



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

September 18, 2014
6:00 P.M.
Council Chamber

A joint meeting of the Sanger City Council and the City of Sanger as Successor Agency to the Sanger Redevelopment Agency was held on Thursday, September 18, 2014 at 6:00 p.m. in the Council Chamber.

The joint meeting was called to order at [6:07:10 PM](#).

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

A. PUBLIC FORUM

None.

B. CLOSED SESSION

1. Pursuant to Government Code Section 54957.6
Conference with Labor Negotiators
Agency Representatives: City Manager Brian Haddix, City Attorney Scott Cross, Finance Director Debby Sultan, City Clerk Becky Hernandez
Employee Organizations: Sanger Police Officers Association, General Employees Organization
2. 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
3. Pursuant to Government Code Section 54956.95
Liability Claims
 - (a) Claimant: Jose Karim Nunez
Agency Claimed Against: City of Sanger
 - (b) Claimant: Manjit Maan
Agency Claimed Against: City of Sanger
 - (c) Claimant: Ayvah Avalos
Agency Claimed Against: City of Sanger

The Council/Board reconvened their meeting at [7:00:09 PM](#).

C. OPENING CEREMONIES

The invocation was offered by Pastor Gary Duran.

The flag salute was led by City Manager Brian Haddix.

Roll Call

Council/Board Members Present: MITCHELL, NIELSON, CANTU
Council/Board Members Absent: ONTIVEROS, PACHECO

City Manager Brian Haddix announced that Council/ Board Member Ontiveros was unable to attend due to an illness in the family and Council/Board Member Pacheco was out of town attending a high school reunion.

D. CITY ATTORNEY REPORT FROM CLOSED SESSION [7:01:55 PM](#)

City Attorney Scott Cross reported the following action taken during Closed Session:

In the claim filed by Jose Karim Nunez the claim was rejected by operation of law.

In the claim filed by Manjit Maan for property damage from a vehicle accident the Council by motion of Mayor Pro Tem Nielson approved settlement authority in the amount of \$2,957.47. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

In the claim filed by Ayvah Avalos the Council by motion of Mayor Mitchell rejected the claim. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

E. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council/Board by motion of Council/Board Member Cantu approved the agenda as amended removing Item K-3 Second Reading of Ordinance No. 1150. The motion was seconded by Mayor Pro Tem/Board Member Nielson and approved by the following vote:

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

F. CEREMONIAL MATTERS

1. Fresno County Rural Transit Agency General Manager Jeff Webster and Operations Manager Moses Stites presented a check in amount of \$2,600 to Police Chief Silver Rodriguez for increasing police patrol at transit stops in Sanger.
2. The Council recognized Fred Sanders on his retirement and in appreciation of his many years of service to the Sanger Police Department and the Sanger community.

The Council/Board called for a recess at 7:21 p.m.

The Council/Board reconvened their meeting at 7:27 p.m.

G. WORKSHOP

Fresno County Public Works and Planning representatives Kristi Johnson, Jonathan Avedian and Yvette Quiroga conducted a public meeting to receive community input and recommendations for use of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Shelter Grant (ESG) Program funds as part of the County of Fresno's preparation for submittal to U.S. Department of Housing and Urban Development of the 2015-19 Consolidated Plan.

Oswaldo Vera provided input.

H. PUBLIC FORUM 7:48:30 PM

Public comment was received from Oswaldo Vera.

I. CONSENT CALENDAR 7:50:46 PM

The Council/Board by motion of Council/Board Member Cantu approved the following items on the Consent Calendar:

Sanger City Council

1. SUBJECT: REVIEWED - Monthly Warrants including Check Nos. 64586 through 64743.
2. SUBJECT: APPROVED – Payroll including Check Nos. 54275 through 54348; Direct Deposit Nos. 33808 through 34022; Benefit Check Nos. 986 through 993.
3. SUBJECT: APPROVED - Minutes of the Sanger City Council Regular Meeting held on August 21, 2014.

4. SUBJECT: Literacy Awareness Month – September 2014.
The City Council proclaimed September 2014 Literacy Awareness Month.
5. SUBJECT: ADOPTED – RESOLUTION NO. 4511 - Sales Tax Holiday.
The City Council adopted Resolution No. 4511 to approve waiving the 1.75% sales tax owed to the City for the weekends of December 6 – 7, 2014 and March 7 – 8, 2015.
6. SUBJECT: ADOPTED – RESOLUTION NO. 4512 - Final Parcel Map No. 2014-02 Northeast Corner of North Avenue and J Street.
The City Council adopted Resolution No. 4512 approving the Final Parcel Map and Subdivision Agreement for Parcel Map No. 2014-02, and accepting the offers of dedication of additional public street and utility easements along North Avenue and J Street as prescribed on the map.
7. SUBJECT: APPROVED - Agreement with County of Fresno for CDBG Project No. 14611 – Sanger Street Light Improvements (Phase III).
The City Council: 1) approved the Agreement with the County of Fresno for Community Development Block Grant (CDBG) Project No. 14611, Sanger Street Light Improvements (Phase III), and authorized the City Manager to execute the Agreement on behalf of the City; and 2) adopted Resolution No. 4513 approving a Budget Amendment to reflect changes in the 14/15 Capital Improvements budget which are the result of modifications to the proposed CDBG funding.
8. SUBJECT: ADOPTED – RESOLUTION NO. 4514 - Application for Habitat Conservation Fund, Wildlife Activities Grant.
The City Council adopted Resolution No. 4514 authorizing staff to apply for the Habitat Conservation Fund Wildlife Activities Grant available through the California Department of Parks and Recreation.
9. SUBJECT: APPROVED - Fresno-Madera Area Agency on Aging (FMAAA) Contracts for FY 14/15.
The City Council: 1) approved the two contracts between the City of Sanger and the Fresno-Madera Area Agency on Aging (FMAAA) which encompass the entire FY 14/15; and 2) authorized the City Manager to sign the contracts on behalf of the City.
10. SUBJECT: ADOPTED – RESOLUTION NO. 4516 - Requesting Action by Congress on Drought Legislation.
The City Council adopted Resolution No. 4516 requesting action by Congress on drought legislation.

City of Sanger as Successor Agency to the Sanger Redevelopment Agency

11. SUBJECT: ADOPTED – RESOLUTION NO. 14-03 - Recognized Obligation Payment Schedule.
The City of Sanger as Successor Agency to the Sanger Redevelopment Agency adopted Resolution No. 14-03 approving the Recognized Obligation for January – June 2015 (“ROPS 14-15B”) as required by the State per Assembly Bill 1X 26.

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

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

J. PUBLIC HEARING 7:51:27 PM

1. SUBJECT: APPROVED - Community Development Block Grant (CDBG) Program 2015/2016 Fiscal Year Allocation.

The City Council conducted a public hearing to discuss the City's CDBG project for Fiscal Year 2015/2016. No public comment was received. The Council closed the public hearing.

The Council by motion of Mayor Pro Tem Nielson approved the Sanger Streetlight Improvements Project (Phase IV) as the City's CDBG project for Fiscal Year 2015/2016. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

K. DEPARTMENT REPORTS 7:53:42 PM

1. SUBJECT: APPROVED - Agreement with Acquisition Partners of America.

The City Council by motion of Mayor Pro Tem Nielson approved the agreement with Acquisition Partners of America ("APA") to provide general consulting, marketing assistance to grants and comprehensive grant-writing services 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
NOES: NONE
ABSTAIN: NONE
ABSENT: ONTIVEROS, PACHECO

2. SUBJECT: APPROVED - Assignment of Sunset Waste Systems Disposal Contract to Mid Valley Disposal.

The City Council by motion of Mayor Mitchell: 1) approved assignment of the City of Sanger Residential, Commercial, and Industrial Solid Waste, Green Waste, and Recyclables Franchise Agreement from Sunset Waste Systems to Mid Valley Disposal; 2) authorized the assignment by approving the Assignment and Assumption Agreement; and 3) authorized the City Manager or designee to sign the agreement on behalf of the City. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

3. SUBJECT: REMOVED - Second Reading for Ordinance No. 1150 Amending the City of Sanger Official Zone Map from the Light Industrial (ML) District to the Community Commercial (C-2) District for a 4.85 acre site located on the west side of Academy Avenue, east of the Sanger Avenue Alignment, south of the South Gate Shopping Center (APNs 332-190-36, 332-042-01, 3332-042-03) – Zoning Amendment Application 2014-01.
4. SUBJECT: ADOPTED – RESOLUTION NO. 4515 - Development and Reimbursement Agreement for Downtown Sidewalk Project.

The City Council adopted Resolution No. 4515 approving the Development and Reimbursement Agreement between the City of Sanger and Legacy Construction for the downtown sidewalk replacement project. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

5. SUBJECT: APPROVED - Award of Contract – 10th Street Storm Drain and Faller Park Basin Modifications.

Public comment was received from Kevin Carter.

The City Council by motion of Mayor Pro Tem Nielson: 1) conditionally awarded the contract for the 10th Street Storm Drain and Faller Park Basin Modifications Project to Emmett’s Excavation, Inc., 6207 E. Clinton Avenue, Fresno, CA 93727, in the amount of \$792,024.00, provided that Staff can work with the contractor to value engineer the contract cost down by a minimum of \$45,000, which cost savings will be reflected in a contract change order prior to the start of construction; 2) approved a construction contingency for change orders in the amount of 10% of the contract amount as adjusted by the aforementioned value engineering; and 3) authorized the City Manager to sign contract documents on behalf of the City, in the event that the contract can be adjusted to a maximum of \$747,024.00, as described above. The motion was seconded by Mayor Mitchell and approved by the following vote:

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

L. CITY MANAGER/STAFF COMMUNICATION

City Manager Brian Haddix reported the following: thanked City Engineer Josh Rogers for attending the a meeting with the Fresno County Rural Transit Agency to request funding; thanked Police Chief Rodriguez for the drop in the City's crime rate; commended Fire Chief Tarascou and his crew for assisting in putting out fires all over California; thanked Acquisition Partners of America for their work on the Veterans grant that will assist veterans with needs in their homes; met with Fresno Council of Government regarding the One-Voice trip to Washington D.C where the two primary issues will be the drought and the Sanger Job Training Program; thanked Public Works Director John Mulligan for the Public Work's crew installing poles for Police Department cameras.

M. MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Cantu reported the following: commended City Manager Haddix and staff for responding to updates he requested and issues submitted; looks like a church will be constructed at Church and Harrison and landscaping will be completed at the Skate Park.

Mayor Pro Tem Nielson reported the following: attended the Farmers Market and it was good to see the Fire and Police Explorers; commended the Public Works Department for cleaning up the mess at the first Farmers Market.

Mayor Mitchell reported the following: received numerous email, phone calls, and messages from residents indicating their displeasure with the Farmers Market; dissatisfied with the attention given to the CID canals and requested an update on direction given to City Manager.

N. ADJOURNMENT

Being no further business the Council/Board adjourned their meeting at [8:44:39 PM](#).