

MINUTES OF THE REGULAR SANGER CITY COUNCIL MEETING

September 6, 2012
6:00 P.M.
Council Chamber

The regular meeting convened at 7:08 P.M.

OPENING CEREMONIES

The invocation was given by Pastor Sam Estes of Grace Community Church.
The Flag Salute was led by Mayor Mitchell.

ROLL CALL

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

AGENDA APPROVAL

APPROVED – The Council by motion of Councilmember Ruiz approved the agenda as presented. The motion was seconded by Councilmember Nielson and approved by the following vote:

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

CEREMONIAL MATTERS

Interim Fire Chief Greg Tarascou introduced Rolinda Hernandez, newly hired Administrative Secretary for the Fire Department.

The Council recognized:

- John Ypma, founding member of Initiative Foods for his contributions and commitment to the Sanger community.
- Rick Herrera, Danielle Sanchez and Daniel Silva for receiving the Willie Mac Award.
- Albert Mendoza for his contribution and dedicated commitment to the welfare of Sanger students.

Councilmember Castellano arrived at 7:24 p.m.

Mayor Joshua Mitchell proclaimed September 19, 2012 as “It Can Wait – No Texting While Driving Pledge Day” in Sanger.

PUBLIC FORUM

Public comment was received from: Toni Pacini, Debora Lockhart and Alicia Herrera.

WORKSHOP

City Manager Brian Haddix presented a workshop on the Strategic Plan.

CONSENT CALENDAR

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

REVIEWED – Warrants No. 58332 through 58453.

APPROVED – Minutes for the regular meeting of August 16, 2012 and Special Meeting of August 30, 2012.

The motion was seconded by Councilmember Nielson and approved by the following vote.

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

CONTINUED PUBLIC HEARING

ITEM J-1 – DENIED – Appeal of Wathen Family Builders of a Planning Commission denial of Wathen’s request to allow tile roofs to be optional on 13 perimeter houses within the Mansionette Palisades II subdivision.

Public comment was received from: Rob Modes, Dean Mobley, Toni Pacini, Bridgett Modes and Henry Provost.

The Council by motion of Councilmember Castellano voted to deny the appeal. The motion was seconded by Councilmember Nielson and approved by the following vote:

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

The City Council called for a recess at 8:36 p.m.

The City Council reconvened at 8:48 p.m.

DEPARTMENT REPORTS

ITEM K-1 – NOT APPROVED – Consider and Direct Staff Regarding Public, Education and Government (PEG) Cable Access Channel Ordinance

Public comment was received from Frank Valles.

The Council by motion of Mayor Mitchell voted not to move forward with the recommendation to consider the adoption of an ordinance providing for Public, Education and Government cable video services and fees. The motion was seconded by Councilmember Ruiz and approved by the following vote:

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

ITEM K-2 – APPROVED – Two Communications Site lease renewals with Conterra Ultra Broadband, LLC

The Council by motion of Councilmember Nielson approved two site lease renewals with Conterra Ultra Broadband, LLC and authorized the City Manager to sign the extension of Communications Site Lease Agreements. The motion was seconded by Councilmember Castellano and approved by the following vote:

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

ITEM K-3 – APPROVED – Agreement between City of Sanger Fire Department and Westmed College for training of Paramedic and EMT Students

The Council by motion of Councilmember Nielson accepted and approved the agreement between the City of Sanger Fire Department and Westmed College for the training and clinical preceptorship of Emergency Medical Technician and Emergency Medical Technician – Paramedic students at the Fire Department and authorized the City Manager to sign the documents on behalf of the City. The motion was seconded by Councilmember Ruiz and approved by the following vote:

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

ITEM K-4 – ADOPTED – Donation of Eight Large Pictures of Old Sanger from Westamerica Bank

The Council by motion of Councilmember Castellano adopted Resolution No. 4366 approving the donation of eight large black and white pictures of Old Sanger from Westamerica Bank. The motion was seconded by Councilmember Nielson and approved by the following vote:

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

ITEM K-5 – APPROVED – Fresno Madera Agency on Aging (FMAAA) Contract for FY 12/13

The Council by motion of Councilmember Ruiz approved the contract between the City of Sanger and the Fresno-Madera Agency on Aging (FMAAA) for FY 12/13 and authorized the Mayor to sign the contract. The motion was seconded by Councilmember Castellano and approved by the following vote:

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

ITEM K-6 – APPROVED – Agreement with County of Fresno for CDBG Project – Sanger Street Light Improvements Project No. 12611

The Council by motion of Councilmember Ruiz approved the agreement with the County of Fresno for CDBG Project No. 12611 Sanger Street Light Improvements and authorized the Mayor to execute the Agreement on behalf of the City. The motion was seconded by Councilmember Castellano and approved by the following vote:

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

ITEM K-7 – ADOPTED – Certification of the 2002-2008 Housing Element

The Council by motion of Councilmember Ruiz approved Resolution No. 4367 adopting the Revised 2002-2008 City of Sanger Housing Element. The motion was seconded by Councilmember Castellano and approved by the following vote:

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

ABSENT: ONTIVEROS

ITEM K-8 – ADOPTED – Continued Compliance with all requirements of the Brown Act during the State of California’s three-year suspension of State Mandate as contained in AB1464 and SB 1006

The Council by motion of Councilmember Ruiz approved Resolution No. 4368 adopting a policy to continually comply with all requirements of the Brown Act during the State’s three-year suspension of this State Mandate. The motion was seconded by Councilmember Nielson and approved by the following vote:

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

CITY MANAGER/STAFF COMMUNICATIONS

City Manager Brian Haddix commented on: his meeting with Congressman Jim Costa on the plans of developing a National Park Visitor Center in Sanger; coordinated with Fresno COG on applying for Paul S. Sarbane’s transit-in-parks grant to pay for a transit facility; and update on the co-location of a hotel with these two facilities.

PUBLIC FORUM PRIOR TO CLOSED SESSION

None

CLOSED SESSION

Council went in to Closed Session to:

Pursuant to Government Code Section 54956.9 (c)
Conference with Legal Counsel – Deciding Whether to Initiate Litigation:
One Case

CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Kuhn announced that the City Council approved and authorized its staff and legal counsel to accept an offer of settlement from defendant Wachovia Bank, N.A. in the amount of \$68,591.58 in the case known as *In re Municipal Derivatives Antitrust Litigation*, MDL No. 1950; Master Docket No. 08-2516 (S.D.N.Y.).

ADJOURNMENT

Being no further business, the Council adjourned their meeting at 10:00 P.M.