

MINUTES OF THE SPECIAL MEETING OF THE SANGER CITY COUNCIL

July 3, 2013
6:00 P.M.
Council Chamber

The joint meeting convened at 6:05 P.M.

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

PUBLIC FORUM PRIOR TO CLOSED SESSION

None

CLOSED SESSION

Councilmember Cantu arrived at 6:06 p.m.

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 Claim Against: City of Sanger

Councilmember Ontiveros arrived at 6:20 p.m. and went into Closed Session.

The Council reconvened their meeting at 7:04 p.m.

OPENING CEREMONIES

The invocation was given by Pastor Gilbert Montelongo.

The flag salute was let by the Sanger Amvets Color Guard.

ROLL CALL

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

CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Jenell Van Bindsbergen reported that the Council by motion of Mayor Pro Tem Nielson approved a settlement agreement with R.J. Berry Jr., Inc. in the amount of \$500. The motion was seconded by Councilmember Pacheco and unanimously approved.

CEREMONIAL MATTERS

The City Council recognized the Sanger Amvets Color Guard for their support and contribution to the Sanger community.

AGENDA APPROVAL

APPROVED – The Council by motion of Mayor Pro Tem Nielson approved the agenda as presented. The motion was seconded by Councilmember Cantu and unanimously approved.

PUBLIC FORUM

Public comment was received from Andrew Renteria, representative from the Office of Congressman David G. Valadao and announced that Congressman Valadao will be hosting a Sanger Community Coffee on Saturday, July 27 from 8 a.m. to 10 a.m. at the Sanger Community Center.

WORKSHOP

Yvette Quiroga of the County of Fresno Community Development Division provided a presentation regarding the County's housing programs available to Sanger residents.

CONSENT CALENDAR

The Council by motion of Councilmember Ontiveros pulled Item I-1 of the Consent Calendar for further discussion and approved the following items:

ITEM I-2 – APPROVED – Payroll Check Nos. 53461 through 53523; Direct Deposit Nos. 30721 through 30924; and Benefit Check Nos. 866 through 873

ITEM I-3 – APPROVED – Minutes for the special meeting of June 5, special meeting of June 13, joint meeting of June 20, and special meeting of June 20

ITEM I-4 – REVIEWED – Monthly Financial Reports including General Fund, Enterprise Funds and Measure S

ITEM I-5 – ACCEPTED – Treasurer's Report as of May 31, 2013

ITEM I-6 – APPROVED – Annual Investment Policy

The Council approved Resolution No. 4414 adopting the City of Sanger’s Investment Policy for fiscal year 2013/2014

ITEM I-7 – APPROVED – PG&E Electric Agreement

The Council authorized the City Manager to execute an electric agreement with PG&E on behalf of the City in the amount of \$17,410.49

ITEM I-8 – ACCEPTED – Community Risk Reduction Agreement

The Council accepted the grant for up to thirty (30) no-cost smoke alarms from the Institution of Fire Engineers (IFE) and authorized the Fire Chief to sign the agreement on behalf of the City.

The motion was seconded by Councilmember Pacheco and unanimously approved.

After further discussion, the Council by motion of Councilmember Cantu approved Item I-1 of the Consent Calendar:

ITEM I-1 – REVIEWED – Warrant Nos. 60792 through 60951

The motion was seconded by Councilmember Ontiveros and unanimously approved.

DEPARTMENT REPORTS

ITEM J-1 – APPROVED– Energy Efficiency Final Projects List and Contract Negotiations

Public comment was received from Julian Chapa and Tom Dietz.

The Council by motion of Mayor Pro Tem Nielson: 1) approved the projects as identified in the Final Project List: Performance Contracting for inclusion in the Performance Contract with Johnson Controls, Inc.; and 2) authorized the City Manager or his designee to start the negotiation of a Performance Contract with Johnson Controls, Inc. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

ITEM J-2 – APPROVED – RESOLUTION NO. 4415 – Issuance of Bonds for Water, Wastewater, and General Municipal Energy Efficiency Program

Public comment was received from Kevin Carter, Henry Provost, and Julian Chapa.

Mayor Pro Tem Nielson made a motion to approve Resolution No. 4415 authorizing the commencement of proceedings in connection with the issuance by the Sanger Public Financing Authority of Water, Wastewater and General municipal projects for the City of Sanger and appointing underwriters, bond counsel and a special financing consultant in connection therewith, amending *Section 2* of Resolution No. 4415 to state that the maximum principal amount of the Bonds is \$12,500,000 and adding that the amount not used for the projects be eliminated. The motion was seconded by Councilmember Ontiveros and died by the following vote:

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

The Council by motion of Mayor Mitchell approved Resolution 4415 authorizing the commencement of proceedings in connection with the issuance by the Sanger Public Financing Authority of Water, Wastewater and General municipal projects for the City of Sanger and appointing underwriters, bond counsel and a special financing consultant in connection therewith. The motion was seconded by Councilmember Pacheco and approved by the following vote:

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

The Council called for a recess at 9:22 p.m.

The Council reconvened their meeting at 9:39 p.m.

ITEM J-3 – DENIED – RESOLUTION NO. 4416 - Policy for Items Brought to Council and For Direction to Staff

Mayor Pro Tem Nielson made a motion to approve Resolution No. 4416 establishing a policy that: 1) the City Manager (and through him, all staff) take orders and instructions from the City Council only when it is sitting as a body in a lawfully held meeting, and that 2) any request by an individual Council Member, which is determined by the City Manager to take on hour or more of his or staff time to complete, may be included in the formal Council agenda for full Council

discussion. The motion was seconded by Mayor Mitchell and died by the following vote:

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

Mayor Pro Tem Nielson made a motion to approve Resolution No. 4416 as amended establishing a policy that: 1) the City Manager (and through him, all staff) take orders and instructions from the City Council only when it is sitting as a body in a lawfully held meeting, and that 2) any request by an individual Council Member, which is determined by the City Manager to take 45 minutes or more of his or staff time to complete, may be included in the formal Council agenda for full Council discussion. The motion was seconded by Mayor Mitchell and died by the following vote:

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

The Council adjourned their meeting at 9:54 p.m. for a Sanger as Successor Agency to the Sanger Redevelopment Agency meeting.

The Council reconvened their meeting at 9:58 p.m.

CITY MANAGER/STAFF COMMUNICATIONS

City Manager Brian Haddix commented on the passing of the 2013/2014 fiscal year budget and the designed energy program.

MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Pacheco reported the following: attended the Sanger Environmental Fund meeting on June 24 where the committee discussed scholarships, science fair and the Sam Gutierrez Park; attended a meeting with City Manager Brian Haddix and Councilmember Cantu hosted by Assemblymember Perea and discussed enterprise zone issues and the proposed training center; attended the Sanger Night at Grizzlies event on June 28 and commented that maybe next year arrangements can be made to rent busses for transporting children to the game; commented on the scheduled City Council Workshop on Council Boardsmanship to be held on Saturday, July 13 and will be facilitated by Ron Manfredi.

Councilmember Ontiveros reported on his attendance to the Sanger Planning Commission and the Commission's approval of the improvements for Pitman Farms including a solar parking lot.

Councilmember Cantu commended the City Manager and Staff for their efforts in beautifying downtown.

Mayor Pro Tem Nielson reported on his attendance to the Sanger Unified School District Board meeting and the Board's approval of their budget. The Board meeting scheduled for July 9 is cancelled.

Mayor Mitchell reported on the following: attended the COG and Transit Authority meetings where they discussed the grand jury report regarding litter on the freeways. The proposal was to use Measure C funds; however, the extension of Measure C did not include trash projects as qualifying for funds; attended the 5 Cities Board meeting where they discussed attending trade shows to talk about projects on the east side of the County; commented on the many proud fathers and mothers who are very pleased with the swim program; discussed the Jr. Giants program with some parents who are concerned about the disorganization of the program; attended Summer Fun programs and saw 2 Police volunteers also working with the kids and wondered why there were 5 volunteers working at Jackson School and only 2 at Wilson School; looking forward to the 4th of July event; apologized if he seemed to be taking too much control of the meeting; commented on the Council's recently adopted core values.

City Manager Brian Haddix reported on his meeting with newly appointed SUSD Superintendent Matt Navo where they discussed different ways that the City and the District can work together; reminded Councilmembers to submit their questionnaires to Ron Manfredi in preparation for the Council Workshop on July 13.

ADJOURNMENT

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