



## CITY OF GALT

### MINUTES

#### SPECIAL CITY COUNCIL MEETING Council Chambers, 380 Civic Drive, Galt, California Tuesday, March 20, 2012, 6:15 pm

The meeting was called to order at 6:15 pm by the mayor. Council Members present: Powers, Singleton, Shelton, Crews, and Payne.

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

**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 three minute time limit.

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

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to and under the authority of Government Code Section 54956.8

#### **LIST OF PROPERTIES**

- A. **NEGOTIATING PARTIES:** Jason Behrmann, City Manager and Benjamin/Oscar and Rudy Johnson, Johnson Family Living Trust  
APN 148-0240-001  
**PROPERTY:** 10190 Twin Cities Road  
**UNDER NEGOTIATION:** Instructions to negotiator regarding price and terms.
- B. **NEGOTIATING PARTIES:** Jason Behrmann, City Manager and Benjamin/Bankruptcy Trustee, (formerly Double Diamond Development, Inc)  
APN 148-0250-054 and 148-03250-056  
**PROPERTY:** SW Corner West Stockton Blvd and Twin Cities Road  
**UNDER NEGOTIATION:** Instructions to negotiator regarding price and terms.
- C. **NEGOTIATING PARTIES:** Jason Behrmann, City Manager and Benjamin/Mike Guttridge, Emerald Park Company  
APN 148-0041-023  
**PROPERTY:** NW Corner West Stockton Blvd and Twin Cities Road  
**UNDER NEGOTIATION:** Instructions to negotiator regarding price and terms.
- D. **NEGOTIATING PARTIES:** Jason Behrmann, City Manager and Benjamin/Frank Loretz  
APN 148-0074-027  
**PROPERTY:** 12801 Twin Cities Road  
**UNDER NEGOTIATION:** Instructions to negotiator regarding price and terms.

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- E. **NEGOTIATING PARTIES:** Jason Behrmann, City Manager and Benjamin/Claudia Royer, Royer Trust / Mansur Family Trust  
APN 145-0042-047  
**PROPERTY:** NE Corner East Stockton Blvd and Twin Cities Road  
**UNDER NEGOTIATION:** Instructions to negotiator regarding price and terms.
- F. **NEGOTIATING PARTIES:** Jason Behrmann, City Manager and Benjamin/Claudia Royer, Royer Bypass Trust  
APN 148-0042-046  
**PROPERTY:** 12771 East Stockton Blvd  
**UNDER NEGOTIATION:** Instructions to negotiator regarding price and terms.
- G. **NEGOTIATING PARTIES:** Jason Behrmann, City Manager and Benjamin/Horning Equipment Company, Inc.,  
APN 148-0042-019  
**PROPERTY:** 10305 East Stockton Blvd  
**UNDER NEGOTIATION:** Instructions to negotiator regarding price and terms.

**RECONVENE TO OPEN SESSION:** The council reconvened to open session at 7:00 pm at which time the city attorney announced the city council is in negotiations for the above listed properties in relation to the Twin Cities Road Roundabout Project.

There being no further business to come before council, the meeting was adjourned by the mayor at 7:02 pm.

Respectfully submitted,

Elizabeth Aguire  
City Clerk



## CITY OF GALT

### MINUTES

**REGULAR CITY COUNCIL MEETING**  
**Council Chambers, 380 Civic Drive, Galt, California**  
**Tuesday, March 20, 2012, 7:00 pm**

The meeting was called to order at 7:02 pm by the mayor. Council Members present: Powers, Singleton, Shelton, Crews, and Payne.

Staff members present: City Manager Behrmann, City Clerk Aguire, City Attorney Rudolph, Chief of Police Bowen, Finance Director Kiriou, Principal Planner Kiriou, and Special Projects Administrator Solis.  
Absent: Human Resources Administrator Islas.

**OPENING CEREMONIES** - Silent prayer was observed, the flag salute was recited by Boy Scout Troop 119 and the video statement was read by the city clerk.

**AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS** – Behrmann pulled item E-4 and Shelton pulled item E-6.

#### **PRESENTATIONS:**

- 1) Coalition of Character – Integrity – The mayor gave a certificate to Mariah Franco.
- 2) Parks & Recreation Commission Annual Report was given by Ben Gamez and Brent Steele.
- 3) McFarland Ranch Annual Report – Genie Olson and Ida Denier gave the annual report for the McFarland Ranch project.

**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 three minute time limit to speak.

Reuven Epstein thanked council for the rental fee resolution passed for non-profits renting the Littleton and Chabolla Center. He was confused about the six month limitation on renting. He asked to eliminate restrictions on scheduling. He asked about resident non-profits.

Rudolph explained the resident non-profit and said there was a definition provided. He said it was not restricted to a 501(c)(3). He then explained that an organization could make reservation up to six months, not longer. The mayor asked that it be clarified administratively.

**CONSENT CALENDAR** - Consisting of Items 1 through 9, excluding items 4 and 6 which were pulled for discussion.

1. **SUBJECT:** Minutes of the regular meeting of March 6, 2012.  
**RECOMMENDED ACTION:** Accept the minutes as submitted.
2. **SUBJECT:** City of Galt Warrants.

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**RECOMMENDED ACTION:** Approve the warrants as submitted.

3. **SUBJECT:** Authorize the city manager to execute Contract Amendment No. 3 to the Agreement with Stantec for engineering construction support services and construction management services for the Golden Heights Water Treatment Plant Expansion Phase 3 Project (CIP #56E) in the amount of \$5,000 and approving project contingency.

**RECOMMENDED ACTION:** Adopt Resolution No. 2012-20 1) authoring a contingency of \$15,000 for this contract; 2) authorizing the city manager to execute amendment #3 to the Agreement for Consulting Services with Stantec Consulting Services, Inc. in the amount of \$5,000.00 for the Golden Heights Water Treatment Plan Expansion Project – Phase 3 (CIP #56E) for preparation of documents required for submission of the Water System Permit Amendment to the California Department of Public Health.

5. **SUBJECT:** Independence Day Celebration Fireworks.

**RECOMMENDED ACTION:** Approve 1) budget transfer form in the amount of \$9,000 for final payment of the Independence Day Celebration fireworks display; and 2) Pyro Spectaculars North, Inc. contract in the amount of \$16,500.

7. **SUBJECT:** Central Valley Information Sharing System (CVISS) MOU Amendment.

**RECOMMENDED ACTION:** Adopt Resolution No. 2012-21 amending the MOU between the Central Valley Information sharing System (CVISS) and the City of Galt.

8. **SUBJECT:** Changes to job titles for recently approved part-time positions at the Galt Market.

**RECOMMENDED ACTION:** Approve the request to change the job titles for three part-time positions approved by the City Council on February 7, 2012.

9. **SUBJECT:** Treasurer's Report for period ending January, 2012.

**RECOMMENDED ACTION:** Accept the treasurer's report as submitted.

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

**CONSENT CALENDAR ITEM #4**

4. **SUBJECT:** Single Audit Report fiscal year ended June 30, 2011.

**RECOMMENDED ACTION:** Accept the City of Galt Single Audit Report for fiscal year ended June 30, 2011.

Kiriu said the attachment included letters from the auditors that were now signed by the firm.

**ACTION:** Upon a motion by Crews, seconded by Shelton, the City of Galt Single audit Report for fiscal year ended June 30, 2011 was accepted by a unanimous roll call vote.

**CONSENT CALENDAR ITEM #6**

6. **SUBJECT:** Fireworks Permits.

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**RECOMMENDED ACTION:** Adopt Resolution No. 2012-22 approving procedures for issuing permits for the sale of fireworks and Repeal Resolution No. 2000-14.

**ACTION:** Upon a motion by Shelton, seconded by Crews, Resolution No. 2012-22 was adopted by a unanimous roll call vote.

**SCHEDULED MATTERS - PUBLIC HEARING**

**REGULAR CALENDAR**

**CITY COUNCIL'S OFFICE:**

1. **SUBJECT:** Strategic Plan.  
**RECOMMENDED ACTION:** Receive the report.

The Mayor reviewed the Strategic Plan.

2. **SUBJECT:** Commission and Committee recruitment and retention.  
**RECOMMENDED ACTION:** Receive the report.

Shelton asked that volunteers be trained and communicate with their specific council member who appointed them. He asked to have a meeting with one other council member and the city manager. Singleton volunteered. Rudolph said if council wanted to formally form an ad hoc committee, it would have to be agendized and brought back. He said if council just requested a few meetings regarding the issue, a less formal procedure could be done. Council thought Shelton and Singleton could meet with the city manager and bring back recommendations.

3. **SUBJECT:** Abusive Solicitation Ordinance.  
**RECOMMENDED ACTION:** Receive the report.

Singleton gave a report. Rudolph discussed the current abusive solicitation ordinance. Shelton said he placed the item on the Public Safety Committee meeting. The city attorney recommended direction be given to bring back an amendment regarding the ordinance to restrict abusive solicitation. Council directed the city attorney to bring back an amendment to restrict abusive solicitation on private property when the owner of property asks person not to solicit or post signs prohibiting. They asked that any changes to come out of the meeting with the business owners would be given to the city attorney.

**ACTION:** Upon a motion by Singleton, seconded by Shelton, directing the city attorney to bring back an amendment to the abusive solicitation ordinance to reduce solicitation on private property when the owner of the property asked the person to not solicit or posted a sign prohibiting that kind of conduct was approved by a unanimous roll call vote.

4. **SUBJECT:** Approval of using discretionary funds.  
**RECOMMENDED ACTION:** Approve the use of discretionary funds.

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Singleton asked that he be allowed to use up to \$300 for a luncheon for the business owners regarding abusive solicitation

**ACTION:** Upon a motion by Singleton, seconded by Powers, up to \$300 to be used for a luncheon with the business owners from Singleton's discretionary funds was approved by a unanimous roll call vote.

Powers asked to use \$200 of her funds for the Commission on Aging since they had no budget.

**ACTION:** Upon a motion by Powers, seconded by Singleton, using \$200 of her funds for the Commission on Aging was approved by a unanimous roll call vote.

**CITY ATTORNEY'S OFFICE:**

5. **SUBJECT:** Community Event Sign Policy and Procedures.  
**RECOMMENDED ACTION:** Adopt Resolution No. 2012-23 establishing a community event sign policy and procedures.

Rudolph gave a staff report. He made an amendment to the policy.

**ACTION:** Upon a motion by Singleton, seconded by Powers, Resolution No. 2012-23 was adopted by a unanimous roll call vote.

**CITY MANAGER'S OFFICE**

6. **SUBJECT:** Non-Profit Funding.  
**RECOMMENDED ACTION:** Adopt Resolution No. 2012-24 approving the proposed non-profit funding policy.

Behrmann gave a staff report.

Al Baldwin asked council to go with a three year funding process. He said the prior procedure worked well and groups should come to the council meetings and ask the city council.

Genie Olson said there needed to be a fund set aside specifically for non-profit funding along with a grant process that showed the organization was successful. She said also it should be a reimbursement form of funding to hold the group responsible. She said she considered their \$10,000 a promise from a prior council.

Shelton said he was not interested in changing the funding process. He wanted to preserve the past and protect the future. He wanted to leave the \$10,000 in place for McFarland and said additional monies could be used for non-profits. He asked to leave the procedure as it is currently and if there were future funds, then a policy could be set-up and discussed. Singleton asked to distribute the \$10,000 equitably with future funds going to McFarland. Payne said she liked the policy.

**ACTION:** Powers made a motion to adopt the resolution, seconded by Singleton.

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**DISCUSSION:** Shelton was concerned and asked to exempt the Historical Society and give them funding this year or make the policy effective next year. He asked for an amended, substitute motion.

**ACTION:** Upon a motion by Shelton, seconded by Crews, changing the effective date of the policy to March 20, 2013, was approved with Powers and Singleton dissenting.

**PARKS & RECREATION DEPARTMENT**

7. **SUBJECT:** 2012 Independence Day Celebration.

**RECOMMENDED ACTION:** Approve event activities and the budget transfer form in the amount of \$12,230; authorize staff to 1) implement a lottery system regarding local non-profit participation, should the interest exceed three non-profits, 2) enter into a contract with the Committees choice of entertainment for the event; and 3) seek sponsorships for the event to help defray costs.

Solis gave a staff report. Payne was concerned about limiting the number of non-profits who could participate.

Genie Olson asked how council decided of the number of non-profits and asked if a meeting was held with all the non-profits who wanted to be involved. She said she thought groups would like to get involved, but they didn't know how.

Cliff Lofton said the veterans wanted to know when the city of Galt decided to celebrate Independence Day on June 30. Solis said the council decided to have the fireworks on June 30 since July 4<sup>th</sup> was on a Galt Market day. Behrmann said this was not the first time the city had to move the fireworks.

Brent Steele said you could have too many food booths. If vendors did not make money, it affected the event.

**ACTION:** Upon a motion by Singleton, seconded by Crews, accepting three food booths from non-profits and considering more if more non-profits would work was approved by a unanimous roll call vote.

**COMMUNITY DEVELOPMENT DEPARTMENT:**

8. **SUBJECT:** Annual 2030 Galt General Plan and Housing Element Progress Report for 2011.

**RECOMMENDED ACTION:** 1) Review the Annual 2030 Galt General Plan and Housing Element Progress Report for 2011; and 2) Provide an opportunity for public comment; and 3) Consider the Galt Planning Commission's recommendation; and 4) Direct staff to make any needed modifications to the report; and 5) By motion, accept said report (with two corrections noted in the Planning Commission recommendation) and direct staff to submit it to the Governor's Office of Planning and Research and the Department of Housing and Community Development in accordance with Government Code §65400.

The mayor asked for public comment and no one responded.

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**ACTION:** Upon a motion by Shelton, seconded by Singleton, the report as amended by the planning commission was accepted by a unanimous roll call vote.

**COMMUNICATIONS**

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

**CITY CLERK'S REPORT:** Aguire gave a list of upcoming events and announced vacancies on city committees.

**COMMENTS BY STAFF**

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

**VICE MAYOR POWERS:** Nothing.

**COUNCIL MEMBER SINGLETON:** Asked if staff could bring back the abusive solicitation ordinance regarding reimbursement from the local care-homes located outside the city limits for the police department. He thought the Public Safety Committee could address this as well.

**COUNCIL MEMBER SHELTON:** Asked everyone to have a good week.

**COUNCIL MEMBER CREWS:** Announced that April 7<sup>th</sup> was the Eggstravaganza. He said there would be a pancake breakfast at the Grange, a parade, games, food, etc.

**MAYOR PAYNE:** Said the parade was an Easter Bonnet parade and asked everyone to come out. She attended SACOG, said the city manager and her visited businesses around town and talked to each business. She asked everyone to think of May as Bike month and to promote riding bicycles and bike safety.

There being no further business to come before council, the meeting was adjourned by the mayor at 9:35 pm.

Respectfully submitted,

Elizabeth Aguire  
City Clerk