

# MINUTES OF THE REGULAR SANGER CITY COUNCIL MEETING

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November 1, 2012  
6:00 P.M.  
Council Chamber

The regular meeting convened at 6:06 P.M.

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

## 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

Mayor Mitchell arrived during Closed Session.

The Council reconvened their meeting at 7:06 P.M.

## OPENING CEREMONIES

The invocation was given by Mayor Pro Tem Ontiveros.  
The Flag Salute was led by Mayor Pro Tem Ontiveros.

## ROLL CALL

Present: MITCHELL, ONTIVEROS, RUIZ, CASTELLANO, NIELSON  
Absent: NONE

## CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Jenell Van Bindsbergen announced no reportable action taken in closed session.

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 local artist Chieko Delgado for her outstanding achievement and artistic contribution to the City of Sanger.

PUBLIC FORUM

Public comment was received from Osvaldo Vera, Mr. Mercado, Doris Knowlton, Ed Cuadros, and Toni Pacini.

CONSENT CALENDAR

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

REVIEWED – Warrants No. 58888 through 58994

APPROVED – Minutes for the special meeting of October 9, 2012 and the regular meeting of October 18, 2012

ACCEPTED – Treasurer’s Report as of July 31, 2012

The motion was seconded by Councilmember Castellano and unanimously approved.

PUBLIC HEARING

ITEM I-1 – ADOPTED – ORDINANCE NO. 1137 ~ REPEALING ORDINANCE NO. 1085 OF THE CITY OF SANGER TO TERMINATE THE CITY OF SANGER’S MEMBERSHIP IN THE SAN JOAQUIN VALLEY POWER AUTHORITY JOINT POWERS AGREEMENT

The City Council conducted the second hearing to discuss an ordinance repealing Ordinance No. 1085 to terminate the City of Sanger’s membership in the San Joaquin Valley Power Authority Joint Powers Agreement. The public hearing was closed. The Council by motion of Mayor Pro Tem Ontiveros adopted Ordinance No. 1137. The motion was seconded by Councilmember Nielson and unanimously approved.

## DEPARTMENT REPORTS

### ITEM J-1 – APPROVED – Resolution No. 4371 ~ Sales Tax Holiday

The Council by motion of Mayor Pro Tem Ontiveros approved Resolution No. 4371 approving waiving of the 1.75% Sales Tax due the City for the weekend December 1 – 2, 2012. The motion was seconded by Councilmember Ruiz and unanimously approved.

### ITEM J-2 – INFO ITEM ONLY – White Storage Building

Assistant City Manager Steve Carrigan provided an update on the conversion of the white storage building to a youth facility.

### ITEM J-3 – INFO ITEM ONLY – July Monthly Financial Review

Finance Director Debby Sultan provided a review of the Financial Reports including General Fund, Enterprise Funds and Measure S.

### ITEM J-4 – REJECTED– Fiscal Year 2012/2013 Expenditure Plan for COPS funding

Public comment was received from Dick Sheppard.

The Council called for a recess at 7:57 P.M. and reconvened at 7:58 P.M.

Mayor Pro Tem Ontiveros made a motion to table the item for clarification. The motion was not seconded and died.

The Council by motion of Councilmember Ruiz rejected the three bids for payment of an upgrade of the security access system at the Sanger Police Facility and asked staff to have the item placed out to bid again and brought back to Council at the next city council meeting. The motion was seconded by Councilmember Castellano and unanimously approved.

### ITEM J-5 – REJECTED – Lease Agreement between the City of Sanger and the Sanger Unified School District

Public comment was received from Kevin Carter and Randy Guerra.

The Council by motion of Councilmember Ruiz rejected the Lease Agreement between the City of Sanger and the Sanger Unified School District and asked staff to re-negotiate the agreement and to negotiate MOUs with all organizations that use the Youth Center. The motion was seconded by Mayor Pro Tem Ontiveros and unanimously approved.

### ITEM J-6 – ADOPTED WITH AMENDMENT – Resolution No. 4372 ~ Project Development Agreement with Johnson Controls, Inc.

Public comment was received from Julian Chapa.

The Council by motion of Mayor Pro Tem Ontiveros adopted Resolution No. 4372 authorizing approval of a Project Development Agreement with Johnson Controls, Inc. with an amendment that if JCI is unable to obtain financing for the project, the City is not held liable for fees and that JCI provide a workshop no sooner than 30 days and no later than 75 days to identify their proposal on how they will hire local. The motion was seconded by Councilmember Nielson and approved by the following vote:

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

ITEM J-7 – APPROVED – Resolution No. 4373 ~ Budget Amendment for the transfer of employees within the Public Works Department

The Council by motion of Councilmember Ruiz: 1) adopted Resolution No. 4373 approving a 2012-2013 Fiscal Year Budget Amendment providing an appropriation of \$26,478 for the transfer of Public Works Department employees and authorizing the transfer of six full-time positions and 2) approved the budget amendment to the FY 12/13 budget for the transfer of employees within the Public Works Department and 3) authorized the Finance Director to make the appropriate amendments to the FY 12/13 budget. The motion was seconded by Mayor Pro Tem Ontiveros and unanimously approved.

#### CITY MANAGER/STAFF COMMUNICATIONS

City Manager Brian Haddix commented on: meeting with the Sheriff’s office regarding dispatch issues; meeting with Jeff Witte regarding Fire Transition Agreements; meeting with Caltrans regarding signs on Highway 99 and Highway 180; meeting with Josh Rogers and Gary Horn of Yamabe and Yorn Engineering to discuss an ADA Transition Plan and a Sidewalk Plan; meeting with Workforce Investment Board regarding funding through WIA; the Marine Corp Ball to be held on November 10; the Joint Meeting with the Sanger Unified School District and the Sanger Chamber of Commerce scheduled for November 8; the mandatory Ethics Training to be held on November 13 at 6 P.M.

#### MATTERS INITIATED BY CITY COUNCILMEMBERS

Councilmember Ruiz asked if the newly elected officials will be invited to the Ethics Training. He also reported on his attendance at the Five Cities Board meeting and their discussion regarding a regional wastewater treatment plant and asked staff to move forward with the planning.

ADJOURNMENT

Being no further business, the Council adjourned their meeting at 9:05 P.M.