

## MINUTES OF THE REGULAR SANGER CITY COUNCIL MEETING

April 4, 2013  
6:00 P.M.  
Council Chamber

The regular meeting convened at 6:02 P.M.

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

### 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
  1. Eugene Drinkhouse v. City of Sanger  
Fresno Superior Court Case No. 12CECG00078
  6. City of Sanger, et al. v. County of Fresno  
Fresno Superior Court Case No. 08CECG03535

### OPENING CEREMONIES

The invocation was given by Pastor Gary Duran.  
The flag salute was led by Mayor Mitchell.

### ROLL CALL

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

### CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Jenell Van Bindsbergen reported no action taken, nothing to report.

## AGENDA APPROVAL

APPROVED – The Council by motion of Councilmember Ontiveros approved the agenda as presented. The motion was seconded by Councilmember Cantu and unanimously approved.

## CEREMONIAL MATTERS

Interim Fire Chief Greg Tarascou introduced Kathy Lovett, former Fire Captain Jim Deaver and this year's Firefighter ROP Students; Chris Torres, Michael Moreno, Anthony Prieto, and Kevin Flores.

The City Council recognized the Jackson School 5<sup>th</sup> Grade students of teachers Janell Miller and Debby Galloway for their work in making bag lunches for the underprivileged.

The Council called for a recess at 7:27 p.m.

The Council reconvened their meeting at 7:36 p.m.

## PUBLIC FORUM

Public comment was received from David Tellez, Alonso Gomez, Kathryn Pacheco, Henry Provost, Fred Heisman, Osvaldo Vera, and Judy Case.

## CHAMBER OF COMMERCE QUARTERLY REPORT

Chairman of the Board Sam Estes submitted and presented the quarterly report of the Sanger District Chamber of Commerce and distributed an invitation flyer to the Chamber's Annual Banquet scheduled for Friday, April 19, 2013.

## WORKSHOP

City Attorney Jenell Van Bindsbergen presented a workshop describing the compensation and benefit package for Executive Staff and Councilmembers.

## CONSENT CALENDAR

The Council by motion of Councilmember Ontiveros pulled Item J-1 Monthly Warrants for discussion. The motion was seconded by Councilmember Cantu and unanimously approved.

The Council by motion of Councilmember Pacheco approved the following items on the Consent Calendar:

REVIEWED – Warrants No. 60060 through 60269

APPROVED – Payroll Checks No. 53262 through No. 53323; Direct Deposit No. 30019 through No. 30219; and Benefit Checks No. 838 through No. 845

APPROVED – Minutes for the Special Meeting of March 14, 2013 and the Regular Meeting of March 21, 2013

REVIEWED – Monthly Financial Reports including General Fund, Enterprise Funds and Measure S

ACCEPTED – Treasurer’s Report as of February 28, 2013

APPROVED – City Engineer Contract

The motion was seconded by Councilmember Ontiveros and unanimously approved.

DEPARTMENT REPORTS

ITEM K-1 – INFO ITEM – Local Government Strategic Plan

City Manager Brian Haddix presented the City’s strategic plan.

ITEM K-2 – APPROVED AS AMENDED – Chamber of Commerce Contract

Public comment was received from Fred Heisman, Sherri Carter, and Julian Chapa.

The Council by motion of Councilmember Ontiveros approved the 2012/13 contract for services with the Sanger District Chamber of Commerce in the amount of \$60,000 and asked that a copy of the contract be made available to council within thirty days with the addition of performance measures, enhanced marketing efforts and the condition that members of the Chamber Board not participate in political issues.

The motion was seconded by Councilmember Pacheco and unanimously approved.

ITEM K-3 – APPROVED AS AMENDED – RESOLUTION NO. 4394 Subdivision Agreement with Lennar Fresno, Inc.

Councilmember Cantu announced a conflict of interest with this item, recused himself and left the dais at 8:50 p.m.

Public comment was received from a representative from the Cantu family.

The Council by motion of Councilmember Pacheco adopted Resolution No. 4394 approving the Subdivision Improvement Agreement with Lennar Fresno, Inc. for the development of Tract 5372, amended the Agreement to be signed by the City Manager, and authorized the City

Manager to sign the Agreement on behalf of the City. The motion was seconded by Councilmember Ontiveros and approved by the following vote.

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

The Council called for a recess at 9:08 p.m.

The Council reconvened their meeting at 9:24 p.m. Councilmember Cantu returned to the dais.

The City Council adjourned their meeting to convene the City of Sanger as Successor Agency to the Sanger Redevelopment Agency meeting at 9:24 p.m.

The Council reconvened their meeting at 9:27 p.m.

#### CITY MANAGER/STAFF COMMUNICATIONS

City Manager Brian Haddix announced that he returned this week from vacation and commended the Finance Director and City Clerk for their work with the City's Insurance Broker of Record on the City's health plan and the opportunity to enter a pool with the possibility of a 12.9% decrease in cost.

#### MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Cantu apologized to Council, Staff and the public for his behavior at the previous council meeting.

Councilmember Ontiveros reported on his attendance at the Planning Commission meeting and announces that the Planning Commissioners were not in agreement with cottage vendors and that Lennar made a great presentation of their development project.

Councilmember Pacheco announced his acceptance of apology from Councilmember Cantu and indicated that the councilmembers are learning each other's personalities and let the audience know that their concerns have been heard.

Mayor Pro Tem Nielson announced he had nothing to report in regards to meetings. He clarified that comments he made at the previous council meeting were not meant to point out any one councilmember and apologized if that was perceived. He asked Council to work together in figuring out how to most effectively use the time of the City Manager on items that have been approved at the dais and also in relation to the issues of constituents.

Mayor Mitchell commented on his admiration of and respect for all councilmembers and his appreciation for Staff's work. He also reported on the following: he and Councilmember Cantu met with an organization that does science experiments with kids and is looking at purchasing a building in downtown; spoke with the owner of the new store moving in to the old SaveMart location; saw the first set of renderings for the medical facility to potentially be built in Sanger; attended the COG meeting and provided direction for expansion not only to Fresno but also to the surrounding communities; the Tree & Landscape Commission meeting was canceled.

City Manager Brian Haddix announced that Assistant City Manager Steve Carrigan accepted a city manager position with the City of Los Banos.

#### ADJOURNMENT

Being no further business, the Council adjourned their meeting at 9:45 p.m.