



MINUTES OF THE REGULAR MEETING
OF THE SANGER CITY COUNCIL

November 20, 2014
6:00 P.M.
Council Chamber

A regular meeting of the Sanger City Council was held on Thursday, November 20, 2014 at 6:00 p.m. in the Council Chamber.

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

A. PUBLIC FORUM

None.

B. CLOSED SESSION

1. Pursuant to Government Code Section 54957
Public Employee Performance Evaluation
City Manager
2. Pursuant to Government Code Section 54956.9(d)(1)
 - a. Conference with Legal Counsel – Existing Litigation
Callahan et al. v. City of Sanger
U.S. District Court Case No. 1:14-CV-00600-BAM
 - b. Conference with Legal Counsel – Existing Litigation
Ellen Palomo v. City of Sanger, et al.
U.S. District Court Case No. 1:14-CV-01769-SAB

The Regular Meeting Open Session was called to order at [7:22:47 PM](#).

C. OPENING CEREMONIES

The invocation was given by Pastor Gary Duran.

The flag salute was led by Mayor Joshua Mitchell.

Roll Call

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

D. CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Scott Cross announced no reportable action taken during closed session.

E. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Councilmember Ontiveros tabled Items J-1 and K-4 through K-6 to the December 18, 2014 regular meeting. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

F. CEREMONIAL MATTERS

The City Council recognized Mary Burnett for her years of service on the Citizens Oversight Committee – Measure S.

G. WORKSHOP

John Quiring of Acquisition Partners of America provided a quarterly report to the Council.

H. PUBLIC FORUM

Public comment was received from Doris Knowlton, David Lawrence Phillips, and Gary Duran.

I. CONSENT CALENDAR

The Council by motion of Mayor Pro Tem Nielson approved the following items on the Consent Calendar:

1. SUBJECT: REVIEWED - Monthly Warrant Nos. 65115 through 65303.
2. SUBJECT: APPROVED – Payroll including Payroll Check Nos. 54427 through 54459; Direct Deposit Nos. 34403 through 34589; Benefit Check Nos. 1010 through 1017.
3. SUBJECT: APPROVED - Minutes of the Regular Meeting of the Sanger City Council held on November 6, 2014.

4. **SUBJECT:** APPROVED – RESOLUTION NO. 4521 - Disposal of Surplus Property.
The City Council adopted Resolution No. 4521 declaring the property listed in Exhibit A as surplus property and authorized disposal of surplus property pursuant to Municipal Code Section 2-212 and General Government Code Section 37350.
5. **SUBJECT:** REVIEWED - Monthly Financial Review including General Fund, Enterprise Funds and Measure S – September 30, 2014.
6. **SUBJECT:** APPROVED – RESOLUTION NO. 4522 - Acceptance of Right-of-Way Dedications for Sanger Gateway Monument Sign Project.
The City Council adopted Resolution No. 4522 accepting the dedication of land for the purposes of constructing a decorative gateway monument sign with supporting landscaping and public utilities along the south side of State Route 180 from G4 properties, LTD.
7. **SUBJECT:** APPROVED - Final Acceptance – Sanger Streetlight Improvements Project (Phase II) CDBG Project #13611.
The City Council: 1) accepted the work for the Sanger Streetlight Improvements Project (Phase II) in the amount of \$334,337.20; 2) authorized recordation of the Notice of Completion with Fresno County Recorder; and 3) authorized payment of 5% retention in the amount of \$16,716.86 to Flatiron Electric Group, Inc., upon expiration of the 35 day lien period.
8. **SUBJECT:** APPROVED - Approval of the Transition Tax Agreement between City of Sanger and the Fresno County Fire Protection District.
The City Council approved the attached Property Tax Allocation Agreement (Transition Agreement) between the City of Sanger and the Fresno County Fire Protection District, and authorized the City Manager to execute the Agreement.
9. **SUBJECT:** APPROVED - Agreement with Fresno City College for Instructional Services.
The City Council approved the Agreement between the City of Sanger and Fresno City College for the purposes of instructional services reimbursement and authorized the City Manager to execute the agreement.
11. **SUBJECT:** APPROVED - Consider Closure of City Hall on Friday, December 26, 2014.
The City Council authorized the closure of City Hall on Friday, December 26, 2014, the day after Christmas.

The motion was seconded by Councilmember Ontiveros and unanimously approved.

10. SUBJECT: APPROVED - Appointment to the Citizen's Oversight Committee – Measure S.

Public comment was received from Osvaldo Vera and Kathryn Pacheco.

After further discussion the Council by motion of Councilmember Pacheco reappointed Committee Member Michael Steinhauer and appointed Sue Simpson and Tony Gonzales to fill three vacancies on the Citizen's Oversight Committee. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

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

J. PUBLIC HEARING

1. SUBJECT: TABLED - Personnel Code Ordinance Amendment.

K. DEPARTMENT REPORTS

1. SUBJECT: APPROVED - Side Walk Ordinance Amendment.

The City Council by motion of Councilmember Pacheco approved the introduction of Ordinance No. 1151 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 sidewalk repair revolving fund. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

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

2. SUBJECT: APPROVED - Adoption of 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, 332-042-03).

Councilmember Cantu recused himself from Item K-2 and left the dais.

The City Council by motion of Councilmember Ontiveros adopted Ordinance No. 1150. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

The Council called for a recess at [8:18:37 PM](#).

The Council reconvened their meeting at [8:28:51 PM](#).

3. SUBJECT: APPROVED - State Route 180 Gateway Monument Sign

The City Council by motion of Councilmember Ontiveros confirmed Staff's recommendation of Arrow Sign Company of Oakland, CA for the design, fabrication, and installation of the City of Sanger's Gateway Monument Sign along State Route 180, and authorized the City Manager to negotiate and execute a contract for the work not to exceed \$80,000. The motion was seconded by Mayor Pro Tem Nielson and unanimously approved.

4. SUBJECT: TABLED - Approve Agreement for the Strategic Plan Consultant.
5. SUBJECT: TABLED - Approve the Selection of a Public Relations Agency.
6. SUBJECT: TABLED - Downtown Improvement Plan Consultant.
7. SUBJECT: APPROVED – RESOLUTION NO. 4523 - Vacant Building Sales Tax Rebate Policy.

Public comment was received from David Lawrence Phillips and Bob Lynch.

The City Council by motion of Councilmember Ontiveros adopted Resolution No. 4523 authorizing a 50% annual rebate of the City's share of general sales taxes (excluding Measure S) for the first three years of operation, to businesses that occupy vacant buildings in the City of Sanger between November 20, 2014 and December 31, 2015. The motion was seconded by Mayor Pro Tem Nielson and unanimously approved.

8. SUBJECT: APPROVED - Facility Rental Fees Waiver Guidelines and Application.

The City Council by motion of Mayor Pro Tem Nielson approved the Fee Waiver Guidelines for Events and Facility Use and the Fee Waiver Application. The motion was seconded by Councilmember Cantu and unanimously approved.

L. CITY MANAGER/STAFF COMMUNICATION 8:58:46 PM

City Manager Brian Haddix reported the following: attended the Veteran's Parade; attended the Fall Festival at the Methodist Church; attended the Marine Corp Ball, which was well attended; conducted new councilmember orientation with Councilmember Elect Garza; he and Dan took a Fresno Bee reported on a tour of Sanger; pleased with finalizing bargaining group negotiations; met with the Chamber of Commerce and moving forward with tasks; the ADA study is ramping up; attended a standing meeting to discuss active business recruitment; met with Moore & Associations and moving forward with the Park Transit; surveillance cameras are going up; recruitment is being conducted for the Firefighter Paramedic eligibility list; conditional offers have been extended to 3 Police Officer candidates and 2 more candidates are going through the background check; the Christmas Parade is coming up and a lot of other Christmas activities.

M. MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Pacheco had nothing to report.

Councilmember Cantu reported that he attended the Sr. Center lunch and it was a great event. The group has a lot of participants and the Council should look at expanding their building.

Councilmember Ontiveros had nothing to report.

Mayor Pro Tem Nielson reported that he enjoyed attending the Marine Corp Ball and wished everyone a Happy Thanksgiving.

Mayor Mitchell had nothing to report.

N. ADJOURNMENT

Being no further business the Council adjourned their meeting at 9:03:21 PM.