



MINUTES OF THE JOINT MEETING OF
THE SANGER CITY COUNCIL AND THE CITY OF SANGER AS
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND
SPECIAL MEETING OF THE SANGER CITY COUNCIL

December 5, 2013
6:00 P.M.
Council Chambers

The joint meeting convened at [6:03:49 PM](#).

Councilmembers Present: Mitchell, Nielson, Cantu, Pacheco
Councilmembers Absent: Ontiveros

A. PUBLIC FORUM

None

B. CLOSED SESSION

The Council went into closed session for:

1. Pursuant to Government Code Section 54957.6
Conference with Labor Negotiators
Agency Representatives: City Manager Brian Haddix, City Attorney Jenell Van Bindsbergen, Labor Negotiator Shelline Bennett, Finance Director Debby Sultan, City Clerk Becky Hernandez
Employee Organizations: All Bargaining Groups
2. Pursuant to Government Code Section 54956.9 (d) (1)
Conference with Legal Counsel – Existing Litigation
 1. City of Sanger, et al. v. County of Fresno
Fresno Superior Court Case No. 08CECG03535
 2. Consolidated Irrigation District v. City of Sanger
Fresno Superior Court Case No. 13CECG03007
 3. US and the State of California, et al. v. J-M Manufacturing Co., Inc., et al.
US District Court, CD Cal, Case No. ED CV-06-00055

The council reconvened their joint meeting and convened their special meeting at [7:05:17 PM](#)

C. OPENING CEREMONIES

The Flag Salute was led by Councilmember Tony Pacheco.

Roll Call

Present: MITCHELL, NIELSON, CANTU, PACHECO
Absent: ONTIVEROS

City Manager Brian Haddix announced that Councilmember Ontiveros was unable to attend the meeting due to family obligations.

D. CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Jenell Van Bindsbergen reported no action taken and nothing to report.

E. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Councilmember Cantu approved the agenda as amended by moving Item H Public Forum to precede Item F Ceremonial Matters. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

AYES: MITCHELL, NIELSON, CANTU, PACHECO
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS

F. CEREMONIAL MATTERS

The Council recognized:

1. Sanger Recreation Intern Octor Vang for his service to the community.
2. Steve Vandergriend, General Manager of International Paper, for their service and contributions to the Sanger community.

G. QUARTERLY UPDATE OF THE WILSON SCHOOL MEDIA LABORATORY

Wilson School Principal Ken Garcia and representatives from Wilson, Jefferson, WAMS and Sanger High, provided an update on the Wilson Community Media Center and introduced the anti-bullying program, Rachel's Challenge.

H. PUBLIC FORUM

Public comment was received from Fred Heisman, Osvaldo Vera, Angel Garcia, Kathryn Pacheco, and Henry Provost.

The Council/Board called for a recess at [7:47:08 PM](#)

The Council/Board reconvened their meeting at [7:52:30 PM](#)

I. CONSENT CALENDAR

The Council/Board by motion of Mayor Pro Tem Nielson approved the following items on the consent calendar:

1. SUBJECT: Monthly Warrants Nos. 62244 through 62289.
2. SUBJECT: Approval of Payroll.
3. SUBJECT: Minutes of the Regular City Council Meeting of November 21, 2013.
4. SUBJECT: Minutes of the City of Sanger as Successor Agency to the Sanger Redevelopment Agency meeting of July 3, 2013.
5. SUBJECT: Treasurer's Report as of October 31, 2013.
6. SUBJECT: Contract between Sanger Fire Department and Stericycle.

The motion was seconded by Councilmember Cantu and approved by the following vote:

AYES: MITCHELL, NIELSON, CANTU, PACHECO
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS

J. PUBLIC HEARING

1. SUBJECT: 2nd Reading of Zone Change 2013-02: City of Sanger Zoning Map Amendment of APN 315-101-51 from C-P (Administrative and Professional Office) to C-4 (General Commercial)
RECOMMENDATION: That the City Council approve the second reading of Rezone 2013-02 regarding the change of use from Administrative and Professional Office to General Commercial for APN No. 315-101-51 by:
1) approving Ordinance No. 1144 regarding Zone Change 2013-02, and waiving the second reading in its entirety.

Public comment regarding Item J-1 was received from Kevin Carter and Henry Provost.

The Council by motion of Councilmember Cantu approved the second reading of Rezone 2013-02 regarding the change of use from Administrative and Professional Office to General Commercial for APN No. 315-101-51 by approving Ordinance No. 1144 regarding Zone Change 2013-02 and waiving the second reading in its entirety. The motion was seconded by Councilmember Pacheco and approved by the following vote:

AYES: MITCHELL, NIELSON, CANTU, PACHECO
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS

K. DEPARTMENT REPORTS

1. SUBJECT: Automatic Aid Agreement between Sanger and Fresno County Fire Protection District
RECOMMENDATION: That the Council approve and authorize the City Manager to sign the Automatic Aid Agreement for Fire Protection and Emergency Medical Services between the City of Sanger and the Fresno County Fire Protection District.

The Council by motion of Mayor Pro Tem Nielson approved and authorized the City Manager to sign the Automatic Aid Agreement for Fire Protection and Emergency Medical Services between the City of Sanger and the Fresno County Fire Protection District. The motion was seconded by Councilmember Pacheco and approved by the following vote:

AYES: MITCHELL, NIELSON, CANTU, PACHECO
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS

2. SUBJECT: Conterra License Agreement: Use of Public Ways
RECOMMENDATION: That the City Council: 1) approve the Conterra License Agreement; and 2) authorize the City Manager or his designee to sign the License Agreement.

The Council by motion of Councilmember Cantu approved the Conterra License Agreement and authorized the City Manager or his designee to sign the License Agreement. The motion was seconded by Councilmember Pacheco and approved by the following vote:

AYES: MITCHELL, NIELSON, CANTU, PACHECO
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS

City of Sanger as Successor Agency to the Sanger Redevelopment Agency

3. **SUBJECT:** Approve the Disposition and Development Agreement with Legacy Real Estate and Development
RECOMMENDATION: That the Board adopt Resolution No. 13-05 and approve the Disposition and Development Agreement with Legacy Real Estate & Development, for the sale of surplus property on the N.E. corner of 7th and P Streets in downtown Sanger for the public purpose of developing a medical office building on the site.

Public comment regarding Item K-3 was received from Kevin Carter.

The Board by motion of Board Member Nielson adopted Resolution No. 13-05 and approved the Disposition and Development Agreement with Legacy Real Estate & Development, for the sale of surplus property on the N.E. corner of 7th and P Streets in downtown Sanger for the public purpose of developing a medical office building on the site. The motion was seconded by Board Member Pacheco and approved by the following roll call vote:

AYES: MITCHELL, NIELSON, CANTU, PACHECO
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS

Special Meeting

SUBJECT: Approve the Disposition and Development Agreement with Legacy Real Estate and Development
RECOMMENDATION: That the City Council approve the Disposition and Development Agreement with Legacy Real Estate & Development for the development of property on the N.E. corner of 7th and P Streets in downtown Sanger for the public purpose of developing a medical office building on the site and authorize the City Manager to sign the agreement.

The council by motion of Councilmember Pacheco approved the Disposition and Development Agreement with Legacy Real Estate & Development for the development of property on the N.E. corner of 7th and P Streets in downtown Sanger for the public purpose of developing a medical office building on the site and authorized the City Manager to sign the Agreement. The motion was seconded by Councilmember Cantu and approved by the following vote:

AYES: MITCHELL, NIELSON, CANTU, PACHECO
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS

L. CITY MANAGER/STAFF COMMUNICATION

City Manager Brian Haddix reported the following: attended the Harvest of the Arts at the Sanger Womans Club; commended Dan Spears and the developer of the medical facility; announced the Christmas Tree Lighting, Rotary Senior Luncheon, Toyland Parade, Sales Tax Holiday, Christmas Fest on Brehler Square scheduled for the weekend of December 14 and 21, Trek to the Tree on Sunday; and, commended Public Works for the trimming of trees.

M. MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Pacheco reported his attendance at the 1st Annual Career Day at WAMS.

Councilmember Cantu reported the following: unable to attend the Christmas Tree Lighting, thanked Evergreen Communities for the new Santa house, commended John Mulligan on getting the trees trimmed and landscaping completed.

Mayor Pro Tem Nielson reminded the Council to meet at 10:30 a.m. on Saturday at 10th and P Streets for the Council's parade entry and suggested that everyone dress warm.

Mayor Mitchell thanked the Council for approving the medical facility project.

N. ADJOURNMENT

Being no further business the Council/Board adjourned their meeting at [8:31:52 PM](#).