



## MINUTES OF A REGULAR MEETING OF THE SANGER CITY COUNCIL

February 16, 2017  
6:00 P.M.  
Council Chamber  
1700 7<sup>th</sup> Street  
Sanger, CA 93657

### A. CALL TO ORDER

The Council called their meeting to order at [6:39:56 PM](#).

### B. OPENING CEREMONIES

Pastor Ezekiel Nichols offered the invocation.

Mayor Frank Gonzalez led the flag salute.

#### Roll Call

Present: Mayor Frank Gonzalez, Mayor Pro Tem Eli Ontiveros, Council Member Humberto Garza, Council Member Melissa Hurtado, Council Member Daniel Martinez

Absent: None

### C. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Mayor Pro Tem Ontiveros approved the agenda as presented. The motion was seconded by Council Member Garza and approved by the following vote:

AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

### D. WORKSHOP/PRESENTATION

1. John Quiring of Acquisition Partners of America, LLC presented a quarterly report to the Council.
2. City Engineer Josh Rogers presented a quarterly CIP update.

E. PUBLIC FORUM

Sue Simpson, member of the Citizen's Oversight Committee said grant applicants are concerned because the deadline to apply for COC grants has been March 1 and the grant documents on the City's website have not been updated with recent changes to the guidelines and the deadline. She also requested that minutes of the COC meetings be posted to the website.

Tony Gonzales, of District 3, asked the Council to follow policies and procedures as often as they can and said that their recommendation to the Council is to order an audit so they would know where and how Measure S monies are spent.

Henry Provost said that the waiving of impact fees a few years back was not good for the general fund and the sewer bond was not being paid. Now a truss company wants to expand at the Tech Park and the City is requiring them to pay impact fees.

Oswaldo Vera said he was worried about drugs coming in after hearing about the dispensary that opened last week. He said prevention is the key to show kids there's a better way.

Doris Knowlton, District 3, said she was confused on where the City stands regarding marijuana because there was a lot of input from public about curtailing marijuana as much as possible then the State passed it. She said about three months ago the City Attorney drew up a plan for the Council's vote that was as strict as she could make it while keeping it within state parameters. She said at that time the Council decided to wait for the new Council to vote on it. She said she thinks the Council should consider it again.

Andrew Chavez announced to the Council that Purple Hearts will make a presentation at the next Council meeting regarding their efforts to help veterans with safe access to medical marijuana.

City Manager Tim Chapa indicated that the COC grant process will be delayed this year and the deadline will be April 1. The updated information will be posted to the City website, Sanger Herald and Sanger Scene. He said the minutes of the COC meetings will be posted to the website.

City Attorney Hilda Cantu Montoy indicated that on November 17 the Council considered a marijuana ordinance that was ultimately not approved by a vote of two to two. The Council approved a resolution by a vote of three to one. She said Community Development Director Tom Navarro, Planner David Brletic and her are working on the ordinance and estimates it will be brought to Council on April 6<sup>th</sup>.

Police Chief Silver Rodriguez informed the Council and the public that Sanger PD found an unauthorized dispensary on January 31<sup>st</sup>. The business owner was ordered to cease and desist. He said it is still an open investigation that may be sent to the District Attorney's office for charges.

F. CONSENT CALENDAR 7:39:06 PM

Mayor Pro Tem Ontiveros recused himself from Consent Calendar Item F-8 because he owns property at 1241 Olive, which is within five hundred feet of the agenda item and his mother owns property on the southwest corner of Academy and Almond.

The Council by motion of Council Member Garza approved the following items on Consent Calendar. The motion was seconded by Council Member Martinez and approved by the following votes:

1. **SUBJECT:** APPROVED - Minutes of the Joint Meeting of the City Council and Planning Commission held on January 26, 2017 and the Special and Regular meetings of the City Council held on February 2, 2017.

AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

2. **SUBJECT:** REVIEWED - Warrants including Check Nos. 71967 through 72112.

3. **SUBJECT:** APPROVED - Payroll including Direct Deposit Nos. 40186 through 40405; Payroll Check Nos. 55867 through 55901; and Benefit Check Nos. 1242 through 1249.

AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

4. **SUBJECT:** APPROVED - Final Acceptance – Sanger Streetlight Improvements Projects (Phase IV).  
The City Council 1) accepted the work for the Sanger Streetlight Improvements Project (Phase IV) in the amount of \$181,145.00; 2) authorized recordation of the Notice of Completion with Fresno County Recorder; and 3) authorized payment of 5% retention in the amount of \$9,057.25 to Madco Electric, Inc. upon expiration of the 35-day lien period.  
  
AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE
  
5. **SUBJECT:** APPROVED - 2016/2017 Cape Seal Project.  
The City Council: 1) awarded the contract for the 2016/2017 Cape Seal Project to Intermountain Slurry Seal, Inc., 1900 Glendale Avenue, Sparks, NV 89431, in the amount of \$361,361.00; 2) approved a construction contingency for change orders in the amount of \$18,000.00 (5%) for this project; 3) authorized the City Manager to sign contract documents on behalf of the City; and 4) approved a budget amendment which will provide sufficient appropriation to include a staff-recommended additive alternate within the project scope.  
  
AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE
  
6. **SUBJECT:** APPROVED – RESOLUTION NO. 2017-05 - Declaration of City Vehicles as Surplus Property.  
The City Council approve Resolution No. 2017-05 declaring the property listed in the attachment as surplus property and authorizing disposal or transfer of surplus property pursuant to City Code Section 2-212 and Government Code Section 37350.  
  
AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

7. SUBJECT: APPROVED – RESOLUTION NO. 2017-06 – Letter of Support for AB 1 (Frazier) and SB 1 (Beall).

The City Council approved the submittal of a Letter of Support for both AB 1 (Frazier) and SB 1 (Beall) supporting transportation funding and authorized the Mayor and City Manager to sign the letters and adopt Resolution No. 2017-06 expressing support of SB 1 and AB 1 regarding transportation funding and support the Fix our Roads Coalition.

AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

8. SUBJECT: APPROVED – RESOLUTION NO. 2017-07 – Right of Way Acquisitions for the Academy Avenue Reconstruction Project – North Avenue to 11<sup>th</sup> Street.

The City Council adopted Resolution No. 2017-07 which approves the Right of Way Agreement for property located at 1132 Academy Avenue, authorizes the City Manager to sign the Agreement on behalf of the City and open escrow for the sale; and accepts the right-of-way dedication for public street, utility and temporary construction purposes at the same property.

AYES: GONZALEZ, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: ONTIVEROS (RECUSAL)  
ABSENT: NONE

G. DEPARTMENT REPORTS

1. SUBJECT: APPROVED - Sewer Main Maintenance - Cleaning and Inspection.

The City Council by motion of Council Member Garza awarded the contract for the cleaning and CCTV inspection of sewer mains in the amount of \$37,000.00 to Video Inspection Specialist, Inc., of 4705 W. Santa Ana, Fresno CA 93722 and authorized the City Manager to execute the contract documents on behalf of the City. The motion was seconded by Mayor Pro Tem Ontiveros and approved by the following vote:

AYES: GONZALEZ, ONTIVEROS, GARZA, HURTADO, MARTINEZ  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

H. CITY MANAGER/STAFF COMMUNICATION

City Clerk Becky Hernandez announced that the Citizen's Oversight Committee will hold a special meeting on Tuesday, February 28, 2017 at 6 p.m.

City Manager Chapa said staff is working with California TrusFrame and will like put together an agreement in April.

City Manager Chapa announced that he will be off for the next couple of days and returning on Wednesday, February 22<sup>nd</sup>.

I. MATTERS INITIATED BY CITY COUNCIL MEMBERS

Council Member Hurtado had nothing to report.

Council Member Garza had nothing to report.

Mayor Pro Tem Ontiveros asked City Attorney Cantu Montoy about her familiarity with 1090 in regards to conflicts of interest. City Attorney Montoy indicated that she will be providing a report to the Council at the next meeting.

Council Member Martinez asked if Indianola Street will be open before the next Council meeting in March. City Engineer Rogers said he continues to ask the developer for updates but that the rainy weather is hindering progress.

Council Member Martinez asked if the Inside Sanger publication will be going out with next month's utility bills. City Manager Chapa said today was the deadline to submit items for Inside Sanger and that it will be going out with the next utility bills.

Council Member Martinez wished City Manager Chapa a Happy Birthday.

Mayor Gonzalez asked if there was an update on internet access at the Industrial Park and if there has been movement towards adopting a smoke-free park ordinance.

Community Development Director Navarro said he spoke with Comcast and they have requested additional information which has been provided to them. He said he will continue to monitor the situation. Mayor Gonzalez asked if he could suggest a different provider that could be looked into. City Manager Chapa said he could.

J. ADJOURNMENT

Being no further business the Council adjourned their meeting at [7:53:27 PM](#).