



MINUTES OF A REGULAR MEETING OF THE SANGER CITY COUNCIL

September 21, 2017
6:00 P.M.
Council Chamber
1700 7th Street
Sanger, CA 93657

A. CALL TO ORDER

The Council called their meeting to order at [6:02:27 PM](#).

B. OPENING CEREMONIES

The invocation was offered by Pastor Gary Duran.

The flag salute was led by Mayor Frank Gonzalez.

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. CEREMONIAL MATTERS

1. Police Chief Silver Rodriguez introduced newly appointed Police Officer Joshua Calderon.
2. The Council recognized Jeanne Adams for her service on the Citizen's Oversight Committee – Measure S.

E. PUBLIC FORUM

Joe Villalobos provided comment regarding the condition of the City Hall parking lot.

Donna Bailey provided comment regarding the Measure S compliance audit and the Council's representation of constituents.

Pastor Gary Duran invited the Council to a joint church event on October 1st at 1:00 p.m. at Greenwood Park.

Henry Provost provided comment regarding the condition of the City Hall and Police Department parking lot and the City Hall lawn. He also provided comment regarding expenditures of Measure S funds.

The Council called for a recess at [6:16:30 PM](#).

The Council reconvened their meeting at [6:28:50 PM](#).

F. CONSENT CALENDAR

The Council by motion of Mayor Pro Tem Ontiveros pulled Items F-4, F-8 and F-9 and approved the following items on the Consent Calendar:

1. SUBJECT: APPROVED - Minutes of the Special Meeting held on August 31, 2017 and the Special and Regular Meetings held on September 7, 2017.
2. SUBJECT: REVIEWED - Warrants including Check Nos. 73722 through 73832.
3. SUBJECT: APPROVED - Payroll including Direct Deposit Nos. 41817 through 42360; Payroll Check Nos. 56135 through 56206; and Benefit Check Nos. 1298 through 1313.
5. SUBJECT: APPROVED - Award of Contract – Sanger Streetlight Improvements (Phase V) CDBG Project #16611.
The City Council: 1) conditionally awarded the contract for the Sanger Streetlight Improvements Project (Phase V) to Madco Electric, Inc., 2135 E. Front Street, Selma, CA 93662, in the amount of \$249,286.00, subject to Fresno County approval of the bidding process and issuance of an Authorization to Award; 2) approved a construction contingency for change orders in the amount of \$24,920.00 (10%) for this project; and 3) authorized the City Manager to execute contract documents on behalf of the City.

6. **SUBJECT:** APPROVED – RESOLUTION NO. 2017-47 - Community Risk Reduction Officer Position.
The City Council adopted Resolution No. 2017-47 approving a new classification and setting a salary range for a Community Risk Reduction Officer position in the Fire Department.

7. **SUBJECT:** APPROVED – RESOLUTION NO. 2017-48 - Records Management Guidelines for the Retention and Destruction of City Records.
The City Council approved the introduction of Ordinance No. 2017-06 repealing Chapter 2, Article I, Section 2.2 of the Sanger City Code related to the destruction of City records and approved Resolution No. 2017-48 adopting the Secretary of State “Local Government Records Management Guidelines” as the City’s Records Management Guidelines, Policies and Retention Schedule and authorizing a process for the destruction of City records.

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

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

4. **SUBJECT:** APPROVED – RESOLUTION NO. 2017-46 - Road Repair and Accountability Act Project List and Budget Amendment.

After further discussion, the City Council by motion of Mayor Pro Tem Ontiveros adopted Resolution No. 2017-46 approving a project list and budget amendment to modify the proposed appropriations in the 17/18 fiscal year capital improvement program as prescribed to satisfy the program objectives and statutory requirements of the Road Repair and Accountability Act of 2017 (SB 1). 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

8. **SUBJECT:** TABLED - Placement of Art Boards at Sam Gutierrez Park in Downtown Sanger.

Public comment:

Dr. Jerry Valadez provided comment regarding the Art Boards and introduced two students who also provided comment regarding their experience in working on the mural.

After further discussion, the City Council by motion of Mayor Pro Tem Ontiveros tabled the item. 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

9. SUBJECT: APPROVED AS AMENDED - Opposition to Senate Bill 649 (Hueso).

After further discussion, the City Council by motion of Mayor Pro Tem Ontiveros approved the submittal of a Letter of Veto to Senator Ben Hueso for SB 649 related to the permitting of wireless and small cell telecommunications facilities and copies sent to Assemblymember Joaquin Arambula and Senator Andy Vidak. The motion was seconded by Council Member Hurtado and approved by the following vote:

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

G. DEPARTMENT REPORTS

1. SUBJECT: APPROVED – Introduction of an Ordinance to Revise Section 2-215 of Chapter 42 of the Sanger City Code regarding Contract Limits Requiring Council Approval.

The City Council by motion of Council Member Martinez approved the introduction of Ordinance No. 2017-07 amending Chapter 42, Section 2-215 of the Sanger City Code to amend the contract limit requiring Council approval from exceeding \$15,000 to exceeding \$29,500. The motion was seconded by Council Member Garza and approved by the following vote:

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

2. SUBJECT: APPROVED - Update and Review of Fiscal Impact Analysis for the North Academy Annexation Project.

Public Comment:

Steve Norton provided comment regarding the use of funds to improve the City.

The City Council by motion of Mayor Pro Tem Ontiveros approved the Fiscal Impact Analysis (FIA) as prepared by New Economics & Advisory and authorized staff to proceed with the Master Plan for the Sanger's North Academy Annexation Project. 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

3. SUBJECT: APPROVED - First Amendment to City Manager Employment Agreement.

Donna Bailey asked if there was an opportunity for a pay increase at the time of a performance review.

Kevin Carter asked if the reimbursement was made in cash.

City Attorney Hilda Cantú Montoy said the Amendment provides for a performance evaluation in October 2017 and October 2018 and the opportunity for a salary increase is based on a satisfactory evaluation.

Interim Administrative Services Director Gary Watahira said the reimbursement was paid through accumulated leave balance.

The City Council by motion of Council Member Garza approved the First Amendment to City Manager Agreement which amends the salary provisions in City Manager's Employment Agreement. The motion was seconded by Council Member Martinez and approved by the following vote:

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

H. CITY MANAGER/STAFF COMMUNICATION

The City Manager and Staff had nothing to report.

I. MATTERS INITIATED BY CITY COUNCIL MEMBERS

1. SUBJECT: Update Rules of Procedure – Request from Council Member Hurtado.

The Council by motion of Council Member Hurtado approved placement of an item on a future meeting agenda to direct staff to create a citizen committee or allow the COC to review the Rules of Procedure and make recommendations. 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

2. SUBJECT: Recycling Centers – Request from Council Member Hurtado.

The Council by motion of Mayor Pro Tem Ontiveros approved the placement of an item on a future meeting agenda to direct staff to provide a detailed report on current conditions of recycling centers and options to limit and zone recycling centers. 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

3. SUBJECT: Strategy to Address Vacant Buildings – Request from Council Member Hurtado

The Council by motion of Mayor Pro Tem Ontiveros approved the placement of an item on a future meeting agenda to direct staff to draft a strategy to address vacant buildings and blighted property. 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

4. SUBJECT: Appointments to Boards, Committees and Commissions – Request from Council Member Hurtado.

Public comment:

Steve Norton provided comment about applications from certain districts.

Joe Villalobos provided comment about how the recruitment for COC members had to be extended due to lack of applications and that it should not matter what side of town an applicant is from as long as there is diversity.

Donna Bailey provided comment regarding finding ways to outreach in an effort to increase applications and suggested including the information with utility bills.

The Council by motion of Mayor Pro Tem Ontiveros directed staff to research ways to outreach for recruitment of appointments. The motion was seconded by Council Member Hurtado and approved by the following vote:

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

5. SUBJECT: Homeless Task Force – Request from Council Member Hurtado.

Public comment:

Julie Mendoza provided comment about the increase in homelessness and the importance of creating a task force.

Kevin Carter provided comment about whether the increase in homelessness in Sanger is due to the cities of Fresno and Clovis driving them out.

Council Member Martinez stepped away from the dais.

The Council by motion of Council Member Hurtado approved the placement of an item on a future meeting agenda to direct staff to set up a homeless Task Force. The motion was seconded by Mayor Pro Tem Ontiveros and approved by the following vote:

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

Council Member Martinez returned to the dais.

Council Member Humberto Garza requested Council's consideration of allowing medical dispensaries for cannabis in Sanger.

The Council by motion of Council Member Garza approved the placement of an agenda item on a future meeting agenda to begin the process of allowing medical dispensaries for cannabis in Sanger. The motion was seconded by Council Member Hurtado and approved by the following vote:

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

Council Member Melissa Hurtado said she is working on a pilot project with Sanger High senior students and offered Council Members to partner with her in the project. She said students are interested in doing 25 community service hours, helping Hope Sanger, and starting a community garden.

Council Member Hurtado asked for an update on the railroad tracks.

Public Works Director John Mulligan said he recently met with representative from the San Joaquin Valley Railroad to address the Academy Avenue crossing that has been degraded. He said San Joaquin Valley Railroad has committed to repairs to the railroad crossing at Behtel Avenue and that the Academy Avenue issue is a very expensive repair.

Council Member Hurtado said she intends to hold a Town Hall meeting in the near future.

Mayor Frank Gonzalez asked about funds to repair the city hall and police department parking lots.

City Manager Tim Chapa said availability of funds could be identified at mid-year or next year's budget.

Mayor Gonzalez asked if it is feasible to have SAM Academy students paint traffic boxes.

City Manager Chapa said Staff is working with SAM Academy on the details of the painting of traffic boxes.

Mayor Gonzalez asked about the Christmas Tree sales lot on L Street.

City Manager Chapa said the City may be able to issue a temporary permit through a Director's Review but an application has not been submitted. He said Community Development Director Tom Navarro will contact the proponent regarding an application.

Mayor Gonzalez asked if Measure S as it currently stands will end in 2018.

City Manager Chapa said the only change to the Measure S ordinance will be the date.

Mayor Gonzalez he would like to have the Measure S ordinance clarified.

City Attorney Hilda Cantú Montoy said Measure S will run until 2028; there is no expiration date of 2018. The voters adopted extension of the Measure. She said the Council has some authority to amend the ordinance with respect to provisions as long as it does not amend the rate nor the term. She suggested Council Members talk to her about what they would like to place on a future meeting agenda.

J. ADJOURNMENT

Being no further business the Council adjourned their meeting at [8:42:01 PM](#).