



MINUTES OF A REGULAR MEETING OF THE SANGER CITY COUNCIL

September 20, 2018
6:30 PM
Council Chamber
1700 7th Street
Sanger, California 93657

A complete audio record of the meeting is available at www.ci.sanger.ca.us.

A. CALL TO ORDER

The Council called their meeting to order at [6:36:58 PM](#).

B. OPENING CEREMONIES

The invocation was offered by Pastor Maria DeLeon.

The flag salute was led by Mayor Frank Gonzalez.

Roll Call

Present: Mayor Frank Gonzalez, Mayor Pro Tem Eli Ontiveros, Council Members Humberto Garza and Daniel Martinez

Absent: Council Member Melissa Hurtado

C. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

AYES: GONZALEZ, ONTIVEROS, GARZA, MARTINEZ

NOES: NONE

ABSTAIN: NONE

ABSENT: HURTADO

D. PUBLIC FORUM

Vincent Wall said he and other citizens filed an appeal of a decision made by the Sanger Planning Commission.

Victor White asked the Council to consider ways to make the crosswalk at 5th Street and Bethel safer. He commended the City Council for the City's efforts with the Veteran's Park.

Rosie DeLeon, representing The Hideaway Bar, provided comment regarding her efforts to open an outdoor patio.

Donna Bailey provided comment about parking on 7th Street just before O street and suggested the parking be changed from angled to parallel.

Victor Ruiz provided comment about the dangerous traffic situation on Bethel Avenue north of the railroad tracks.

E. PRESENTATION

1. Sharon Gonsalves of Townsend Public Affairs presented their quarterly report.
2. Sharon Gonsalves of Townsend Public Affairs presented a CDBG Non-Entitlement Program Overview.

The Council called for a break at [7:24:30 PM](#).

The Council reconvened their meeting at [7:33:31 PM](#).

F. CONSENT CALENDAR

The Council by motion of Mayor Pro Tem Ontiveros pulled Items F-7 and F-8 and approved the following items on the Consent Calendar:

1. SUBJECT: APPROVED - Minutes of the Special and the Regular Meetings held on September 6, 2018.
2. SUBJECT: REVIEWED - Warrants including Check Nos. 76751 through 76884.
3. SUBJECT: APPROVED - Payroll including Direct Deposit Nos. 45014 through 45430; Payroll Check Nos. 56619 through 56706; and Benefit Check Nos. 1400 through 1411.
4. SUBJECT: APPROVED - Final Acceptance – Well No. 16 Test Well. The City Council: 1) accepted the work for the Well No. 16 Casing Hammer Test Well project in the amount of \$111,750.00; 2) authorized recordation of the Notice of Completion with Fresno County Recorder; and 3) authorized payment of 5% retention in the amount of \$5,587.50 to Johnson Drilling Co., upon expiration of the 35-day lien period.

5. SUBJECT: APPROVED - Authorization for Out of State Travel.
The City Council authorized Out of State Travel for Mayor Gonzalez, City Manager Chapa and Community Development Director Navarro to attend the ICSC RECon Convention in Las Vegas, NV, May 19 through May 22, 2019.

6. SUBJECT: APPROVED – RESOLUTION NO. 2018-48 - Declaration of a Shelter Crisis affecting Homeless Persons in Sanger.
The City Council approved Resolution No. 2018-48 declaring a Shelter Crisis exists in the City of Sanger.

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

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

7. SUBJECT: APPROVED - Budget Amendment – Bethel and Church Avenue Traffic Signal Project.

Public comment:

Kevin Carter provided comment about the difference in the standards between the City of Fresno and Sanger and how having differences costs Sanger additional monies.

The City Council by motion of Council Member Martinez approved a budget amendment for the Bethel and Church Avenue Traffic Signal project to use remaining funds from FY 17/18 and prior to cover project costs in the 18/19 fiscal year. The motion was seconded by Council Member Garza and approved by the following vote:

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

8. SUBJECT: Appointment of Planning Commissioner.

Drew Esquer apologized to the public, Planning Commission and Council for his lack of attendance at Planning Commission meetings and asked the Mayor and Council to consider his reappointment to the Commission.

Public comment:

Planning Commission Chair Johnny Perez said he agreed with the Mayor's recommendation and recommended the reappointment.

The City Council by motion of Mayor Pro Tem Ontiveros approved Mayor Gonzalez's recommendation to reappoint Drew Esquer to the Planning Commission. The motion was seconded by Council Member Garza and approved by the following vote:

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

G. DEPARTMENT REPORTS

1. SUBJECT: APPROVED - Workers' Compensation Alternative Dispute Resolution Agreements.

Public comment:

Victor White asked for clarification regarding the Sanger Firefighters Association's request to participate in the program.

The City Council by motion of Council Member Garza approved the Labor Management Workers' Compensation Alternative Dispute Resolution Agreements between the City of Sanger and the Sanger Police Officer's Association, and between the City of Sanger and the Sanger Middle Management Organization and authorize the City Manager to execute the agreements.

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

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

2. SUBJECT: Alternative Ordinances regarding the Application and Implementation of Measure S Limitations on Use of Tax Revenues. [7:55:10 PM](#)

Public comment:

Victor White said that while he takes no position on any of the alternatives, he believes the majority of the COC prefers a way in which there would be no need to do the math and percentages.

Vincent Wall provided comment regarding the differences in the alternatives and said he has issue that all monies will be absorbed from Measure S. He said the easiest thing to do is a straight percentage.

Sue Simpson, former Chair of the Citizen's Oversight Committee, said that from her perspective Alternative A is the easiest one to administer.

James Miser suggested neither alternative will satisfy everyone and said the answer is to combine two approaches. He suggested the Council return the item to the Citizen's Oversight Committee for additional input.

Donna Bailey asked if the Measure S Committee ever got monthly statement of income and expenditures and said Alternative B is the best alternative because it works with percentages and is easier to determine what goes where.

Joseph Villalobos suggested the item go back to the Citizen's Oversight Committee and that they submit just one proposal to the Council.

Kevin Carter said he agrees with Mr. Villalobos and provided comment regarding the alternatives indicating either Alternative A or B is the way to go.

The City Council by motion of Mayor Pro Tem Ontiveros provided direction that the City Attorney continue to work with the Citizen's Oversight Committee to fine tune a recommendation with input from the City Manager, and to include the definitions for supplement and supplant. The motion was seconded by Council Member Martinez and approved by the following vote:

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

3. SUBJECT: APPROVED - Memorandum of Understanding between the City of Sanger and Stationary Engineers Local 39.

Public comment:

Vincent wall provided comment about the cashing out of vacation leave indicating that employees will burn themselves out if they are not forced to take vacation.

Drew Esquer provided comment regarding the cashing out of vacation leave and said that in his experience employees are happier when they have the discretion to use or cash out vacation leave.

The City Council by motion of Council Member Martinez approved the Memorandum of Understanding (MOU) between the City of Sanger and Stationary Engineers Local 39 for the period of July 1, 2018, through June 30, 2019, and authorized the City Manager to execute the MOU. The motion was seconded by Council Member Garza and approved by the following vote:

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

H. PUBLIC HEARING

1. SUBJECT: APPROVED – RESOLUTION NO. 2018-49 - 2015 Urban Water Management Plan.

The City Council held a public hearing to discuss the 2015 Urban Water Management Plan.

Public comment:

Vincent Wall provided comment regarding the concern with the water situation in that there is one water source, ground water. He suggested the City look into the cost to treat wastewater to recycle it and make it drinkable.

Victor White provided comment regarding an alternative water supply and said a group of cities have grouped to address water needs and now pump water out of the Sacramento river.

The City Council closed the public hearing.

The City Council by motion of Mayor Pro Tem Ontiveros approved Resolution No. 2018-49 adopting the 2015 Urban Water Management Plan. The motion was seconded by Council Member Garza and approved by the following vote:

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

I. CITY MANAGER/STAFF COMMUNICATION

Police Chief Silver Rodriguez provided an update regarding the recent arrest for a homicide that occurred on April 12, 2018. He said two suspects have been arrested and he commended the Sanger Police Staff for their diligent work with Tulare County Sheriff's Department and the cities of Selma and Parlier.

City Manager Tim Chapa informed the Council that the City received an appeal of the Planning Commission's action on September 13, 2018, regarding a conditional use permit request from Algonquin Power. He said if the notice of appeal meets the requirements, a special City Council meeting will be held on October 8, 2018, to hear the appeal.

City Manager Chapa announced the Annual Job Fair will be held on October 2, 2018. He said many companies and organizations will be there including Gap and IRS.

City Manager Chapa announced the new website is continuing and is pretty much almost completely drafted. He said a reveal is planned for October and it will go live in November.

City Manager Chapa announced he will be out of the office next week attending the ICMA conference in Baltimore.

J. MATTERS INITIATED BY CITY COUNCIL MEMBERS

Mayor Pro Tem Ontiveros requested a consensus from the Council to add an item on an agenda in October to discuss the Hideaway Bar's efforts to add a patio area. Consensus was given by the City Council.

Council Member Garza had nothing to report.

Council Member Martinez requested a brief update on the Church Avenue project.

Public Works Director John Mulligan said they will be grinding out the intersection of Bethel and Church and the second part is an overlay but there are questions about the methodology and depth.

Council Member Martinez asked about Council's action regarding signs at 5th and Bethel at a prior City Council meeting.

Public Works Director confirmed the Council approved the placement of signs and it has been implemented.

Mayor Gonzalez said he attended the League of California Cities Annual Conference where he learned about current policy issues, and participated in ethics training and harassment prevention training. He said he learned about the scandal in Beaumont, California, where they ran into problems and ended up with a \$36 million deficit and facing bankruptcy. He said the medical marijuana issue is still here and eventually the City will need to find a way to handle it. He said he heard about many other rural cities' problems and realized many cities are in the same boat and he gained an appreciation of where Sanger is. He said he learned of a city that began building a soccer complex in 2002 and completed it in 2016. He said the Veteran's Park will get done in time. He said he will be attending a COG meeting next week and he will bring up the issue with the road condition on Bethel Avenue north of the railroad tracks. He said he had concerns about the CDBG survey and that there needs to be more outreach.

K. ADJOURNMENT

Being no further business the Council adjourned their meeting at [9:14:18 PM](#).