

Agenda Item No. J-2  
(Corrected Minutes)



**CORRECTED**  
MINUTES OF A JOINT MEETING OF THE SANGER CITY COUNCIL AND THE  
SANGER HOUSING AUTHORITY  
AND SPECIAL MEETING OF THE SANGER CITY COUNCIL

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May 1, 2014  
6:00 p.m.  
Council Chambers

A joint meeting of the Sanger City Council and Sanger Housing Authority and special meeting of the Sanger City Council was held on Thursday, May 1, 2014 at 6:00 p.m. in the Council Chambers.

The joint meeting and special meeting were called to order at 6:02:59 PM

Councilmembers present: MITCHELL, NIELSON, ONTIVEROS, CANTU, PACHECO  
Councilmembers absent: NONE

A. PUBLIC FORUM

None.

B. CLOSED SESSION 6:04:59 PM

The Council went into closed session to:

1. Pursuant to Government Code Section 54957.6  
Conference with Labor Negotiators  
Agency Representatives: City Manager Brian Haddix, City Attorney Jenell Van Bindsbergen, Finance Director Debby Sultan  
Employee Organizations: All Bargaining Groups
2. Pursuant to Government Code Section 54956.9 (d) (1)  
Conference with Legal Counsel – Existing Litigation  
U.S. and the State of California, et al. v J-M Manufacturing Company, Inc., et al.  
US District Court, CD Cal, Case No. ED CV-06-00055
3. Pursuant to Government Code Section 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9 -  
2 potential cases

4. Pursuant to Government Code Section 54956.9  
Conference with Legal Counsel – Anticipated Litigation  
Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9  
(Deciding whether to Initiate Litigation)  
1 case

Special Meeting

5. Pursuant to Government Code Section 54957  
Public Employee Performance Evaluation  
City Attorney

The Council adjourned their special meeting and reconvened their joint meeting at [7:27:03 p.m.](#)

C. OPENING CEREMONIES

The invocation was led by Pastor Sam Estes.  
The flag salute was led by Councilmember Pacheco.

Roll Call

Present: MITCHELL, NIELSON, ONTIVEROS, CANTU, PACHECO  
Absent: NONE

D. CITY ATTORNEY REPORT FROM CLOSED SESSION

City Manager Brian Haddix announced there was nothing to report. Closed Session Item B-4 was moved to the May 15<sup>th</sup> City Council meeting.

E. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Councilmember Ontiveros approved the agenda as presented. The motion was seconded by Councilmember Cantu and unanimously approved.

F. CEREMONIAL MATTERS/PRESENTATIONS

1. The Council recognized the Sanger Ministerial Association – *National Day of Prayer*
2. The Council recognized Phillip Gonzalez for representing Sanger at the Boston Marathon.
3. The Council recognized Aaron Van Laar for his internship with the City of Sanger Recreation Department.

G. CHAMBER OF COMMERCE QUARTERLY REPORT TO CITY COUNCIL

Sanger Chamber of Commerce President & CEO David Phillips provided a quarterly report to the Council.

H. PUBLIC FORUM

Public comment was received from Doris Knowlton, Norma Vail and Joseph Villalobos.

I. CONSENT CALENDAR

The Council by motion of Councilmember Pacheco approved the following items on the consent calendar.

1. SUBJECT: REVIEWED - Monthly Warrants including Check Nos. 63513 through 63624.
2. SUBJECT: APPROVED – Approval of Payroll including Check Nos. 54001 through 54052; Direct Deposit Nos. 32878 through 33076; and Benefit Checks No. 950 through 957.
3. SUBJECT: APPROVED - Minutes for the Regular City Council Meeting of April 17, 2014.
4. SUBJECT: REVIEWED - Financial Reports including General Fund, Enterprise Funds and Measure S – March 31, 2014.

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

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

The Council called for a recess at 8:01:32 PM.

The Council reconvened their joint meeting at 8:05:43 PM.

J. DEPARTMENT REPORTS

Sanger City Council

1. SUBJECT: APPROVED - Approval of (1) Restated Cooperative Agreement between Consolidated Irrigation District and the City of Sanger and (2) Settlement Agreement and Mutual Release.

Public comment was received from Hector Sandoval and Phil Desatoff.

Under protest, the Council by motion of Mayor Mitchell: (1) approved the Restated Cooperative Agreement Between Consolidated Irrigation District and the City of Sanger; (2) authorized the City Manager to sign the Restated Cooperative Agreement; and (3) authorized the City Manager to execute a "Settlement Agreement and Mutual Release" ending the litigation entitled *Consolidated Irrigation District v. City of Sanger, et al.*, Fresno County Superior Court Case No. 13CECG03007. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

Sanger Housing Authority

2. SUBJECT: APPROVED - Settlement Agreement and Mutual Release

Public comment was received from Mr. Julian.

The Board by motion of Board Member Ontiveros authorized the City Manager to execute a "Settlement Agreement and Mutual Release" ending the litigation entitled *Consolidated Irrigation District v. City of Sanger, et al.*, Fresno County Superior Court Case No. 13CECG03007. The motion was seconded by Board Member Pacheco and **unanimously** approved by the following vote:-

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

Sanger City Council

3. SUBJECT: APPROVED - Resolution Nos. 4476 and 4477 – Accepting and Approving the Engineer's Report for Sanger Landscaping and Lighting Maintenance District No. 1; A Resolution of Intention to Levy and Collect Assessments for Maintenance within Sanger Landscaping and Lighting Maintenance District No. 1; and Setting the Public Hearing for June 19, 2014.

The Council by motion of Councilmember Ontiveros: (1) approved Resolution No. 4476, a Resolution accepting the Engineer's Report; (2) approved Resolution No. 4477, a Resolution of Intention to levy and collect assessments for the maintenance within the Sanger Landscaping and Lighting Maintenance District No. 1; and (3) set a Public Hearing for June 19, 2014. The motion was seconded by Councilmember Cantu and unanimously approved.

4. **SUBJECT:** APPROVED – Resolution Nos. 4478 and 4479 – Accepting and Approving the Engineer's Report for Sanger Landscaping and Lighting Maintenance District No. 2; A Resolution of Intention to Levy and Collect Assessments for Maintenance within Sanger Landscaping and Lighting Maintenance District No. 2; and Setting the Public Hearing for June 19, 2014.

The Council by motion of Councilmember Cantu: (1) approved Resolution No. 4478, a Resolution accepting the Engineer's Report; (2) approved Resolution No. 4479, a Resolution of Intention to levy and collect assessments for the maintenance within the Sanger Landscaping and Lighting Maintenance District No. 2; and (3) set a Public Hearing for June 19, 2014. The motion was seconded by Councilmember Ontiveros and unanimously approved.

5. **SUBJECT:** APPROVED - Executive Recruitment for the Assistant City Manager Position.

The Council by motion of Councilmember Pacheco authorized the City Manager to accept the proposal and enter into an agreement with Bob Murray & Associates to conduct an executive search for the Assistant City Manager position and authorized the City Manager to execute documents in furtherance of such an agreement. The motion was seconded by Mayor Pro Tem Nielson and unanimously approved.

6. **SUBJECT:** APPROVED - Authorization for Out of State Travel.

Public comment was received from David Phillips.

The Council by motion of Mayor Pro Tem Nielson authorized Out of State travel for City Manager Haddix, Mayor Mitchell, and Community & Economic Development Manager Spears to attend the ICSC RECon Convention in Las Vegas, NV, May 18 through May 20, 2014. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

Mayor Pro Tem Nielson requested an update upon return of their travel. Mayor Mitchell requested that City Manager Haddix make the request an agenda item.

7. **SUBJECT:** INFO ITEM - 2013/14 Storm Drain Project Update.

City Engineer Josh Rogers provided an update to the Council on the 2013/14 Storm Project Update.

K. CITY MANAGER/STAFF COMMUNICATION 9:35:49 PM

City Manager Haddix commented on the following: confirmed he has 90 days to hire an Assistant City Manager; thanked Debby Sultan and John Mulligan for their participation in the conference call with Fitch regarding the sewer bond rating; he and Finance Director Debby Sultan met with department heads regarding their respective budgets; attended a Five Cities meeting; negotiating with Local 39; met with Mark Ghilarducci, Director of the Office of Emergency Services to work out the Calgrip loan; met with Lennar regarding future growth to the north and west of Sanger; met with the Chamber; received a compliment from the owner of States Foods regarding the white signs posted in front of businesses. City Manager Haddix presented information to the audience about the Veteran's Advisory Committee and addressed questions.

L. MATTERS INITIATED BY CITY COUNCILMEMBERS 9:44:56 PM

Councilmember Pacheco commented on the following: making a report after returning from trips; attended Legislative Action Days in Sacramento with City Manager Haddix on April 23; met with State Senator Barry Hill, Henry T. Perrea's Chief of Staff, and State Assemblymember Luis A. Alejo to discuss issues of importance to California cities including a bill that can bring revitalization to downtown; met with Major General Gravett, Secretary of the California Department of Veteran Affairs regarding Sanger establishing a memorial district; attended the ground-breaking ceremony for Family Dollar on April 30.

Councilmember Cantu had nothing to report.

Councilmember Ontiveros had nothing to report.

Mayor Pro Tem Nielson had nothing to report.

Mayor Mitchell had nothing to report.

M. ADJOURNMENT

Being no further business the City Council and Sanger Housing Authority adjourned their meeting at 9:47:28 PM.