

MINUTES OF THE REGULAR SANGER CITY COUNCIL MEETING

February 7, 2013
6:00 P.M.
Council Chamber

The regular meeting convened at 6:04 P.M.

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

PUBLIC FORUM PRIOR TO CLOSED SESSION

None

CLOSED SESSION

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, City Clerk Becky Hernandez
Employee Organizations: All Bargaining Groups
2. Pursuant to Government Code Section 54956.9 (d) (1)
Conference with Legal Counsel – Existing Litigation
City of Sanger v. Chooljian Brothers
Fresno Superior Court Case No. 08CECG01853DRF
3. Pursuant to Government Code Section 54956.9(d) (2)
Conference with Legal Counsel – Anticipated Litigation
Signification Exposure to Litigation: 1 case
4. Pursuant to Government Code Section 54956.9 (d) (1)
Conference with Legal Counsel – Existing Litigation
California State University Fresno Association, Inc. v. County of Fresno et al.
Fresno Superior Court Case No. 12CECG03791

The Council reconvened their meeting at 7:16 P.M.

OPENING CEREMONIES

The invocation was given by Pastor Sam Estes.
The Flag Salute was led by Mayor Mitchell.

ROLL CALL

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

CITY ATTORNEY REPORT FROM CLOSED SESSION

Assistant City Attorney Scott Cross reported the following:

Closed Session Item #1 – No action taken. Council provided direction to the negotiating team.

Closed Session Item #2 – The Council by motion of Mayor Pro Tem Nielson authorized a settlement in this case in amount of \$140,000. The motion was seconded by Mayor Mitchell and approved by the following vote:

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

Closed Session Item #3 – No Action taken. Council provided direction to staff.

Closed Session Item #4 – The Council by motion of Councilmember Ontiveros authorized the City Attorney to file a complaint and intervene in this case. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

AGENDA APPROVAL

APPROVED AS AMENDED – Item G2 was moved to follow the adjournment of the City of Sanger as Successor Agency to the Sanger Redevelopment Agency. The Council by motion of Councilmember Ontiveros approved the agenda as amended. The motion was seconded by Councilmember Cantu and approved by the following vote:

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

CEREMONIAL MATTERS

The City recognized the Reina Cardenas for her extraordinary accomplishments and dedicated commitment to the City of Sanger.

The City Council called for a recess at 7:32 P.M.

The City Council reconvened their meeting at 7:38 P.M.

DEPARTMENT REPORTS

ITEM G-1 – RECEIVED AND FILED – 2011/2012 Comprehensive Annual Financial Report

The Council received and filed the Comprehensive Annual Financial Report and Management Statements for fiscal year 2011/2012 prepared by White, Nelson, Diehl, Evans, LLP.

CHAMBER OF COMMERCE QUARTERLY REPORT

Pastor Sam Estes, Chairman of the Board for the Sanger Chamber of Commerce, presented the Chamber’s Quarterly Report.

CITIZEN’S OVERSIGHT COMMITTEE ANNUAL REPORT

Mary Burnett, Chairperson of the Citizen’s Oversight Committee, presented the Committee’s Annual Report.

PUBLIC FORUM

Public comment was received from Kathryn Pacheco, Doris Knowlton, Ed Cuadros, Andrew Renteria and Fred Heisman.

CONSENT CALENDAR

The Council by motion of Councilmember Ontiveros pulled Item K-1 Monthly Warrants and Item K-2 Approval of Payroll for separate discussion and approved the following items on the Consent Calendar:

APPROVED – Minutes for the regular meeting of January 3, 2013

ACCEPTED – Treasurer’s Report as of December 31, 2012

REVIEWED – Monthly Financial Review

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

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

After separate discussion of Item K-1 of the Consent Calendar, the Council by motion of Councilmember Cantu approved Item K-1 Monthly Warrants. The motion was seconded by Councilmember Ontiveros and approved by the following vote:

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

After separate discussion of Item K-2 of the Consent Calendar, the Council by motion of Councilmember Cantu approved Item K-2 Approval of Payroll. The motion was seconded by Councilmember Ontiveros and approved by the following vote:

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

PUBLIC HEARING

ITEM L-1 – ORDINANCE NO. 1138 ~ ESTABLISHING SPEED LIMITS FOR COLLECTOR AND ARTERIAL STREETS

The Council by motion of Councilmember Ontiveros conducted the second hearing on proposed Ordinance No. 1138 establishing speed limits for collector and arterial streets and adopting the 2012 Sanger Engineering & Traffic Survey. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

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

DEPARTMENT REPORTS (continued)

ITEM G-3 – ACCEPTED – Deed of Easement-Aldo Pistacchio Unified Trust dated December 31, 1992.

The Council by motion of Councilmember Cantu accepted the Deed of Easement for public street and utility purposes of the east side of Academy Avenue, between Church and Florence Avenues, from The Aldo Pistacchio Unified Trust dated December 31, 1992. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

AYES: MITCHELL, NIELSON, ONTIVEROS, CANTU

NOES: NONE
ABSENT: PACHECO
ABSTAIN: NONE

ITEM G-4 – ADOPTED – Resolution No. 4376-Final Parcel Map No. 2011-01

The Council by motion of Councilmember Cantu: 1) made the following two findings: 1~Final Parcel Map No. 2011-01 is substantially in compliance with the approved Tentative Parcel Map No. 2011-01 and 2~Final Parcel Map No. 2011-01 is consistent with the General Plan; 2) adopted Resolution No. 4376 approving Final Parcel Map No. 2011-01 for a portion of Sanger Shopping Center; and 3) accepted the offer of dedication of a 4' wide pedestrian easement and 10' wide public utility easement along the Bethel and Jensen Avenue frontages. The motion was seconded by Mayor Pro Tem Nielson and approved by the following vote:

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

ITEM G-5 – APPROVED - Resolution No. 4377 in support of the California Enterprise Zone Program

The Council by motion of Mayor Pro Tem Nielson approved Resolution No. 4377 in support of the Enterprise Zones and authorized Council and Staff to communicate their support to officials of the California Enterprise Zone Program. Council further directed staff to encourage business owners, community members and SUSD officials to send letters of support. It was also suggested that Councilmembers send individual letters of support. The motion was seconded by Councilmember Ontiveros and approved by the following vote:

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

Councilmember Pacheco arrived and took his seat at the dais.

ITEM G-6 – REJECTED – Contract with Tamarack Pest Control

The Council by motion of Councilmember Ontiveros rejected all proposals and directed the City Manager to obtain quotes for pest control services and enter into an agreement for such services in accordance with the City's purchasing ordinance. The motion was seconded by Mayor Mitchell and approved by the following vote:

AYES: MITCHELL, ONTIVEROS, CANTU, PACHECO
NOES: NIELSON

ABSENT: NONE
ABSTAIN: NONE

ITEM G-7 – APPROVED – Agreement with Verizon for CentraNet phone lines

The Council by motion of Councilmember Pacheco approved the agreement with Verizon for CentraNet lines for the City's telecommunications and authorized the City Manager to sign the agreement. The motion was seconded by Councilmember Ontiveros and unanimously approved.

ITEM G-8 – APPROVED – Sales Tax Holiday

Public comment was received from Ed Cuadros.

The Council by motion of Mayor Pro Tem Nielson approved waiving the 1.75% sales tax owed to the City for one weekend, March 2-3, 2013 with April 30, 2013 being the final day to submit receipts for reimbursement. The Council further directed staff to promote the event in conjunction with the Chamber /City Blossom Days Festival by preparing multiple press releases, providing flyers to business owners for posting on windows, and using the City's Blackboard Connect program to reach out to residents. It was suggested that councilmembers direct any additional ideas for promoting the Sales Tax Holiday to the City Manager. The motion was seconded by Councilmember Cantu and unanimously approved.

ITEM G-9 – INFORMATION ITEM – Presentation of Insurance Services Office 2012 Inspection and Results

Interim Fire Chief Greg Tarascou presented the Sanger Fire Department's Insurance Services Office (ISO) 2012 inspection results.

The Council adjourned their meeting at 9:46 p.m. to conduct a City of Sanger as Successor Agency to the Sanger Redevelopment Agency meeting.

The Council reconvened their meeting at 9:48 p.m.

CITY MANAGER/STAFF COMMUNICATIONS

City Manager Brian Haddix commented on: meeting with Karen Taylor-Goodrich with the Sequoia Kings Canyon National Park regarding a Visitor's Center; meeting with City staff regarding a hotel site; attendance at the 5 Five Cities Economic Development meeting; meeting with the Public Works staff; meeting with Superintendent Marc Johnson regarding emergency procedures; meeting in Sacramento with Steve Szaley of the Department of Finance who is overseeing the dissolution of RDAs; attendance at the LOCC New Mayors and Council Members Academy; attendance at the LOCC City Manager's Department Meeting; wrap-up meeting regarding the Christmas Fest event; the Council's subcommittee meetings.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Pacheco apologized for arriving late and explained that he was attending a strategic planning meeting at Reedley College. He suggested that the City Manager make an effort to meet with all bargaining units. He commented on his attendance at: the LOCC New Mayors and Council Members Academy; his first meeting of the Southeast Regional Solid Waste Commission as the Council representative, where Supervisor Case made a comment that monies are available for funding the extension of Academy Avenue from 11th to North; meeting with the City Manager regarding current economic development issues.

Councilmember Cantu commented that vendors will be stationing at corners on Valentine's Day and suggested that the vendors be required to have licenses. He commented on the neglect of the local parks as well as the 911 Memorial located at City Park.

Councilmember Ontiveros announced that he attended his first Upper Kings Basin Integrated Regional Water Management Authority meeting as a Council representative.

Mayor Pro Tem Nielson reported on his attendance at the San Joaquin Valley Air Pollution Control District (SJVACPD) meeting wherein a vote was conducted for a North Valley representative to the Air Pollution Control Board. He also attended a meeting on community development and planning hosted by the SJVAPCD.

Mayor Mitchell commented on his appreciation of councilmembers in attending the meetings of their assigned commissions. He commented on his attendance at the Five Cities meeting wherein items of discussion included attending conventions to promote regional matters, and a regional water treatment facility. He commented on his attendance at the COG meeting wherein they discussed new procedures for attracting projects and COG was encouraged to include procedures that would benefit small cities.

ADJOURNMENT

Being no further business, the Council adjourned their meeting at 10:26 p.m.