:30 pm**

The meeting was called to order at 6:30 p.m. by the mayor. Council Members present: Payne, Haines, Powers and Shelton.

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

**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. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** pursuant to and under the authority of Government Code Section 54957 - City Manager
2. **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 7:00 pm at which time the city attorney announced that there was a consensus of council to move forward with litigation. He said the next item was not completed and council would reconvene to closed session.

#### **ADJOURN TO SPECIAL CLOSED EXECUTIVE SESSION:**

**RECONVENE TO OPEN SESSION:** The council reconvened to open session at 7:00 pm at which time the city attorney announced that there was no action to report.

There being no further business to come before council, the meeting was adjourned by the mayor at 7:01 pm.

Respectfully submitted,

Elizabeth Aguire  
City Clerk



## CITY OF GALT

### MINUTES

#### REGULAR CITY COUNCIL MEETING Council Chambers, 380 Civic Drive, Galt, California Tuesday, October 19, 2010, 7:00 pm

The meeting was called to order at 7:01 pm by the mayor. Council Members present: Payne, Haines, Powers, and 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 Kiriu, Human Resources Administrator Islas, and Parks and Recreation Director Jeffries.

**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

#### **PRESENTATIONS:**

**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.

Dan Jimenez thanked Council Member Haines for his service to the city.

Fred Goethel updated council on the Mosquito District activities including West Nile testing.

**CONSENT CALENDAR** - Consisting of Items 1 through 5.

1. **SUBJECT:** Minutes of October 5, 2010.  
**RECOMMENDED ACTION:** Accept the minutes as submitted.
2. **SUBJECT:** City of Galt Warrants.  
**RECOMMENDED ACTION:** Approve the warrants as submitted.
3. **SUBJECT:** Fiscal year 2010-2011 Environmental Enhancement and mitigation program grant application for the Central Galt Interchange Landscape Project.  
**RECOMMENDED ACTION:** Adopt Resolution No. 2010-77 1) approving the filing of an application for Fiscal Year 2010-2011 Environmental Enhancement and Mitigation Program grant assistance, 2) certifying that the city will make adequate provisions for operations and maintenance of the project, and 3) appoint the Director of Public Works as agent of the city to be responsible for various activities which included, but are not limited to, conducting negotiations, executing, and submitting documents which may be necessary for the completion of the project.
4. **SUBJECT:** Extension of contract with Moore Twining Associates, Inc. to provide analytical laboratory testing of drinking water and wastewater samples.  
**RECOMMENDED ACTION:** Adopt Resolution No. 2010-78: 1) approving extension of the service

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agreement with Moore Twining Associates, Inc. for water and wastewater laboratory analysis as requested by the Public Works Department from November 1, 2010 to June 30, 2012, and 2) authorizing the city manager to execute a service agreement for an increase in compensation with Moore Twining Associates, Inc. not-to-exceed \$116,000 annually.

5. **SUBJECT:** Health Benefit Renewal  
**RECOMMENDED ACTION:** Adopt Resolution No. 2010-79 approving the recommended changes to health benefits and authorize the city manager to sign agreements with the appropriate carriers.

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

**SCHEDULED MATTERS - PUBLIC HEARING**

**REGULAR CALENDAR:**

**CITY ATTORNEY'S OFFICE**

1. **SUBJECT:** An interim urgency ordinance of the city council of the City of Galt prohibiting the establishment and operation of commercial marijuana-related activities.  
**RECOMMENDED ACTION:** Adopt Interim Urgency Ordinance No. 2010-10; An Interim Urgency Ordinance of the City Council of the City of Galt Prohibiting the Establishment and Operation of Commercial Marijuana-Related Activities.

Rudolph gave a staff report.

Woody said Proposition 19 would pass. He then thanked Council Member Haines.

Reuven Epstein said his business was down the street from the marijuana store. He was afraid that his store would be robbed because of the marijuana store.

**ACTION:** Upon a motion by Payne, seconded by Haines, Urgency Ordinance No. 2010-10 was adopted by a unanimous roll call vote.

2. **SUBJECT:** An Ordinance of the City Council of the City of Galt adopting Chapter 5.60 of the Galt Municipal Code regarding assembly halls.  
**RECOMMENDED ACTION:** Adopt Ordinance No. 2010-08 adopting Chapter 5.60 of the Galt Municipal code regarding assembly halls.

Rudolph gave a staff report.

Tim Manas opposed the Special Events Ordinance.

Ted Anderson asked staff to go back to the table to compromise.

Al Baldwin asked council to wait until after the election for a full council to decide on the ordinance.

Tracy Gross opposed the Special Events Ordinance.

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Adam Meredith opposed the Special Events Ordinance.

Mariella Joe opposed the Special Events Ordinance and said it was racist.

Shawn Farmer opposed the Special Events Ordinance and asked council to wait until after the election.

John Henke opposed the Special Events Ordinance.

Heather Farmer opposed the Special Events Ordinance and asked council to wait for a fully elected council.

Gene Davenport opposed the Special Events Ordinance and asked council to wait until after the election.

Ben Rozenberg opposed the Special Events Ordinance.

Payne said council was listening to the people and said the city had compromised throughout the last few months. She added that changes were made to the ordinance in compromising with Mr. Henke and said she would support the ordinance. Haines said there was too much government interfering with businesses. He said the ordinance would not solve the problem and asked that council wait until a full council was on board. Powers said she thought the ordinance went a little too far and wanted to work on the ordinance and also wanted to wait until there was a full council. Shelton said he agreed with the ordinance and said there was compromise during the creation of the ordinance. Shelton asked for a sunset clause on the ordinance. He wanted to continue the dialog.

**ACTION:** Upon a motion by Haines, seconded by Powers, denying Ordinance No. 2010-08 was not adopted by a roll call vote with Payne and Shelton dissenting.

**ACTION:** Upon a motion by Shelton, seconded by Payne, moving forward with dialog and bring back the issue at the December 21, 2010 meeting was approved by a unanimous roll call vote.

3. **SUBJECT:** An Ordinance adding Chapter 2.10 of the Galt Municipal Code regarding temporary street closures.

**RECOMMENDED ACTION:** Adopt Ordinance No. 2010-09 adding Chapter 2.10 of the Galt Municipal Code regarding temporary street closures.

Rudolph gave a staff report.

**ACTION:** Upon a motion by Payne, seconded by Powers, Ordinance No. 2010-09 was adopted by a unanimous roll call vote with Haines absent.

**CITY MANAGER'S OFFICE**

4. **SUBJECT:** Capital Improvement Program Project update – September, 2010.  
**RECOMMENDED ACTION:** That the city council receive the report.

Behrmann gave an update.

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**CULTURE AND RECREATION DEPARTMENT**

5. **SUBJECT:** Thanksgiving Baskets 2010  
**RECOMMENDED ACTION:** 1) Approve the usage of the Littleton Community Center on Friday, November 19<sup>th</sup> from 3:00-8:00pm and Saturday, November 20<sup>th</sup> from 6:30am – noon, and 2) Waive all fees for the “Thanksgiving Baskets 2010” coordinated by St. Christopher’s Church.

Jeffries gave a staff report.

**ACTION:** Upon a motion by Payne, seconded by Powers, the usage of the Littleton Community Center on Friday, November 19<sup>th</sup> from 3:00-8:00pm and Saturday, November 20<sup>th</sup> from 6:30am – noon and waiving all fees for the “Thanksgiving Baskets 2010” coordinated by St. Christopher’s Church was approved by a unanimous roll call vote.

**COMMUNICATIONS:** Payne was contacted by the Jr. Warriors regarding their concern of being dropped by the city. She said she received a call from Chris Steihr regarding soccer field lights. Behrmann said he sent some information regarding the item and said it could be agendized if council wished. Payne then said she received a complaint regarding the water pressure in Quail Hollow.

**ADJOURN AND RECONVENE TO THE GALT CITY COUNCIL.**

**CITY CLERK’S REPORT:** Aguire gave a list of upcoming events. Haines asked if council would move the meeting of November 2, 2010 up to 6:00pm with closed session at 5:30pm. There was a concurrence of council to cancel the regular meeting and have a special meeting on November 2, 2010 with the closed session starting at 5:30pm and the regular session at 6:00pm.

**COMMENTS BY STAFF**

**COMMENTS BY CITY COUNCIL MEMBERS/FUTURE AGENDA ITEMS**

**VICE MAYOR PAYNE:** She met with members of the Council of the Blind and said she had a list of things within the community that needed to be corrected.

**COUNCIL MEMBER HAINES:** Said everyone should vote on November 2<sup>nd</sup>.

**COUNCIL MEMBER POWERS:** Had nothing.

**MAYOR SHELTON:** Thanked everyone for coming.

There being no further business to come before council, the meeting was adjourned by the mayor at 8:39 pm.

Respectfully submitted,

Elizabeth Aguire  
City Clerk