



MINUTES OF A REGULAR MEETING OF
THE SANGER CITY COUNCIL

October 20, 2016
6:00 P.M.
Council Chamber
1700 7th Street
Sanger, CA 93657

A. CALL TO ORDER

The Council called their meeting to order at [6:03:51 PM](#).

B. OPENING CEREMONIES

The invocation was offered by Pastor Ponce DeLeon.

The flag salute was led by Mayor Pro Tem Cantu.

Roll Call

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

Absent: None

C. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Council Member Garza approved the agenda as presented. The motion was seconded by Council Member Pacheco and approved by the following vote:

AYES: CANTU, ONTIVEROS, PACHECO, GARZA

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

D. CEREMONIAL MATTERS [6:06:46 PM](#)

1. The Council recognized Martha Leon for receiving the California Association of Healthcare Facilities “2016 Nurse of the Year” award.

E. WORKSHOP/PRESENTATION

1. Bella Lopez provided an update from Mid Valley Disposal.

2. Bryan Greenamyre provided an update from Johnson Controls.

F. PUBLIC FORUM 6:44:49 PM

Adrian Alvarado submitted a petition to the City Council requesting a Sanger City Fairground.

Donna Bailey inquired when the marijuana regulation would be considered by the Council.

Henry Provost commented that it was good to see Johnson Controls is bringing something positive to the City by bringing in money.

Roslyn Perez asked for the status of the Evergreen Communities bond and indicated that repairs have not been done in the public area.

Oswaldo Vera voiced his concern regarding medical marijuana.

Tony Gonzalez asked about the smart meters and how often they get calibrated to ensure accurate readings. He indicated that though his family members have made a conscious effort to use less water, his utility bills are high.

Fred Heisman asked why the SR 180 Monument Sign is one-sided and what the cost would be to retrofit the other side.

Bob Lynch asked if the City has water trucks to utilize wastewater to spray and keep the dust down.

Kevin Carter asked for the status on providing internet service at the Industrial Park; Initiative Foods and their efforts to reopen the business; and the health center 7th and P Streets.

Frank Valles asked if the City is able to arrange for a different internet provider in the City.

Kathryn Pacheco, District 3, asked that the Council not discuss the sign so as not to delay the project more.

Dick Sheppard agreed with Ms. Pacheco's comments, and said Verizon internet service is very slow. He announced that the Memorial Service for Dean Nicholson will be held on October 29th at 10 a.m. in the new Sanger High gym.

City Manager Tim Chapa responded as follows:

- Mr. Alvarado's petition is received and staff will provide a report to Council.

- The medical marijuana regulations agenda item will be presented to the Council on November 17th. The ballot for adult medical marijuana might interact and overlap with medical marijuana so staff wants to have all the information needed for the presentation.
- Staff is working with Evergreen to get them to comply with certain requirements. Staff will prepare a written report at the next meeting.
- Public Works Director John Mulligan indicated that the water meters have about a twenty year life span and he has seen only two cases in ten years where meters were built defective and measured more water usage. He said usually a meter gets degraded after years of use and the error is to the benefit of the resident because degraded meters measure less water.
- If the Council directs, staff get obtain a quote to make the SR 180 Monument Sign two-sided but this project has been revised a few times and is on the path to completion.
- Public Works Director Mulligan indicated that water trucks using wastewater usually leak water before they get too far and that the water and wastewater plant only treats to a secondary level so the water cannot be used for land application.
- Staff is in communication with Comcast in efforts to get internet access to the Industrial Park. Comcast is extremely slow in their response.
- Staff has presented all the information necessary to Initiative foods so they can consider rebuilding at their existing site. Additionally, staff has identified five other sites in town that might work for them.
- The health center construction is under the control of their corporation and the speed in which the project runs is up to them.
- If Council directs, staff can reach out to other internet providers.
- The City Council agenda is developed by the City Manager with the items related to what departments are working on and time requirements of those items. Council requests by consensus are incorporated.

Council Member Ontiveros asked for clarification on the date the medical marijuana regulations agenda item would be brought back because the date formerly provided was October 20th.

City Manager Chapa indicated that staff initially planned to present the item in the fall and identified October 20th as a target date. However, since there is no longer a deadline to adopt regulations and with Proposition 64 on the ballot, it is prudent to see if it passes to determine if anything in Proposition 64 should be incorporated into the City's regulations.

G. CONSENT CALENDAR

The Council by motion of Council Member Pacheco removed Agenda Items G-8 Declaration of City Vehicles as Surplus Property and G-9 General Fund Economic Development/TDA Budget Amendments and approved the following items on the Consent Calendar:

1. SUBJECT: APPROVED - Minutes of the City Council special and regular meetings held on September 15, 2016.
2. SUBJECT: APPROVED - Payroll including Check Nos. 55701 through 55763; Direct Deposit Nos. 39267 through 39574; and Benefit Check Nos. 1206 through 1217.
3. SUBJECT: REVIEWED - Warrants including Check Nos. 70828 through 71122.
4. SUBJECT: APPROVED Grant Acceptance from the U.S. Dept. of Justice-JAG.
The City Council accepted the grant allocation in the amount of \$13,659 from the U.S. Department of Justice, Justice Assistance Grant program and approved the budget amendment for the expenditure of grant funds.
5. SUBJECT: APPROVED - Acceptance of Grant Funding for Smoke Alarm Program.
The City Council accepted the non-matching grant from the California Department of Public Health for 108 smoke alarms to be distributed to residents that are in need of this equipment.
6. SUBJECT: APPROVED - Employee Recognition Policy.
The City Council approved Resolution No. 4647 establishing an Employee Recognition Program and authorized the City Manager to implement the program.
7. SUBJECT: APPROVED - Agreement between the City of Sanger Fire Department and Fresno City College for training of EMT students.
The City Council approved the agreement between the City of Sanger Fire Department and Fresno City College for the training and clinical preceptorship of

Emergency Medical Technician students at the Fire Department and authorized the City Manager to execute the documents.

The motion was seconded by Council Member Garza and approved by the following vote:

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

8. SUBJECT: APPROVED - Declaration of City Vehicles as Surplus Property.

Public Works Director Mulligan asked that the Council remove the two golf carts identified in the list of vehicles for surplus. The Sanger Unified School District asked if ownership of the golf carts could be transferred to the District for their use in the schools.

Public comment:

James Miser asked if the surplus vehicles could be sold to residents.

City Manager Chapa indicated that the purpose of auction is to open up sale of the vehicles to residents.

Fred Heisman commented that the School District has a large budget and should afford to pay for the golf carts.

The City Council by motion of Council Member Ontiveros approved Resolution No. 4648 declaring the property listed in the attachment excluding the two golf carts, as surplus property and authorizing disposal or transfer of surplus property pursuant to City Code Section 2-212 and Government Code Section 37350. The motion was seconded by Council Member Garza and approved by the following vote:

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

9. **SUBJECT:** APPROVED - General Fund Economic Development/TDA Budget Amendments. [7:19:26 PM](#)

Council Member Ontiveros asked if the TDA account is like a checking account where the \$60,000 allotted from this project is placed in the account and expenditures for the project are paid with the remaining balance at approximately \$18,000.

Public comment:

James Miser said this is the second time this year that the City used restricted funds for other purposes and had to make accounting corrections and suggested that rules should be placed to ensure this does not happen again.

The City Council by motion of Council Member Ontiveros approved the budget adjustments. The motion was seconded by Council Member Pacheco and approved by the following vote:

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

H. DEPARTMENT REPORTS

1. **SUBJECT:** APPROVED - Accept a Grant from the U.S. Dept. of Commerce for Funding through the Economic Development Administration's 2016 Public Works Investment Assistance Program for Construction of a Water Tank. [7:24:24 PM](#)

The City Council by motion of Council Member Pacheco accepted the EDA grant in the amount of \$1,237,500 and approved a budget adjustment to the FY 2016/2017 budget to record the receipt and appropriation of \$1,237,500 of EDA grant funds and also record the required matching funds and appropriation of \$1,237,500 from the Water Fund Reserve. The motion was seconded by Council Member Ontiveros and approved by the following vote:

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

2. **SUBJECT:** APPROVED - Accept a Grant from the Land and Water Conservation Fund for the JFK Update/Renovation Project. [7:26:36 PM](#)

Public comment:

Roslyn Perez asked if the grant money would be used for Cesar Chavez Park in addition to JFK Park.

Public Works Director Mulligan indicated that staff is looking for funds for both parks but this grant is only for JFK Park.

Joe Villalobos commented that this is a step in the right direction and the City should partner with the School District to get lights at Reagan School.

Public Works Director Mulligan said the City currently has a joint use agreement with the School District that allows the City to use their property and they can use the City's.

The City Council by motion of Council Member Ontiveros accepted the Land and Water Conservation Fund grant in the amount of \$71,900 and approved a budget adjustment to the FY 2016/2017 budget to record the receipt and appropriation of \$71,900 of LWCF grant funds and also record the required matching funds and appropriation of \$71,900 from the General Fund unassigned fund balance. The motion was seconded by Council Member Garza and approved by the following vote:

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

3. **SUBJECT:** APPROVED - Biennial Review and Amendment to the City's Conflict of Interest Code. [7:33:29 PM](#)

The City Council by motion of Council Member Garza waived the full reading and introduced Ordinance No. 1176 repealing Chapter 2, Article III, Division 2 of the Sanger City Code amending the City's Conflict of Interest Code and adopted Resolution No. 4649 adopting a new Conflict of Interest Code to identify the designated positions and set forth the disclosure categories. The motion was seconded by Council Member Pacheco and approved by the following vote:

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

4. SUBJECT: APPROVED - Memorandum of Understanding between the City of Sanger and the Sanger Firefighters Association. [7:37:24 PM](#)

The City Council by motion of Council Member Ontiveros approved the Memorandum of Understanding between the City of Sanger and the Sanger Firefighters Association for the period of July 1, 2016 through June 30, 2017 and authorized the City Manager to execute the MOU. The motion was seconded by Council Member Garza and approved by the following vote:

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

5. SUBJECT: APPROVED - Management Analyst Position. [7:39:31 PM](#)

Public comment:

Doris Knowlton said the Management Analyst position sounds very important and asked if it was anything like a floating nurse at a hospital.

Kathryn Pacheco said it is the Council's responsibility to oversee the City Manager's performance (in response to Council Member Garza's comment that it was not the City Council's job to second guess the City Manager.)

City Manager Chapa indicated that the Management Analyst position will support the City Manager or Department Head to get work done that's necessary to be completed. Currently, staff takes a project from cradle to grave when it may make sense to have someone else do the first half of the project so that the Department Head could do the important parts of project. He likened it to a Community Service Officer in the Police Department who can do some duties so the Police Officers can be released to do more important activities.

The City Council by motion of Council Member Garza adopted Resolution No. 4650 approving a new classification and setting a salary range for a Management Analyst position. The motion was seconded by Mayor Pro Tem Cantu and approved by the following vote:

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

6. SUBJECT: APPROVED - Award of Contract – 2016 Curb Ramp Project.
[7:57:08 PM](#)

Council Member Garza left the dais at [7:59:42 PM](#).

The City Council by motion of Council Member Ontiveros: 1) awarded the contract for the 2016 Curb Ramp Project to MAC General Engineering, Inc., PO Box 1748, Porterville, CA 93257, in the amount of \$183,314.00; 2) approved a construction contingency for change orders in the amount of \$18,331.00 (10%) for this project; 3) authorized the City Manager to sign contract documents on behalf of the City; and 4) approved a budget amendment to create a separate capital improvement project (CIP) budget allocation for this project. The motion was seconded by Council Member Pacheco and approved by the following vote:

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

7. SUBJECT: APPROVED - Agreement with First Capitol Consulting Inc. for ACA Reporting Services.

Council Member Garza returned to the dais at [8:01:04 PM](#).

The City Council by motion of Council Member Ontiveros approved the Agreement with First Capitol Consulting Inc., to provide Affordable Care Act reporting services for the 2016/2017 reporting year, authorized the City Manager to execute the Agreement and approved the budget amendment. The motion was seconded by Council Member Garza and approved by the following vote:

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

8. SUBJECT: APROVED - Renewal of the Chamber of Commerce Contract for Fiscal Year 2016/2017 and 2017/2018. [8:05:27 PM](#)

Public comment:

Joe Villalobos commented that realtors should be paying self-employment taxes and that it is a good place to look for money.

Donna Bailey commented that she does not think it should be reduced at all not even in the second year.

Doris Knowlton said maybe the Management Analyst could figure it out.

Fred Heisman commented that the Chamber of Commerce was supposed to be self sufficient for thirteen years now.

Henry Provost commented that he could see it now, the Christmas parade run by City staff and Fred Heisman.

Kathryn Pacheco, District 3, asked why it was necessary that the contract state that the Chamber would need to vacate the Annex if the City needed it for a dispatch center.

Unidentified gentleman said a two-year contract is something to look forward to because of the cost of living and he is not sure people are aware of the time the Chamber puts in with only two employees. The Farmers Market cost one employee fifteen to sixteen hours a day. He said everything the Chamber does reflect on the City.

Karen Pearson agreed with the gentleman's comment and said you can put a price tag on the work of the Chamber.

Kevin Carter said we keep talking about how past contracts requires the Chamber to become self-sufficient but that it was the former mayor who had that requirement added to the contract. He suggested two alternative recommendations. The City sign a one-year contract at \$60,000 and deleting the first four items or not sign a contract at all until after the election with hopes of a more chamber-friendly Council.

James Miser said he has disagreed with Chamber contracts in the past for accountability reasons and that he is pleasantly surprised with this Contract. He said it's a brilliant idea and excellent for both sides.

Tony Gonzales expressed his support of the Chamber and the wisdom of the City Manager to present a two-year contract.

Council Member Ontiveros thanked the Chamber and its volunteers for their work in the City.

Mayor Pro Tem Cantu said he likes to think Sanger is pro-business and thanked the Chamber and City Manager for their work on the agreement.

The City Council by motion of Council Member Pacheco adopted Resolution No. 4651 renewing the Contract for Professional Services with the Sanger District Chamber of Commerce for Fiscal Year 2016/2017 and 2017/2018, authorizing the City Manager to finalize the agreement with the City Attorney and authorizing the City Manager to execute the Agreement. The motion was seconded by Mayor Pro Tem Cantu and approved by the following vote:

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

I. INFORMATIONAL ITEM

1. City Engineer Josh Rogers provided a Quarterly CIP Report. [8:36:04 PM](#)

J. CITY MANAGER/STAFF COMMUNICATION

Public Works Director Mulligan announced that the city-wide clean up event was successful and the household hazardous waste event is scheduled for Saturday, October 22 at City Hall. He announced that the auction for the vehicle surplus will be held on Saturday, October 22 beginning at 7 a.m. for viewing and 10 a.m. for the auction.

City Manager Chapa reminded the Council of the Special Meeting to be held on Monday, November 21st at the Community Center for the purpose of presenting the military banners back to the families.

K. MATTERS INITIATED BY CITY COUNCIL MEMBERS

Council Member Garza commended Public Works Director Mulligan for securing a third grant.

Council Member Ontiveros asked for a sewer infrastructure update in the near future because many constituents are asking why the City smells like sewer.

Council Member Pacheco announced that he attended the League of California Cities Annual Conference where he attended classes on understanding public service ethics, engaging and serving the homeless through parks and recreation. He said the conference was very informational and thorough. He also indicated that he has observed a homeless encampment at Oak Street.

Mayor Pro Tem Cantu concurred with Council Member Pacheco stating that the League Conference was very informational and recommended that other Council Members attend in the future. He asked for an update regarding the recruitment efforts for police officers.

Police Chief Silver Rodriguez announced that a swearing in ceremony is scheduled for November 4th and two additional graduates will be hired in early December.

Mayor Pro Tem Cantu announced that he received an email from the California Transportation Commission indicating the reinstatement of the SR180 east construction to Frankwood Avenue with project to begin early next year.

L. ADJOURNMENT

Being no further business the Council adjourned their meeting at [9:01:10 PM](#).