

## MINUTES OF THE SPECIAL SANGER CITY COUNCIL MEETING

June 13, 2013  
6:00 P.M.  
Council Chamber

The regular meeting convened at 6:04 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 54956.95  
Liability Claims
  1. Claimant: R.J. Berry Jr., Inc.  
Agency Claimed Against: City of Sanger
  2. Claimant: Joyce Terzian  
Agency Claim Against: City of Sanger
3. Pursuant to Government Code Section 54956.9 (d)(1)  
Conference with Legal Counsel – Existing Litigation  
City of Sanger, et al. v. County of Fresno  
Fresno Superior Court Case No. 08CECG03535  
5<sup>th</sup> District Appellate Case No. F060148
4. Pursuant to Government Code Section 54957  
Public Employee Performance Evaluation  
City Attorney
5. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiators  
Property: Sanger Park  
Agency Negotiator: Finance Director Debby Sultan, City Manager Brian Haddix  
Negotiating Parties: JJM Group Hotels  
Under Negotiation: Terms and Price

OPENING CEREMONIES

The invocation was given by Councilmember Ontiveros.  
The flag salute was led Mayor Mitchell.

ROLL CALL

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

CITY ATTORNEY REPORT FROM CLOSED SESSION

Assistant City Attorney Scott Cross reported the following:

Closed Session Item B-1 – No reportable action taken.

Closed Session Item B-2 – No reportable action taken.

Closed Session Item B-3 – No reportable action taken.

Closed Session Item B-4 - The Council unanimously approved moving forward with an RFP for a new City Attorney.

Closed Session Items B5 - No reportable action taken.

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

The City Council recognized the following:

- Sunset ECO Apache Scholarship Recipients
- Titus Patton, Science Fair Winner

PUBLIC FORUM

Public comment was received from Osvaldo Vera, Fred Heisman, Maurice Paul Mesple III, Eli Cruz, Kathryn Pacheco, John Ypma and Eve Castellanos.

## CONSENT CALENDAR

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

REVIEWED – Warrants No. 60623 through 60791

APPROVED – Payroll Checks No. 53370 through 53460; Direct Deposit No. 30423 through No. 30720; and Benefit Checks No. 854 through No. 865

APPROVED – Minutes for the Regular Meeting of May 16, 2013

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

ACCEPTED – Treasurer’s Report as of June 13, 2013

APPROVED – Agreement for Criminal Activity Reporting Services

The City Council approved the agreement for Criminal Activity Reporting Services with the Fresno County Housing Authority and authorized the City Manager to sign the Agreement on behalf of the City.

APPROVED – Resolution No. 4401 – Enterprise Zone Targeted Employment Area Application

The City Council approved Resolution No. 4401 authorizing the Economic Development Corporation serving Fresno County to submit a Targeted Employment Area (TEA) application to the California Department of Housing and Community Development on behalf of the Fresno County Enterprise Zone.

ACCEPTED – Sobriety Checkpoint Grant Program for 2013/2014

The City Council: 1) accepted the State of California Office of Traffic Safety grant in the amount of \$10,200.00 for conducting Sobriety checkpoints; and 2) authorized the City Manager and pertinent staff to sign necessary documents related to the acceptance of the grant.

APPROVED – Final Acceptance – Offsite Improvements for 1533 7<sup>th</sup> Street

The City Council: 1) approved the work for Offsite Improvements for 1533 7<sup>th</sup> Street in the amount of \$53,359.04; 2) approved Contract Change Order Nos. 1 and 2 in the amounts of \$1,000 and <\$1,189.15>, respectively for a total of <\$189.15>; 3) authorized recordation of the Notice of Completion with the Fresno County Recorder; and 4) authorized payment of 5% retention in the amount of \$2,658.49, to Halopoff & Sons,

Inc., upon expiration of the 35 day lien period.

ACCEPTED – Grant Acceptance from Wal-Mart

The City Council approved both the police and fire departments to apply for a public safety grant offered by Wal-Mart Corporation for the use of public safety educational materials in the amount of \$3,000.00 and authorized the City Manager to sign the appropriate documents for acceptance if approved.

APPROVED - The City Council approved a Resolution to Declare 2013 the Year of the Child

APPROVED - Letter of Support Authorizing the County of Fresno to Submit CalRecycle Applications on its Behalf

The City Council authorized the City Manager to ratify a letter of Support authorizing the County of Fresno to submit CalRycle grant applications for the Used Oil Payment Program 4 (OPP4) on behalf of the City of Sanger.

The motion was seconded by Councilmember Pacheco and unanimously approved.

The City Council called for a recess at 7:45 P.M.

The City Council reconvened their meeting at 7:57 P.M.

#### DEPARTMENT REPORTS

ITEM I-1 – City of Sanger, Sanger Public Financing Authority, Sanger Redevelopment Agency Successor Agency and Sanger Housing Authority Administrative Proposed Budget for Fiscal Year 2013/2014

The Council by motion of Councilmember Ontiveros set the Public Hearing for June 20, 2013 for the Administrative Proposed Budget for the City of Sanger, including the Operating Budgets for the Sanger Public Financing Authority, Sanger Redevelopment Successor Agency and Sanger Housing Authority.

The motion was seconded by Councilmember Pacheco and unanimously approved.

ITEM I-2 – APPROVED – Resolution No. 4402 – Disposal Rates for Commercial Customers

The Council by motion of Councilmember Cantu approved Resolution No. 4402 establishing new bin equipment for the collection and disposal of solid waste, green waste, and recyclables for commercial and industrial customers. The motion was seconded by Councilmember Ontiveros and unanimously approved.

**ITEM I-3 – TABLED – Approve Option and Land Lease Agreement for AT&T Cell Tower**

The Council by motion of Councilmember Cantu tabled Agenda Item I-3 to be brought back to Council after notifying residents living near Rotary Park of the proposal to build a Cell Tower on Rotary Park.

The motion was seconded by Councilmember Ontiveros and unanimously approved.

**ITEM I-4 – ACCEPTED – San Joaquin Valley Air Pollution Control District Grant**

The Council by motion of Councilmember Ontiveros: 1) accepted the San Joaquin Valley Air Pollution Control District Grant in the amount of \$34, 288.80 for the purchase of two new alternative fuel vehicles; and 2) authorized the City Manager to sign the necessary documents related to the acceptance of the grant.

The motion was seconded by Mayor Pro Tem Nielson and unanimously approved.

**ITEM I-5 – APPROVED – Resolution No. 4403 – Replacement of Granular Activated Carbon at Well No. 25 and Well. No. 8 Water Treatment Plants**

The Council by motion of Councilmember Ontiveros: 1) awarded the bid to Prominent Systems, Inc. in an amount not to exceed \$197,699.44 to replace the granular activated carbon at Well No. 25 and Well No. 8; and 2) adopted Resolution No. 4403 amending the 2012/2013 fiscal year budget to appropriate \$197,699.44 for the replacement of Granular Activated Carbon at Well No. 25 and Well No. 8.

The motion was seconded by Councilmember Pacheco and unanimously approved.

**CITY MANAGER/STAFF COMMUNICATIONS**

City Manager Brian Haddix commented on: the awnings downtown will be removed by next week; the City is working with Pitman Farms on another big expansion; John Mulligan is working on a green city program for solar panels on homes; the City is restructuring the business license application process; met with the Chamber of Commerce regarding; met with Initiative Foods; he and Chief Rodriguez met with the Sheriff's office to re-negotiate the current dispatch contract; discussed with Dan Spears new ideas on hotel financing; commended John Mulligan for stretching the dollar when he had to replace a ladder at the swimming pool; emailed Council dates for the basic boardmanship workshop (6/22, 6/29, 7/13, 7/20, 7/27, 8/10, 8/17); the next Council meeting is July 4<sup>th</sup> and conflicts with the holiday and was tentatively scheduled for Thursday, July 11, 2013; commended Josh Rogers on Caltrans signage on Highway 41 and 180; still working on signage on Highway 99; National Night Out is Tuesday, August 6<sup>th</sup>; Movies in the Park is coming up and Sanger Night at Grizzlies is June 28<sup>th</sup>.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Cantu commented on the following: attended school board meeting last Tuesday. It was Marc Johnson's last night. Assistant superintendants were given an extended contract for three years. Matt Navo takes the superintendant position on July 1<sup>st</sup>. Two students from VROP Program did exceptionally well in CNA Program and were offered a position at City College Nursing Program. Two of the nine students are from Sanger Unified. He thanked Public Works Director John Mulligan and City Manager Brian Haddix for work at City Park. Attended the Finance Subcommittee meeting, but would defer comments to Mayor Pro Tem Nielson or City Manager Haddix to provide comments.

ADJOURNMENT

Being no further business, the Council adjourned their meeting at 11:08 P.M.