MINUTES OF THE REGULAR MEETING OF THE SANGER CITY COUNCIL

May 7, 2015
6:00 P.M.
Council Chamber

A. CALL TO ORDER

The regular meeting was called to order at 6:04:15 PM.

B. OPENING CEREMONIES

The invocation was led by Pastor Chuck Antaramian.

The flag salute was led by Council Member Tony Pacheco.

Roll Call

Present: Mayor Joshua Mitchell, Mayor Pro Tem Raul Cantu, Council Member Eli Ontiveros, Council Member Tony Pacheco, Council Member Humberto Garza

Absent: None

C. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Mayor Pro Tem Cantu pulled Item I-7 and approved the agenda as amended. The motion was seconded by Council Member Ontiveros and unanimously approved.

D. WORKSHOP

President and CEO David Phillips presented the Sanger Chamber of Commerce Quarterly Report.

E. CEREMONIAL MATTERS 6:18:01 PM

1. The Council recognized the Sanger Ministerial Association in honor of *National Day of Prayer*.
2. John Guron of Golden Living Centers-Sanger presented a check in the amount of $1,000 to Hope Sanger.
3. The Council recognized California TrusFrame for their innovative business model and production expansion.

F. PUBLIC FORUM 6:32:36 PM

Public comment was received from Pedro Amezola and Ryan Warren.

G. CONSENT CALENDAR 6:49:12 PM

The Council by motion of Council Member Pacheco pulled items G-7 and G-10 and approved the following items on the consent calendar:

1. SUBJECT: APPROVED - Minutes of the regular meeting of the City Council held on April 2, 2015.

2. SUBJECT: APPROVED - Minutes of the regular meeting of the City Council held on April 16, 2015.

3. SUBJECT: REVIEWED Minutes of the Planning Commission meeting held on March 26, 2015.

4. SUBJECT: REVIEWED - Monthly Warrants including Check Nos. 66556 through 66742.

5. SUBJECT: ACCEPTED - Treasurer's Report – March 31, 2015.

6. SUBJECT: REVIEWED - Monthly Financial Review – March 31, 2015.

8. SUBJECT: APPROVED – RESOLUTION NO. 4543 - Destruction of Records.
The City Council adopted Resolution No. 4543 authorizing the destruction of certain records, documents and papers used to underwrite City, Redevelopment Agency, and other loans, pursuant to Section 34090 of the State of California Government Code.

9. SUBJECT: APPROVED – RESOLUTION NO. 4544 - Acceptance of Deeds of Easement and Approval of Basin Covenants – Tract 5372 (Stone Haven 2).
The City Council approved Resolution No. 4544 accepting the Deeds of Easement for public storm drain utility purposes as part of the infrastructure requirements of Tract 5372 (Stone Haven 2) being developed by Lennar Fresno, Inc. (Lennar) and approved two Basin Covenants with Lennar for Tract 5372 (Stone Haven 2) and authorized the City Manager to execute the documents on behalf of the City.

11. SUBJECT: APPROVED - Emergency Medical Services Contract Renewal with County of Fresno.
The City Council approved the Emergency Medical Services Agreement with the County of Fresno and authorized the City Manager to execute the contract on behalf of the City.

12. SUBJECT: APPROVED - MOU with National Park Service for Big Trees Transit.
The City Council approved the Memorandum of Understanding (MOU) with the National Parks Service and authorized the City Manager to execute any associated documents on behalf of the City.

The motion was seconded by Council Member Ontiveros and unanimously approved.

10. SUBJECT: APPROVED - Letter of Support for SB16 (Beall) Transportation Funding.
After further discussion, the City Council by motion of Council Member Ontiveros approved the submittal of a Letter of Support to Senator Jim Beall for SB 16 (Beall) Transportation Funding. The motion was seconded by Council Member Pacheco and unanimously approved.

10. SUBJECT: APPROVED - Letters of Support – AB 156 GHG Technical Assistance Act.
After further discussion, the City Council by motion of Council Member Pacheco approved the submittal of the letter of support for AB156 (Perea) GHG Technical Assistance Grant. The motion was seconded by Mayor Pro Tem and approved by the following vote:

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

The Council called for a recess at 6:56:15 PM.

The Council reconvened their meeting at 7:05:32 PM.

H. PUBLIC HEARING 7:05:42 PM

Mayor Mitchell abstained from the Public Hearing Item H-1 due to conflict of interest and left the dais.

1. SUBJECT: APPROVED - Entitlements for the DR Horton Project.

The Council conducted a Public Hearing to discuss the proposed entitlements for the DR Horton project.

Public comment was received from Jed Bennett of DR Horton, Geof Lickey, and Kevin Carter.

The Council closed the Public Hearing.

The Council by motion of Council Member Pacheco approved RESOLUTION NO. 4545 adopting the Initial Study – Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the entitlements for Vesting Tentative Tract Map 6093. The motion was seconded by Council Member Ontiveros and approved by the following vote:

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

The Council by motion of Council Member Ontiveros approved RESOLUTION NO. 4546 approving General Plan Amendment No. 2014-02 amending the Land Use Element of the General Plan for an approximate five-acre site from Public Facility to Medium Density Residential. The motion was seconded by Council Member Garza and approved by the following vote:

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

The Council by motion of Council Member Garza approved the introduction and waived the first reading of ORDINANCE NO. 1158 amending the City of Sanger Official Zoning Map for an approximate five acre site from the RSC (Resource, School, Conservation) District to the R-1-6 (Single Family Residential, 6,000 square foot minimum lot size) District. The motion was seconded by Council Member Pacheco and approved by the following vote:

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

The Council by motion of Council Member Pacheco approved RESOLUTION NO. 4547 approving Vesting Tentative Tract Map No. 6093 subject to Conditions of Approval. The motion was seconded by Council Member Garza and approved by the following vote:

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

The Council by motion of Council Member Ontiveros approved RESOLUTION NO. 4548 approving Conditional Use Permit No. 2014-04 allowing Vesting Tentative Tract Map No. 6093 to be built as a Planned Unit Development. The motion was seconded by Council Member Garza and approved by the following vote:

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

The Council by motion of Council Member Pacheco approved RESOLUTION NO. 4549 petitioning the Fresno County Local Agency Formation Commission to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 related to Vesting Tentative Tract Map No. 6093. The motion was seconded by Council Member Garza and approved by the following vote:

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

The Council by motion of Council Member Garza approved the introduction and waived the first reading of ORDINANCE NO. 1159 approving a Development Agreement with DR Horton, Inc. –Fresno regarding the project commonly known as the Sanger IV Project. The motion was seconded by Council Member Ontiveros and approved by the following vote:

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

The Council called for a recess at 8:09:50 PM.

The Council reconvened their meeting at 8:19:55 PM. Mayor Mitchell returned to the dais.

I. DEPARTMENT REPORTS

1. SUBJECT: APPROVED – RESOLUTIO NOS. 4550 AND 4551 - Sanger Landscaping and Lighting Maintenance District No. 1. 8:20:03 PM

The City Council by motion of Mayor Pro Tem Cantu approved Resolution No. 4550 accepting the Engineer's Report for Sanger Landscaping and Lighting Maintenance District No. 1 and approved Resolution No. 4551 of intention to levy and collect assessments for the maintenance within the Sanger Landscaping and Lighting Maintenance District No. 1 and setting the Public Hearing for June 18, 2015. The motion was seconded by Council Member Ontiveros and unanimously approved.

2. SUBJECT: APPROVED – RESOLUTION NOS. 4552 AND 4553 – Sanger Landscaping and Lighting Maintenance District No. 2. 8:21:37 PM

The City Council by motion of Council Member Pacheco approved Resolution No. 4552 accepting the Engineer's Report for Sanger Landscaping and Lighting Maintenance District No. 2 and approved Resolution No. 4553 of intention to levy and collect assessments for the maintenance within the Sanger Landscaping and Lighting Maintenance District No. 2 and setting the Public Hearing for June 18, 2015. The motion was seconded by Mayor Pro Tem Cantu and unanimously approved.

3. SUBJECT: APPROVED - Sanger Streetlight Improvement Project (Phase III) PG&E Electric Service Agreement. 8:22:45 PM

The City Council by motion of Mayor Pro Tem Cantu approved the Agreement with PG&E for electric service for the Sanger Streetlight Improvements Project (Phase III), and authorized the City Manager to execute the Agreement on behalf of the City. The motion was seconded by Council Member Ontiveros and unanimously approved.

4. SUBJECT: Installation of Crosswalk and Associated Pedestrian Facilities at Academy Avenue and 4th Street. 8:32:26 PM

Public comment was received from Melissa Griggs, David Phillips, and Kevin Carter.

The City Council discussed whether or not to proceed with the subject project.

Mayor Pro Tem Cantu made a motion to give staff direction to begin a study on the installation of a crosswalk and associated pedestrian facilities at Academy Avenue and 4th Street. The motion was seconded by Council Member Garza and failed by the following vote:

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

Council Member Ontiveros made a motion to direct staff to install signage that directs pedestrian traffic to the crosswalk located at 5th Street and Academy Avenue. The motion was seconded by Council Member Pacheco and approved by the following vote:

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

5. SUBJECT: APPROVED - Introduction of Ordinance No. 1160 Amending Sections 1-2 and 1-8-5 of Chapter 1 of the Sanger City Code, Amending Sections 30-57 and 30-58 of Article III of Chapter 30 of the Sanger City Code and Amending Section 38-17 of Article 1 of Chapter 38 of the Sanger City Code Pertaining to Fireworks. 8:50:39 PM

The City Council by motion of Council Member Ontiveros introduced and waived first reading of Ordinance No. 1160 amending the Sanger City Code relating to the use of fireworks in Sanger. The motion was seconded by Council Member Pacheco and unanimously approved.

6. SUBJECT: APPROVED – RESOLUTION NO. 4554 - Stage III Declaration – Water Conservation Program. 8:55:42 PM

The City Council by motion of Council Member Ontiveros ratified the declaration made by the Public Works Director moving the City to Stage III of the City of Sanger's Water Conservation Program and approved Resolution No. 4554 temporarily restricting outdoor irrigation to two (2) days per week during Stage III of the Water Conservation Program. The motion was seconded by Council Member Pacheco and unanimously approved.

7. SUBJECT: PULLED - Participation in the Employment Risk Management Authority (ERMA).

8. SUBJECT: APPROVED - Authorization for Out of State Travel. 9:07:48 PM

Public comment was received from David Phillips.

The City Council by motion of Council Member Pacheco authorized to sponsor Sanger Chamber of Commerce President and CEO David Phillips to join the Sanger City delegation in attending the ICSC RECon Convention in Las Vegas, NV on May 17 through May 20, 2015. The motion was seconded by Council Member Ontiveros and approved by the following vote:

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

J. CITY MANAGER/STAFF COMMUNICATION 9:14:37 PM

City Manager Brian Haddix provided clarification and explanation of the records to be destroyed as approved on Item G-8 and announced that the City Attorney will oversee the destruction of said records.

City Manager Haddix confirmed that staff will bring back to a future Council meeting an agenda item related to Phase 4 of the Streetlight Improvement Project.

City Manager Haddix reported the following: attended the dedication of the Williams Family Park; the kick-off of the Big Trees Transit will be held on May 25th; a Town Hall meeting to discuss the FY 2015/2016 budget will be held on May 14th; budget hearings are scheduled to be held on June 4 and June 18 with the goal of adopting the budget on June 18; gave kudos to John Mulligan regarding the leak detection system; the Fresno Bee has given Sanger 3 "thumbs up" for City activities.

K. MATTERS INITIATED BY CITY COUNCILMEMBERS

Council Member Ontiveros had nothing to report.

Council Member Garza clarified that he believes Mr. Phillips is competent (in attending the ICSC REcon Conference) but does not believe that the City should pay Mr. Phillips's travel expenses.

Council Member Pacheco wished all the mothers a Happy Mother's Day.

Council Cantu reported the following: attended the Cinco de Mayo event at the Community Center and said that the Council should consider funding the event; attended the 5 Cities meeting and was impressed with the attendance. Council Member Cantu asked whether a report on the One Voice trip was presented at the last Council meeting. City Manager Haddix stated that there was no Sanger representation on the One Voice trip because the COG agenda items did not specifically benefit Sanger.

Mayor Mitchell had nothing to report.

L. ADJOURNMENT

Being no further business, the Council adjourned their meeting at 9:25:11 PM.