

## MINUTES OF THE REGULAR SANGER CITY COUNCIL MEETING

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October 4, 2012  
6:00 P.M.  
Council Chamber

The regular meeting convened at 6:04 P.M.

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

### 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, Assistant City Attorney Jenell Van Bindsbergen, Finance Director Debby Sultan, Executive Assistant Becky Hernandez  
Employee Organizations: All Bargaining Groups
2. Pursuant to Government Code Section 54956.95  
Subrogation Claims  
Estate of William Alcorn
3. Pursuant to Government Code Section 54956.95  
Liability Claims  
Claimant: Samantha Rodriguez, Florencia Rodriguez-Torres, Mirella Ortega Saucedo

Mayor Pro Tem Ontiveros and Councilmember Ruiz arrived during Closed Session.

The Council reconvened their meeting at 7:03 P.M.

### OPENING CEREMONIES

The invocation was given by Pastor Chuck Antaramian of First Southern Baptist Church. The Flag Salute was led by Mayor Mitchell.

### ROLL CALL

Present: MITCHELL, ONTIVEROS, RUIZ, CASTELLANO, NIELSON

Absent: NONE

### CITY ATTORNEY REPORT FROM CLOSED SESSION

Assistant City Attorney Jenell Van Bindsbergen reported the following:

Closed Session Item #3 – REJECTED

The Council by motion of Mayor Mitchell rejected the claims from Samantha Rodriguez, Florencia Rodriguez-Torres and Mirella Ortega Saucedo. The motion was seconded by Mayor Pro Tem Ontiveros and unanimously approved.

### AGENDA APPROVAL

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

### CEREMONIAL MATTERS

The Council recognized:

- Pet Carousel its outstanding achievement and commitment to the Sanger community
- American Dream Ice Cream for its generous contribution to the Sanger Parks & Recreation Division

### WORKSHOP

Richard Sepulveda provided a presentation of the Sanger Unified School District's Measure S.

### PUBLIC FORUM

Public comment was received from Don Steinhauer.

### CONSENT CALENDAR

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

REVIEWED – Warrants No. 58597 through 58765

APPROVED – Minutes for the meeting of September 20, 2012

The motion was seconded by Councilmember Ruiz and unanimously approved.

### PUBLIC HEARING

ITEM J-1 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM 2013-2014

## FISCAL YEAR ALLOCATION.

The City Council conducted a public hearing to discuss the Community Development Block Grant (CDBG) Program 2013-2014 Fiscal Year Allocation. Public comment was received from Ed Cuadros. The public hearing was closed. The Council by motion of Mayor Pro Tem Ontiveros approved the installation of street lights at various locations as the City's CDBG project for 2013-2014. The motion was seconded by Councilmember Castellano and unanimously approved.

## ITEM J-2 ORDINANCE NO. 1136 OF THE CITY OF SANGER AMENDING CHAPTER 54 OF THE SANGER CITY CODE REGARDING SOLID WASTE MANAGEMENT

The City Council conducted the first hearing to discuss an ordinance amending Chapter 54 of the Sanger City Code regarding Solid Waste Management. The public hearing was closed. The Council by motion of Mayor Pro Tem Ontiveros approved Ordinance No. 1136, waived the reading in its entirety, and set the second hearing for the Council's October 18 meeting. The motion was seconded by Councilmember Nielson and approved by the following vote:

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

## DEPARTMENT REPORTS

### ITEM K-1 – Citizen's Oversight Committee (Measure S) Appointments

Public comment was received from Enrique Valdez, Melissa Beasley, Doris Knowlton, and Ms. Pacheco.

The Council by motion of Councilmember Nielson appointed Mary Burnett, Marci Licon and Michael Steinhauer to the Citizen's Oversight Committee. The motion was seconded by Mayor Pro Tem Ontiveros and unanimously approved.

### ITEM K-4 – Energy Service Company (ESCO) Comparison and Recommendation

Public comment was received from Enrique Valdez, Bradley Harlow of Johnson Controls, Ashu Jain of Chevron, Neil Umscheid of Johnson Controls, and Justin Surrat of Schneider Electric.

The Council by motion of Mayor Pro Tem Ontiveros chose to utilize Johnson Controls, Inc., to implement a comprehensive energy saving strategy and directed the City Manager to start negotiations and bring back a contract for City Council approval. The motion was seconded by Mayor Mitchell and approved by the following vote:

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

ITEM K-5 – Final Acceptance-Reconstruction of Park Avenue from Cherry Avenue to 14<sup>th</sup> Street and Cherry Avenue from Park Avenue to “O” Street

The Council by motion of Mayor Pro Tem Ontiveros accepted the work for reconstruction of Park Avenue from Cherry Avenue to 14<sup>th</sup> Street and Cherry Avenue from Park Avenue to “O” Street by Emmett Valley Construction, Inc., 9662 W. Kearney Blvd., Fresno, CA 93706, in the amount of \$245,788.56; 2) approved Contract Change Order No. 1, in the amount of \$2,660, and Change Order No. 2 in the amount of \$12,650.84 (reduction); 3) authorized recordation of the Notice of Completion with Fresno County Recorder; and 4) authorized payment of 5% retention in the amount of \$12,289.43 to Emmett Valley Construction, Inc., upon expiration of the 35 day lien period. The motion was seconded by Councilmember Nielson and unanimously approved.

ITEM K-6 – Development Incentives-Impact Fees Assessment and Collection

Public comment was received from Karen Steinhauer.

The Council by motion of Mayor Pro Tem Ontiveros adopted Resolution No. 4369 retroactively extending the temporary waiver of sewer and water impact fees enacted by Resolution No. 4244 on February 3, 2011 for most new commercial and industrial development. The motion was seconded by Councilmember Ruiz and unanimously approved.

ITEM K-7 – Due Diligence Review for the Low & Moderate Income Housing Fund

The Council by motion of Mayor Pro Tem Ontiveros accepted the Independent Accountant’s Report on Applying Agreed-Upon Procedures on the Sanger Redevelopment Agency’s and Successor Agency to the Sanger Redevelopment Agency’s Low and Moderate Income Housing Fund pursuant to California Health and Safety Code Section 34179.5. The motion was seconded by Councilmember Nielson and unanimously approved.

#### CITY MANAGER/STAFF COMMUNICATIONS

City Manager Brian Haddix commented on: the City’s good financial and budgetary status; the bond rating move up by 2 points; COC approval of funding the Boys & Girls Club gang/drug prevention program; meeting with EDA to fund a large water tank on Church next to Eagle’s Hall; work with the Chamber on enhancing level of service to the downtown; scheduled tour by owners of Paramount Farms and POM Wonderful; research on the best practices for a 311; meeting with San Joaquin Valley Power Authority; work with COG on the Transit to Parks program.

#### MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Castellano thanked the public and staff and commented on his appreciation of the work of the Police Officers.

Councilmember Nielson announced the Marin Corp Ball and Veteran's Parade are scheduled for November 10, 2012 and the Parks & Recreation Committee meeting is scheduled for October 8, 2012.

Mayor Pro Tem Ontiveros announced that the Planning Commission meeting had been cancelled and commented on the record number of people participating in the Walk to School Day.

Mayor Mitchell had nothing to report on the Tree & Landscape Commission due to the cancellation of the meeting and thanked staff for their reports and asked that staff not take offense when Council votes contrary to staff recommendation.

#### ADJOURNMENT

Being no further business, the Council adjourned their meeting at 10:02 P.M.