

MINUTES OF A SPECIAL MEETING OF THE SANGER CITY COUNCIL

February 16, 2017
5:00 P.M.
COUNCIL CHAMBER
1700 7TH Street
Sanger, California 93657

A. CALL TO ORDER

The Council called their Special Meeting to order at [5:02:27 PM](#).

B. ROLL CALL

Present: Mayor Frank Gonzalez, Council Member Melissa Hurtado, Council Member Daniel Martinez

Absent: Mayor Pro Tem Eli Ontiveros, Council Member Humberto Garza

C. PUBLIC FORUM

Fred Heisman asked who will represent the City as negotiator. He suggested it should not be the City Manager because he has a me-too clause in his employment contract causing a violation of ethics.

Council Member Humberto Garza arrived at [5:04:07 PM](#).

Mayor Pro Tem Eli Ontiveros arrived at [5:04:44 PM](#).

City Attorney Hilda Cantú-Montoy said there are two items on the Closed Session agenda where the City Manager is the negotiator. One is the conference with real property negotiators and the other is with respect to labor negotiations. She said she agrees that if the MOUs being negotiated would cause me-too results then it would be inappropriate. The MOUs being discussed today would not and so it is permissible for the City Manager to represent the City. Ms. Montoy indicated that she would review further the me-too language in the City Manager's contract and how it relates to other MOUs and provide the Council with a memorandum at the next meeting.

Mayor Pro Tem Ontiveros recused himself from Closed Session Item D-1 and said he would not be present in Closed Session during this matter because he owns property at 1241 Olive Avenue, which is within five hundred feet of the agenda action item. He also recused himself from the item because his mother owns property on the southwest corner of Academy and Almond.

D. CLOSED SESSION

1. Pursuant to Government Code Section 54956.8
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Purchase of Right of Way for Academy Avenue Right of Way Project
Property: 1308 12th Street; 1223 Academy; 1407 Academy
Agency Negotiator: Tim Chapa, City Manager
Negotiating Parties: FS Sanchez LLC; BDJOV LP, LEVHO LP,
WRHOV LP, JDHOV LP; DPI Group LLC
Under Negotiation: Price and Terms of Payment

2. Pursuant to Government Code Section 54957.6
CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: City Manager, City Attorney, City Clerk
Employee Organization: Sanger Police Officers Association, Sanger Firefighters
Association

3. Pursuant to Government Code Section 54956.95
LIABILITY CLAIMS
Claimant: Juan T. Ybarra
Agency Claimed Against: City of Sanger

The Council adjourned to Closed Session at [5:08:40 PM](#).

The Council reconvened their Special Meeting at [6:37:23 PM](#).

E. CITY ATTORNEY REPORT FROM CLOSED SESSION

City Attorney Cantú-Montoy announced that Mayor Pro Tem Ontiveros was not present for Closed Session Item D-1.

Item D-3 is in regards to a claim submitted by Juan Ybarra regarding an accident that occurred on May 17, 2016 resulting in alleged damage to his vehicle from an exposed manhole. The Council denied the claim by the following vote:

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

F. ADJOURNMENT

The Council adjourned their Special Meeting at [6:39:38 PM](#).