

MINUTES OF THE REGULAR SANGER CITY COUNCIL MEETING

July 19, 2012
6:00 P.M.
Council Chamber

The regular meeting convened at 6:10 P.M.

Councilmembers Present: MITCHELL, ONTIVEROS, RUIZ, NIELSON
Councilmembers Absent: CASTELLANO

PUBLIC FORUM PRIOR TO CLOSED SESSION

None

CLOSED SESSION

Pursuant to Government Code Section 54957.6
Conference with Labor Negotiators
Agency Representatives: City Manager Haddix, City Attorney Jeff Kuhn, Assistant City Attorney Steve Mendyk and Executive Assistant to the City Manager Hernandez
Employee Organizations: All Bargaining Groups

The meeting reconvened at 7:05 P.M.

OPENING CEREMONIES

The invocation was given by Pastor Gary Duran of Family Worship Center.
The Flag Salute was led by Mayor Mitchell

ROLL CALL

Present: MITCHELL, ONTIVEROS, RUIZ, NIELSON
Absent: CASTELLANO

CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Kuhn announced no reportable action taken in closed session.

AGENDA APPROVAL

APPROVED AS AMENDED – The Council by motion of Mayor Pro Tem Ontiveros and second by Councilmember Ruiz approved the agenda as amended:

The Special Meeting of the City Council to consider adoption of an urgency Ordinance amending Section 2-29 of the Sanger City Code regarding election of Council Members by District was moved to immediately following Item I-5.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

CEREMONIAL MATTERS

The Council recognized Frank O. Valles, General Manager of Me-n-Ed's Pizzeria in Sanger for outstanding contribution and dedicated commitment to the Sanger community.

PUBLIC FORUM

Public comment was received from: Doris Knowlton, report of the Sanger Woman's Club; Christine Erickson; Walt Bacharowski; Kathryn Pacheco; Toni Pacini; Fred Heisman; Sharri Gumber Carter; Ed Cuadros; Manuel Leal.

CONSENT CALENDAR

The Council by motion of Mayor Pro Tem Ontiveros and second by Councilmember Ruiz approved the following items on the Consent Calendar:

1. APPROVED - Payroll Checks No. 52773 through No. 52840; Direct Deposit No. 28118 through No. 28339; and Benefit Checks No. 766 through No. 773.
2. APPROVED - Minutes for the meetings of June 21, 2012 and July 5, 2012

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

DEPARTMENT REPORTS

ITEM I-1 – CONTINUED – Award Contract for Residential, Commercial, and Industrial Solid Waste, Green Waste, and Recyclables Collection

Mayor Mitchell left the dais at 8:08 P.M. and returned at 8:09 P.M.

Public comment was received from: Doug Godinho; Anthony McDaniels; Manuel Leal; Benito Munoz, Tony Alessandro, Vance Enriquez, Henry Provost, Dave Nunez, Fred Heisman, Kevin Carter, Walt Bacharowski, Drew Esquer, Cynthia Tinoco, Kathryn Pacheco, Toni Pacini, Ed Cuadros, Alonzo Gomez, Doris Knowlton, Richard Caglia.

The Council by motion of Councilmember Nielson and second by Mayor Pro Tem Ontiveros continued Item I-1 to the City Council meeting of August 16, 2012.

AYES: MITCHELL, ONTIVEROS, NIELSON
NOES: RUIZ
ABSTAIN: NONE
ABSENT: CASTELLANO

PUBLIC HEARING

ITEM J-1 – CONTINUED – Ordinance No. 1132 of the City of Sanger Amending Chapter 54 of the Sanger City Code Regarding Solid Waste Management and Declaring the Urgency Therefor

The Council by motion of Mayor Mitchell and second by Councilmember Nielson continued Item J-1 to the City Council meeting of August 16, 2012.

AYES: MITCHELL, ONTIVEROS, NIELSON
NOES: RUIZ
ABSTAIN: NONE
ABSENT: CASTELLANO

The City Council called for a recess at 9:52 P.M.

The City Council reconvened at 10:06 P.M.

DEPARTMENT REPORTS (continued)

ITEM I-2 – MOVED – New City Website

The information only item was moved to the City Council meeting of August 2, 2012.

ITEM I-3 – ADOPTED AS AMENDED – Resolution No. 4361 to Establish Gang/Drug Prevention Services

Public comment was received by Pastor Duran, Alonso Gomez, Karen Steinhauer, Walt Bacharowski, Toni Pacini, Ed Cuadros, Henry Provost.

The Council by motion of Councilmember Ruiz and second by Councilmember Nielson adopted Resolution No. 4361 to: 1) Invest in gang/drug prevention; 2) Partition dollars between public safety and community non-profits; 3) Adopt criteria for grant funding, allowing both churches and schools to now apply, including that not more than 15% of grant award be used for Administration of a project or event. In the case of church application, proselytizing during a project or event is prohibited; 4) Broadcast availability of grant funding; 5) Direct that basic requirements of funding applications be evaluated by the City Manager, combined with a review by an internal review committee for feasibility and fiscal sustainability; 6) Require performance evaluation presentations before a Council/COC joint meeting; and 7) Authorize that a draft budget be presented to the COC in which a majority of funds be allocated to community non-profits with the remainder to city sponsored programs.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

ITEM I-4 – APPROVED - 100 BEACONS: Virtual Incubator Program

The Council by motion of Councilmember Ruiz and second by Councilmember Nielson approved the City’s Sponsorship of the 100 BEACONS: Virtual Incubator Program (VIP) for Sanger businesses and entrepreneurs, in cooperation with the Central Valley Business Incubator, and retroactively authorized the City Manager to sign the program Agreement on behalf of the City.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

ITEM I-5 – ADOPTED – Resolution No. 4359 – Consolidating the Elections for Mayor and Council Members representing Districts 1 and 3 with the November 6, 2012 Statewide General Election

The Council by motion of Mayor Pro Tem Ontiveros and second by Councilmember Nielson adopted Resolution No. 4359 Calling and Giving Notice of the Holding of a General Municipal election on Tuesday, November 6, 2012, for the Election of Mayor and Council Members for Districts 1 and 3; and Requesting the Fresno County Board of Supervisors to Consolidate and Canvass the Election with the Statewide General Election to be held on the same date, and to Permit the Fresno County Clerk to Provide Specified Services, and Appropriating Funds to pay for such Services.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

The Council adjourned to a Special Meeting at 10:48 P.M.

The Council reconvened to their Regular Meeting at 10:49 P.M.

ITEM I-6 – APPROVED - Award of Contract – Reconstruction of Park Avenue from Cherry Avenue to 14th St. and Cherry Avenue from Park Avenue to “O” Street

Public comment was received from Walt Bacharowski and Russell Carroll.

The Council by motion of Mayor Pro Tem Ontiveros and second by Councilmember Nielson: 1)

Made a determination that the bid submitted to RC General Engineering Inc., in the amount of \$246,312.60, is non-responsive due to an inadvertent clerical error on the unit price of Bid Item No. 15, Asphalt Concrete Type "B"; 2) Awarded the contract for Reconstruction of Park Avenue from Cherry Avenue to 14th St. and Cherry Avenue from Park Avenue to "O" Street to Emmett Valley Construction Inc., 9662 W. Kearney Blvd., Fresno CA 93706, in the amount of \$255,779.40; 3) Authorized the City Manager to sign contract documents on behalf of the City; 4) Approved a construction contingency for change orders in the amount of \$25,500.00 (10%) for this project.

AYES: MITCHELL, ONTIVEROS, NIELSON
NOES: RUIZ
ABSTAIN: NONE
ABSENT: CASTELLANO

ITEM I-7 – APPROVED – Award of Contract – Reconstruction of Palm Avenue from Cottle to Greenwood Avenues and Cottle Avenue from Palm to Webster Avenues

The Council by motion of Councilmember Nielson and second by Mayor Pro Tem Ontiveros: 1) Awarded the contract for Reconstruction of Palm Avenue from Cottle to Greenwood Avenues and Cottle Avenue from Palm to Webster Avenues to RC General Engineering Inc., 6600 W. Harter, Visalia, CA 93277 in the amount of \$177,707.15; 2) Authorized the City Manager to sign contract documents on behalf of the City; 3) Approved a construction contingency for change orders in the amount of \$17,700.00 (10%) for this project.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

ITEM I-8 – ADOPTED – Resolution No. 4360 - Final Parcel Map No. 08-01 – Located on the Northeast Corner of Third Street and Recreation Avenue

The Council by motion of Mayor Pro Tem Ontiveros and second by Councilmember Ruiz adopted Resolution No. 4360 approving the Final Parcel Map No. 08-01 and accepting the offer of dedication of additional street right of way on third Street and Recreation Avenue.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

ITEM I-9 – APPROVED - Final Acceptance – Reconstruction of Church Ave. and "J" St. Intersection, Vine St., from Lyon Ave. to Hawley Ave. and Tamarack Ave. Cul-de-sac East of Faller Ave.

The Council by motion of Councilmember Ruiz and second by Mayor Pro Tem Ontiveros: 1) Accepted the work for Reconstruction of Church Ave. and "J" St. Intersection, Vine St. from

Lyon Ave. to Hawley Ave. and Tamarack Ave. Cul-de-sac east of Faller Avenue by R.J. Berry Jr., Inc., PO Box 468, Selma, CA , in the amount of \$126,019.95; 2) Approved Contract Change Order Nos. 1, 2 and 3 in the amounts of \$4,000.00, \$8,916.30, and \$13,639.10, respectively; 3) Authorized recordation of the Notice of Completion with Fresno County Recorder; and 4) Authorized payment of 10% retention in the amount of \$12,602.00, to R.J. Berry Jr., Inc., upon expiration of the 35 day lien period.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

ITEM I-10 – APPROVED - Budget Amendment for a Cape Seal Street Rehabilitation Project

Public comment was received from Toni Pacini.

The Council by motion of Mayor Pro Tem Ontiveros and second by Councilmember Nielson approved a Budget Adjustment authorizing the expenditure of Article 8 Street Funds in the amount of \$250,000 for a Cape Seal Street Rehabilitation Project.

AYES: MITCHELL, ONTIVEROS, RUIZ, NIELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

City of Sanger as Successor Agency to the Sanger Redevelopment Agency

ITEM 1-11 – ADOPTED – Resolution No. 12-11 (SA) – Recognized Obligation Payment Schedule

The Council by motion of Councilmember Ruiz and second by Mayor Pro Tem Ontiveros adopted Resolution No. 12-11 (SA) adopting the Revised Recognized Obligation for January – June 2013 as required by the State per Assembly Bill 1X 26.

AYES: MITCHELL, ONTIVEROS, RUIZ, N IELSON
NOES: NONE
ABSTAIN: NONE
ABSENT: CASTELLANO

ADJOURNMENT

Being no further business, the Council adjourned their meeting at 11:23 P.M.