



MINUTES OF A REGULAR MEETING OF
THE SANGER CITY COUNCIL

November 5, 2015
6:00 P.M.
Council Chamber
1700 7th Street
Sanger, CA 93657

A. CALL TO ORDER

The Regular Meeting was called to order at 6:15 p.m.

B. OPENING CEREMONIES

The invocation was offered by Pastor Paul Bergquam.

The flat salute was led by Council Member Tony Pacheco.

Roll Call

Present: Mayor Pro Tem Raul Cantu, Council Member Eli Ontiveros, Council Member Tony Pacheco, Council Member Humberto Garza.

Absent: None.

Ceremonial Matter: Mayor Pro Tem Cantu read a Proclamation in honor of Veterans Appreciation Week.

C. DEPARTMENT REPORT [6:20:09 PM](#)

1. SUBJECT: Summary Time Line for Measure S Renewal.

Executive Assistant to the City Manager Kristina Chamberlin presented a summary time line for the renewal of Measure S.

Public comment was received:

- Fred Heisman asked if the City would be required to pay \$50,000 to the State and suggested that the requirements of what can or cannot be paid by Measure S funds be written more clearly and that it indicate exactly what the funds will be used for.
- Osvaldo Vera suggested that at least 40% or 50% be used for prevention.

- Kathryn Pacheco stated that the City needs to move forward with the renewal and that the Council should direct staff to do so. She also stated that restrictions should not be made at this point in time.

After further discussion the City Council directed staff to prepare a staff report for the November 19, 2015 City Council meeting to determine the appropriate timeframe in which to take formal action regarding proceeding with the renewal process of Measure S and the costs associated with the endeavor. Council also requested that information be brought back about expenditures to date.

D. PUBLIC FORUM PRIOR TO CLOSED SESSION [6:32:47 PM](#)

No public comment was offered.

E. CLOSED SESSION

1. Pursuant to Government Code Section 54956.9(d)(1)
Conference with Legal Counsel – Existing Litigation
Ellen Palomo vs. City of Sanger, et al.
U.S. District Court Case No. 1:14-CV-01769

The Council adjourned to closed session at [6:34:06 PM](#).

The Council reconvened their meeting at [7:05:35 PM](#).

F. CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Scott Cross announced that no action was taken in closed session. Council received an update and gave direction on the case.

G. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Council Member Ontiveros approved the agenda as presented. The motion was seconded by Council Member Garza and unanimously approved.

H. PUBLIC FORUM

- Sanger Chamber of Commerce President/CEO Tammy Wolfe announced that the Chamber is accepting donations to replace the lights on the water tower. The cost to replace the lights is approximately \$3,200.
- Francine McNeillie of 2187 Acacia Avenue distributed a letter to the Council asking for approval to pave 137 feet of mow strip bordering the front of her corner lot.

Planner Keith Woodcock indicated that the Planning Commission will be holding a special meeting on December 10, 2015 and that Ms. McNeillie's request would be considered at that meeting.

- Sheila and Ryan Warren provided an update to the Council on the Socktober event. They had 16 drop off locations and collected 521 socks, 701 underwear, 5 t-shirts, 5 belts, 5 beanie caps and 10 cans of food.
- Donna Bailey of 2125 Sterling Avenue asked about the purpose of the special meetings that are scheduled to be held on November 16th and November 30th.

Interim City Manager Dayle Keller indicated that the November 16th closed session special meeting would be for the purpose of the City Council reviewing the qualified candidates for the position of city manager and the November 30th closed session special meeting would be for the purpose of interviewing candidates for the city manager position.

- Fred Heisman asked if the City Council could speak about the city manager position in closed session since the position would be filled by a contract employee.

City Attorney Scott Cross stated that the actual contract approval would be presented to Council in open session.

- Gabriel Olmos asked the Council to consider placing an item on the agenda regarding medical cannabis and offered to provide any needed information.

Interim City Manager Keller indicated that Staff has begun a list of requests from the Council and the list would be brought to Council on November 19 for prioritization. The request for a medical cannabis agenda item is included in that list.

- Kathryn Pacheco gave a personal thank you to Chief Tarascou and the Sanger Fire Department for their work last Saturday on the house fire located 2 houses away from hers. The Fire Department did a fantastic job saving most of the home. They were professional and quick and the damage could have been much worse. She also said that the Oktoberfest hosted by the Chamber last Friday night at Gutierrez Park was a great event.
- Eric Gonzalez of 1845 E. Birch Ave, Fresno, offered that, if it would be helpful to the City, they (group requesting the medical cannabis agenda item) would gather information regarding crime and any impacts on the City so that when the item is on agenda the Council could make an informed decision.

- Kevin Carter said that these meetings are getting off the meeting schedule and that there are so many issues that are so important and it's a waste of time to get involved in medical cannabis. He said the only reason they want to come to town is to make money and that if they live in Fresno they should sell it in Fresno.
- Osvaldo Vera said that it is ludicrous and that it would bring more crime.

I. CONSENT CALENDAR 7:29:16 PM

The Council by motion of Council Member Garza approved the following items on the Consent Calendar:

1. SUBJECT: APPROVED - Minutes of a regular meeting of the City Council held on October 15, 2015.
2. SUBJECT: REVIEWED - Monthly Warrants including Check Nos. 68111 through 68302.
3. SUBJECT: APPROVED - Final Acceptance – Annadale Avenue Improvements Project-Academy Avenue to the Centerville & Kingsburg Canal. The City Council accepted the work for the Annadale Avenue Improvements Project in the amount of \$661,295.20; authorized recordation of the Notice of Completion with the Fresno County Recorder; and authorized payment of 5% retention in the amount of \$33,064.76 to AS Dezign, Inc., upon expiration of the 35 day lien period.
4. SUBJECT: APPROVED - Final Acceptance – Greenwood Avenue Reconstruction-North Avenue to Jensen Avenue. The City Council accepted the work for the Greenwood Avenue Reconstruction Project in the amount of \$945,458.07; authorized recordation of the Notice of Completion with the Fresno County Recorder; and authorized payment of 5% retention in the amount of \$47,272.90 to Don Berry Construction Inc., upon expiration of the 35 day lien period.
5. SUBJECT: APPROVED - Joint Exercise of Powers Agreement and Consent of the Inclusion of Properties within the City's Territory in the California Municipal Finance Authority PACE Program. The City Council approved the Joint Exercise of Powers Agreement relating to the California Municipal Finance Authority; adopted Resolution No. 4583 consenting to the inclusion of properties within the City's territory in the California Municipal Finance Authority PACE Program; and authorized the City Manager, or designee thereof, to execute all documents and take any actions necessary and appropriate to carry out the intent of this resolution.

6. SUBJECT: APPROVED - Used Mattress Recycling Service.
The City Council approved the Agreement between the Mattress Recycling Council and the City to operate a Used Mattress Recycling Program to be located at the City's Corporation Yard and authorized the Interim City Manager, or designee thereof, to execute all documents and take any actions necessary and appropriate to carry out the intent of this resolution.
7. SUBJECT: APPROVED - Cooperative Agreement with Fresno County.
The City Council approved the North Avenue Reconstruction Project Agreement with Fresno County and authorized the Interim City Manager, City Engineer and City Attorney to sign on behalf of the City.

The motion was seconded by Council Member Ontiveros and unanimously approved.

J. PUBLIC HEARING 7:29:40 PM

1. SUBJECT: ORDINANCE NO. 1165 - Proposing to Amend Chapter 90 of the Sanger Municipal Code related to Carnivals and Similar Events.

The Council conducted a Public Hearing to discuss amending Chapter 90 of the Municipal Code related to carnivals and similar events.

No public comment was offered.

The Council closed the Public Hearing.

The City Council by motion of Council Member Ontiveros approved the introduction of Ordinance No. 1165 proposing to amend Section 90-894 of the Sanger Municipal Code to add subsection 90-894 (7) requiring a Director Review Permit for carnivals and similar events operated by charitable organizations. The motion was seconded by Council Member Pacheco and unanimously approved.

K. DEPARTMENT REPORTS

1. SUBJECT: Formation of a Community Panel to Assist the City Council in the City Manager Interview Process.

The following members were appointed to the Community Panel:

- Mike Hernandez by Council Member Ontiveros
- Kristine Erickson by Council Member Pacheco
- Enrique Valdez Jr. by Council Member Garza

Mayor Pro Tem Cantu will announce his appointment at the November 19, 2015 City Council meeting. Additionally, each Council Member will appoint an alternate member in the event the primary member becomes unavailable.

2. SUBJECT: Relocation of Boys and Girls Club. [7:40:08 PM](#)

Public comment was received:

- Julian Chapa stated that he has worked with Boys & Girls Club in Orange Cove and Parlier and he would appreciate the Council considering a continuing partnership with the Boys & Girls Club.

The Council provided consensus to Staff to move forward with relocating one of the Boys & Girls Club sites to the Sanger Community Center.

3. SUBJECT: APPROVED – RESOLUTION No. 4584 - Budget Adjustment for 2nd Year Marketing of Big Trees Transit. [7:56:10 PM](#)

Representatives from Archer & Hound gave a presentation on season one of Big Trees Transit program.

Public comment was received:

- Tammy Wolfe said that she loves the program and wants to work with Archer & Hound to promote the program to the fullest.
- Doris Knowlton stated that she went with a friend and loved the trip. There was a problem with the pick-up location because the ticket indicated to wait in front of City Hall and the stop is actually at the Sanger Museum and the payment method was a little confusing.
- Fred Heisman stated that this program will continue to grow like a tall redwood and suggested that brochures be placed at restaurants and more designated signs.
- Tammy Wolfe suggested the Chamber can welcome the Transit riders, seat them in the Chamber office and offer them coffee and hot chocolate.

The Council by motion of Council Member Pacheco adopted Resolution No. 4584 approving a budget adjustment in an amount up to \$60,005.00 to fund 2nd year marketing and promotion of the Big Trees Transit pilot program, and authorized the Interim City Manager or designee to execute all necessary documents.

4. SUBJECT: State Route 180 Gateway Monument Sign. [8:23:10 PM](#)

City Engineer Josh Rogers presented the Council with options on how to proceed with this project.

Public comment was received:

- Jeanne Adams suggested that Sanger should look at its best and asked that an apostrophe be added to the word Nations.
- Kathryn Pacheco said she is concerned with the banner indicating “In God We Trust” and asked if the City will have any legal problems after the sign is erected.

City Attorney Cross stated that anyone can bring a lawsuit but it is unknown whether they would be at bringing down the sign. He offered to provide a more formal opinion on the legalities within 30 days.

- Fred Heisman asked if there will be an arrow pointing to Sanger and suggested that the project be completed.

The Council by motion of Council Member Ontiveros, pending a view of the model at the December 3rd City Council meeting, approved the revised State Route 180 Monument Sign. The motion was seconded by Mayor Pro Tem Cantu and approved by the following vote:

AYES: CANTU, ONTIVEROS, GARZA
NOES: PACHECO
ABSTAIN: NONE
ABSENT: NONE

5. SUBJECT: Update on the Request for Proposals (RFP) Process for City Attorney Services.

City Clerk Becky Hernandez provided a status update on the RFP process for City Attorney services that was initiated in May 2014.

Public comment was received:

- Kevin Carter suggested that the Council take a vote on whether they want to continue with RFP.

The Council, with the exclusion of Council Member Pacheco, provided a consensus to Staff to abolish the current RFP and reissue a new RFP for city attorney services.

L. CITY MANAGER/STAFF COMMUNICATION

City Clerk Becky Hernandez announced that the deadline to submit an application for Planning Commissioner was October 30th and that the City received 3 applications. Staff will arrange interviews to be conducted by Mayor Pro Tem Cantu and Council Member Pacheco.

Community Development Director Dan Spears provided an economic development report: the final inspection and certificate of occupancy was granted to the Sanger Crossing Apartment project; the Fresno County Housing Authority is interested in doing a complete rebuild of their affordable housing project located between J Street and K Street and between 3rd and 4th Streets; Sanger Poultry continues with their expansion of their multi-million dollar facility; the California TrusFrame lease with option to purchase agreement was rejected by the Department of Finance because they determined that having an option to purchase does not demonstrate an expeditious attempt to liquidate former Redevelopment Agency property; looking forward to the start of the development of the commercial center at Jensen and Academy Avenue; met with the property owner of California and Academy and they are eager to work with the City on a hotel project; met with firm conducting the hotel feasibility study and toured the City to identify possible sites; Sanger continues to be the favorite place in Fresno County to buy a house with the most recent report showing 41 houses sold in Sanger at a median cost of \$203,000, which is 256% more houses than Reedley and 170% more than Selma.

M. MATTERS INITIATED BY CITY COUNCIL MEMBERS

Council Member Ontiveros commented that the City should aid the Planning Commission in implementing alternative landscaping techniques and designs that promote water conservation.

Council Member Garza thanked Mayor Pro Tem Cantu for attending the Halloween Party held at Unity Estates and sponsored by the Recreation Department. He said the kids were elated.

Council Member Pacheco read the last paragraph of the Proclamation for Veterans Appreciation Week and invited the Council to walk with him at the Veteran's Parade on Saturday reminding them of the Veteran's Creed "All gave some, some gave all."

Mayor Pro Tem Cantu reported the following: attended the SUSD Walk to School event last week participated in by more than 1,000 kids; attended the Halloween Party at Unity Estates and thanked the sponsors for donating to the event including Fred Garza, POM Wonderful and many others; attended and participated in the Chamber/City Halloween event in which 1,103 kids attended; attended the Fresno COG meeting; attended the Latino Mayors and Elected Officials Coalition.

N. ADJOURNMENT

Being no further business the Council adjourned their meeting at [9:19:48 PM](#).