



MINUTES OF THE JOINT MEETING
OF THE SANGER CITY COUNCIL, SANGER PUBLIC FINANCING AUTHORITY,
SANGER FINANCING AUTHORITY, SANGER HOUSING AUTHORITY,
SUCCESSOR AGENCY TO THE SANGER REDEVELOPMENT AGENCY

June 19, 2014
6:00 P.M.
Council Chamber

A joint meeting of the Sanger City Council, Sanger Public Financing Authority, Sanger Financing Authority, and Successor Agency to the Sanger Redevelopment Agency was held on Thursday, June 19, 2014 at 6:00 p.m. in the Council Chamber.

The Joint Meeting was called to order at [6:07:47 PM](#).

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

A. PUBLIC FORUM

None.

B. CLOSED SESSION [6:08:27 PM](#)

The City 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, Labor Negotiator Shelline Bennett, Finance Director Debby Sultan, City Clerk Becky Hernandez
Employee Organizations: All Bargaining Groups
2. Pursuant to Government Code Section 54957
Public Employee Performance Evaluation
Title: City Manager
3. Pursuant to Government Code Section 54956.95
Liability Claim
Claimant: Jorge Garcia
Agency Claimed Against: City of Sanger
4. Pursuant to Government Code Section 54956.9(d)(1)
Conference with Legal Counsel – Existing Litigation
Guadalupe Gutierrez v. City of Sanger
Fresno Superior Court Case No. 13CECL03187

5. 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 Potential Case

Councilmember Ontiveros arrived during closed session.

The Council/Board reconvened their meeting at [7:04:14 PM](#).

C. OPENING CEREMONIES

The invocation was offered by Pastor Chuck Antaramian.

The flag salute was led by Councilmember Pacheco.

Roll Call

Council/Board Members Present: MITCHELL, NIELSON, ONTIVEROS, PACHECO
Council/Board Members Absent: CANTU (Councilmember Cantu was unable to attend due to a family matter.)

D. CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Jenell Van Bindsbergen announced that the Council by motion of Mayor Mitchell rejected the claim by Jorge Garcia. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

E. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Councilmember Pacheco added an item to the agenda which required action prior to the Council's next regular meeting and came to the attention of the City after the posting of the agenda. The item added was the Second Amendment to Agreement for Employment of the City Manager. The motion was seconded by Mayor Mitchell and approved by the following vote:

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

The Council by motion of Mayor Pro Tem Nielson approved the agenda as amended. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

F. CEREMONIAL MATTERS

The Council recognized Grandville Alcorn for his many years of service to the City and wished him well on his retirement.

Marty and Chad Dority of Sequoia Chevrolet were unable to attend the City Council meeting.

Luis Ortiz was unable to attend the City Council meeting.

SUBSEQUENT ITEM

1. SUBJECT: APPROVED - Second Amendment to Agreement for Employment of City Manager.

Public comment was received from Doris Knowlton.

The Council by motion of Councilmember Pacheco approved and authorized the Mayor to execute the Second Amendment to Agreement for Employment of City Manager. The motion was seconded by Mayor Mitchell and approved by the following vote:

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

G. WORKSHOP

The Boys & Girls Club provided a quarterly report to the Council.

H. PUBLIC FORUM

Public comment was received from Kevin Carter, Bob Lynch, Aram Michigian, and Henry Provost.

I. CONSENT CALENDAR

The Council by motion of Councilmember Ontiveros pulled Item I-8 and Item I-9 from the Consent Calendar and approved the following items:

1. SUBJECT: REVIEWED - Monthly Warrants including Check Nos. 63869 through 63975.
2. SUBJECT: APPROVED - Minutes of the Joint Meeting of the Sanger City Council, Sanger Public Financing Authority, Sanger Financing Authority, Sanger Housing Authority, and Successor Agency to the Sanger Redevelopment Agency held on June 5, 2014.
3. SUBJECT: INFO ONLY - Financial Reports including General Fund, Enterprise Funds and Measure S – April 30, 2014.
4. SUBJECT: APPROVED – RESOLUTION NO. 4492 – Postal Reform Legislation.
The Council adopted Resolution No. 4492 to support postal reform legislation that would secure the continuance of 6-day mail delivery, stabilize the Postal Service’s finances by reforming or eliminating future retiree health financing policies, strengthen and protect the Postal Service mail processing, retail and last-mile delivery networks and retain door-to-door delivery for 30 million plus households and businesses.
5. SUBJECT: APPROVED - Award of Contract K Street Reconstruction – Annadale Ave. to 10th Street.
The City Council: (1) awarded the contract for the K Street Reconstruction Project to Avison Construction, Inc., 40365 Brickyard Drive #105, Madera, CA 93636, in the amount of \$514,940.00; (2) approved a construction contingency for change orders in the amount of \$51,494.00 (10%) for this project; and (3) authorized the City Manager to sign contract documents on behalf of the City.
6. SUBJECT: APPROVED - Award of Contract – 2014 Cape Seal Project
The City Council: (1) awarded the contract for the 2014 Cape Seal Project to Intermountain Slurry Seal, Inc. P.O. Box 1841, Sparks, Nevada 89432, in the amount of \$454,454.00; (2) approved a construction contingency for change orders in the amount of \$45,445.00 (10%) for this project; and (3) authorized the City Manager to sign contract documents on behalf of the City.

7. **SUBJECT:** APPROVED – RESOLUTION NO. 4493 - Right of Way Acquisition – Greenwood Avenue Reconstruction Project – North Ave to Jensen Ave.
The City Council adopted Resolution No. 4493, which: (1) approved the Real Property Purchase and Sale Agreements for properties located at 1217 Greenwood Ave., 1124 Greenwood Ave. and 2002 9th Street; (2) authorized the City Manager to sign the Agreements on behalf of the City and open escrow for the sale; and (3) accepted the right-of-way dedications for public street and utility purposes at the same properties.
10. **SUBJECT:** APPROVED – RESOLUTION NO. 4494 - Measure C Extension Local Transportation Program Funds.
The City Council approved Resolution No. 4494 certifying eligibility and claiming Measure C Extension Local Transportation Program Funds for fiscal year 2014-2015 and authorize the Finance Director to sign and submit the Fiscal Year 2014-15 claims.

The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

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

8. **SUBJECT:** APPROVED – RESOLUTION NO. 4497 - Extend Waiver of Water and Sewer Development Impact Fees.

After separate discussion, the Council by motion of Councilmember Ontiveros adopted Resolution No. 4497, extending the temporary waiver of sewer and water impact fees originally enacted by Resolution No. 4244 on February 3, 2011 and extended by Resolution No. 4369 on October 4, 2012 and Resolution No. 4450 on January 2, 2014. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

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

9. SUBJECT: APPROVED - Police Dispatching Services Agreement.

Public comment was received from Bob Lynch and Doris Knowlton.

After separate discussion, the Council by motion of Councilmember Pacheco: (1) authorized the City Manager to continue our agreement with the Fresno County Sheriff's Department for law enforcement dispatching services; and (2) approved monthly payments to the Fresno County Sheriff's Department in the total amount of \$370,631.04, for one year of dispatching services to the City, for the period of July 1, 2014 to June 30, 2015. The motion was seconded by Mayor Mitchell and approved by the following vote:

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

CITY OF SANGER, SANGER PUBLIC FINANCING AUTHORITY, SANGER FINANCING AUTHORITY, SANGER REDEVELOPMENT AGENCY SUCCESSOR AGENCY, AND SANGER HOUSING AUTHORITY

J. PUBLIC HEARING:

1. SUBJECT: Public Hearing for Fiscal Year 2014/15 Budgets.

The Council/Board held a public hearing to discuss the Fiscal Year 2014/15 Budgets. No public comment was received. The Council/Board closed the public hearing.

The Council/Board by motion of Council/Board Member Ontiveros adopted the Administrative Budget for FY 2014/15 giving Staff direction to bring back amendments by no later than the week of July 7, 2014. The Council adopted: 1) Resolution No. 4486 approving the Operating Budget and Capital Improvement Budget for Fiscal Year 2014-2015; 2) Resolution No. 4487 establishing the Appropriation Limit for Fiscal Year 2014-2015; 3) Resolution No. 4488 authorizing Regular Full Time and Regular Part-time positions in the City service effective July 1, 2014, in accordance with the operating budget for Fiscal Year 2014-2015; and 4) Resolution No. 4489 making a determination of the Necessity of Continuing the Utility Users Tax. The Council as Successor Agency to the Sanger Redevelopment Agency approved Resolution No. 14-02 adopting the City of Sanger Successor Agency Budget for Fiscal Year 2014-2015. The Board of Directors of the Sanger Financing Authority approved Resolution No. 14-6 adopting the Sanger Financing Authority Budget for Fiscal Year 2014-2015. The Board of Directors of the Sanger Housing Authority approved Resolution No. 2014-1 adopting the Sanger Housing Authority Budget for Fiscal Year 2014-2015. The Board of Directors of the Sanger Public Financing Authority approved Resolution No. 14-1 adopting the Sanger Public Financing

Authority Budget for Fiscal Year 2014-2015. The motion was seconded by Council/Board Member Pacheco and approved by the following vote:

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

The Council/Board called for a recess at [9:05:06 PM](#).

The Council/Board reconvened their meeting at [9:21:29 PM](#).

CITY OF SANGER

K. PUBLIC HEARING:

1. SUBJECT: APPROVED – RESOLUTION NO. 4490 - Levying Annual Assessments for Sanger Landscaping and Lighting Maintenance District No. 1.

The Council held a public hearing to discuss levying annual assessments for Sanger Landscape and Lighting Maintenance District No. 1. No public comment was received. The Council closed the public hearing.

The Council by motion of Councilmember Ontiveros approved Resolution No. 4490, a resolution approving the levying of annual assessments for the Sanger Landscaping and Lighting Maintenance District No. 1; and directed the City Clerk to record this resolution with the Fresno County Office of the Recorder. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

2. SUBJECT: APPROVED – RESOLUTION NO. 4491 - Levying Annual Assessments for Sanger Landscaping and Lighting Maintenance District No. 2

The Council held a public hearing to discuss levying annual assessments for Sanger Landscape and Lighting Maintenance District No. 2. No public comment was received. The Council closed the public hearing.

The Council by motion of Councilmember Pacheco approved Resolution No. 4491, a resolution approving the levying of annual assessments for the Sanger Landscaping and Lighting Maintenance District No. 2; and directed the City Clerk to record this resolution with the Fresno County Office of the Recorder. The motion was seconded by Councilmember Ontiveros and approved by the following vote:

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

3. SUBJECT: APPROVED - ORDINANCE NO. 1146 - Amendment to Sidewalk Maintenance and Repair Ordinance.

The Council held a public hearing to discuss an amendment to the Sidewalk Maintenance and Repair Ordinance. Public comment was received from Dwayne Bolin and Bob Lynch. The Council closed the public hearing.

The Council by motion of Mayor Pro Tem Nielson introduced and held its first hearing on Ordinance No. 1146 amending Section 58-2 of Chapter 58, pertaining to sidewalk maintenance and repair, and the ability of City to charge property owner for cost of repairs; and adding Section 58-4 Of Chapter 58, establishing a curb, gutter, and sidewalk revolving fund; waived the reading of the Ordinance in its entirety and set the second hearing on the Ordinance for the Council's next regular meeting. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

L. DEPARTMENT REPORTS

1. SUBJECT: APPROVED - Approval of the firm Collins and Schoettler related to the Preparation of an Update to the City of Sanger General Plan and accompanying Environmental Impact Report in the amount not to exceed \$250,000.

The Council by motion of Councilmember Pacheco selected Collins and Schoettler as the lead Consultant to prepare an Update to the City of Sanger General Plan and accompanying Environmental Impact Report. The motion was seconded by Councilmember Ontiveros and

approved by the following vote:

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

2. SUBJECT: APPROVED - Chamber of Commerce Contract for 2014/2015.

Public comment was received from David Phillips, President and CEO of the Sanger Chamber of Commerce.

The Council by motion of Mayor Mitchell adopted Resolution No. 4495 approving the 2014/2015 Contract for Professional Services with the Sanger District Chamber of Commerce. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

3. SUBJECT: APPROVED - HERO Program

Public comment was received from Joseph Villalobos.

The Council by motion of Councilmember Ontiveros approved Resolution No. 4496, authorizing the City's participation in the California HERO Program which will enable property owners to finance permanently fixed renewable energy, energy and water efficiency improvements and electric vehicle charging infrastructure on their properties. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

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

4. SUBJECT: APPROVED - Memorandum of Understanding with Fresno Council of Governments and 12 other Fresno County jurisdictions related to the Preparation of a Multi-Jurisdictional Housing Element.

The Council by motion of Councilmember Ontiveros authorized the City Manager or his designee to sign a Memorandum of Understanding (MOU) with Fresno Council of Governments and 12 other jurisdictions to participate in preparation of a Multi-Jurisdictional Fifth-Cycle Housing Element for all jurisdictions in Fresno County with the exception of the Cities of Fresno, Firebaugh, and Orange Cove. The motion was seconded by Mayor Pro Tem Nielson and

approved by the following vote:

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

5. SUBJECT: Skate Park Landscaping Update

The Council by motion of Councilmember Ontiveros moved Info Item L-5 to the next regular meeting. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

6. SUBJECT: APPROVED - Tentative Agreement and Memorandum of Understanding for International Union of Operating Engineers (IUOE) Stationary Local 39.

The Council by motion of Councilmember Ontiveros approved the Tentative Agreement and Memorandum of Understanding between the City and I.U.O.E. Stationary Local 39 and authorized the City Manager to sign the documents on behalf of the City. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

M. CITY MANAGER/STAFF COMMUNICATION

N. MATTERS INITIATED BY CITY COUNCILMEMBERS

The Council by motion of Councilmember Pacheco removed Item M and Item N from the agenda. The motion was seconded by Councilmember Ontiveros and approved by the following vote:

AYES: MITCHELL, NIELSON, ONTIVEROS, PACHECO

NOES: NONE

ABSTAIN: NONE

ABSENT: CANTU

O. ADJOURNMENT

Being no further business the Council/Board adjourned their meeting at [10:12:35 PM](#).