



Minutes of a Regular Meeting of the Sanger City Council

THURSDAY, NOVEMBER 3, 2022
6:00 P.M.
COUNCIL CHAMBER
1700 7th Street, Sanger, California 93657

A. CALL TO ORDER

The City Council called their meeting to order at 6:01 PM.

B. OPENING CEREMONIES

The invocation was offered by Pastor Vicky.

The flag salute was led by Mayor Eli Ontiveros.

Roll Call

Present: Mayor Eli Ontiveros, Mayor Pro Tem Daniel Martinez, Councilmember Humberto Garza, Councilmember Esmeralda Hurtado, Councilmember Michael Montelongo

Absent: None

C. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Councilmember Hurtado moved Agenda Item I-1 to be presented before Item G-3 and approved the agenda as amended. The motion was seconded by Mayor Ontiveros and approved by the following vote:

AYES: ONTIVEROS, MARTINEZ, GARZA, HURTADO, MONTELONGO

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

D. PUBLIC FORUM

Monica Garcia, member of Broken Chains, Warriors of Faith, and Time in Destiny, said they would like to have the fight against fentanyl program event on Saturday.

Kim said her 20-year-old son died alone from fentanyl poisoning and if someone had Narcan he would have lived. She asked the Council for help to save the kids.

Karen Gutierrez said her 20-year-old son passed away on March 30th from fentanyl and that the event on Saturday is important to fight against fentanyl overdose.

Opie Moreno said her son passed away from fentanyl. She flew to Sanger for the event on Saturday because it's important. She said people are dying every five minutes and there is no need to prolong the event.

Grace Castillo, member of Broken Chains and Warriors of Faith, said she is grateful her son has not been poisoned by fentanyl but the message about Narcan needs to be spread.

Matthew Champion said Narcan saved his life. He was a fentanyl addict for several years. He said he has saved people's lives with Narcan.

Desiree Ramirez said the Saturday event is something so good and it could save lives.

Roxanne Zavala said she is disturbed by the situation. She said the church is only asking to use the park for the event and if the park is not available, the event will continue.

James, member of Broken Chains, Warriors of Faith, and Time in Destiny, said Narcan is not a drug. It is an anecdote for any opioid user but is not harmful to non-users.

Jorge Nunez said he is a recovered drug addict and asked that the Council give an opportunity to have the event on Saturday.

Billy, President of Warriors of Faith, said fentanyl is bad. He said one gram of fentanyl will hurt and more will kill.

Pastor Paul Zavala of Time in Destiny Christian Center, thanked the Council for their service to the community and their districts. He said it is not an easy job. He said his Church's desire to hold the fentanyl awareness event has nothing to do with politics or race but about saving lives. He asked the Council to make an exception to the 30-day event application rule. He said he understands the importance of protocols but he has an unlimited supply of Narcan and he is just trying to bring awareness to all. He said if not, he will find another way to make it happen.

Pastor Vicky said she is not here on a political agenda but on a family agenda to help families who have lost their children.

Robert, National President of Warriors of Faith and member of Time in Destiny, said if the event can not be held at the park on Saturday, they will hold it somewhere else.

Bonnie said she is new to the community and she is astonished at the outcry and support for encouraging and making the community better and the lack of support by leadership for these people.

Brianna Garcia said she had to tell her friends about this because it is very important. She told her friends to check their Halloween candy.

Franky Moreno said his son died a month before his 25th birthday. He got a pill at work thinking it was for back pain and died that night. He said he does not want other dads to feel the pain that he has felt.

Jaime Garza asked what would happen if the Council decided to have a consensus and voted on having the event.

City Attorney Montoy said the Councilmembers have taken an oath of office to abide by all laws. If they take action at this point, it would be in violation of state law, potentially a misdemeanor.

Councilmember Michael Montelongo said he recused himself from the 5:30 Special Meeting because of ethical, accountability, and transparency reasons. He said to ask three councilmembers for approval prior to consideration may not be illegal but ethically it is wrong. He said he believes in process.

E. CONSENT CALENDAR

The Council by motion of Councilmember Garza approved the following items on the Consent Calendar:

1. SUBJECT: APPROVED - Minutes of the Special and Regular Meetings held on October 20, 2022.
2. SUBJECT: APPROVED - Zoning Ordinance Amendment No. 2022-3.
The City Council waived the full reading and adopted Ordinance No. 2022-09, approving Zoning Ordinance Amendment No. 2022-3, amending Section 90-994 of the Sanger City Code adding an exemption for public hearing notice requirements under certain circumstances, and a finding of exemption under CEQA Guidelines Section 15061(b)(3) for the project.
3. SUBJECT: APPROVED - Full-Time Code Enforcement Officer Position
The City Council adopted Resolution No. 2022-87 approving a new classification and setting a salary range for a full-time Code Enforcement Officer position in the Community Development Department.
4. SUBJECT: APPROVED - Technical Correction to Resolutions for New Water Well Funding Application.
RECOMMENDATION: The City Council:
 1. Adopted Resolution No. 2022-88 rescinding Authorizing Resolution No. 2022-79 and Reimbursement Resolution No. 2022-80;
 2. Adopted Resolution No. 2022-89 authorizing the City Manager to sign and submit a Financial Assistance Application to the State Water Resources Control Board for the design and construction of the City of Sanger New Water Well Project (Authorizing Resolution);

3. Adopted Resolution No. 2022-90 designating the amount of project expenditures to be reimbursed by the State Water Resources Control Board for the design and construction of the City of Sanger New Water Well Project (Reimbursement Resolution).

5. SUBJECT: APPROVED - Emergency Removal and Installation of a Traffic Signal Pole – Academy Avenue and North Avenue – Additional Purchasing Authority.

The City Council adopted Resolution No. 2022-91 reviewing the emergency action taken by the City Manager to approve the proposal from A-C Electric Company to repair the damaged traffic signal located at the intersection of Academy and North Avenues in the amount of \$52,475.00, and authorized the City Manager to execute the documents on behalf of the City.

The motion was seconded by Mayor Pro Tem Martinez and approved by the following vote:

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

F. PUBLIC HEARING

1. SUBJECT: Adoption of Mitigated Negative Declaration for New City of Sanger Water Well.

The City Council held a public hearing to discuss adoption of Mitigated Negative Declaration for new City of Sanger water well.

Public comment: None.

The Council closed the public hearing.

The City Council by motion of Councilmember Garza approved Resolution No. 2022-92, adopting the Mitigated Negative Declaration for the City of Sanger New Water Well Project. The motion was seconded by Councilmember Montelongo and approved by the following vote:

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

G. DEPARTMENT REPORTS

1. SUBJECT: APPROVED - City of Sanger's Local Commission on the Status of Women and Girls.

Dr. Eve Castellanos, advocate for the Commission on the Status of Women and Girls, presented on the item.

The Council by motion of Councilmember Hurtado adopted Resolution No. 2022-93 amending the City's local Commission on the Status of Women and Girls. The motion was seconded by Councilmember Garza and approved by the following vote:

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

2. SUBJECT: APPROVED - Approval of Final Map, Agreements and Covenants for Tract No. 5826 – Phase 1 of Tract No. 5826.

City Engineer Josh Rogers presented on the item.

Public comment:

Jaime Garza said he is excited they're coming in and asked if the park will be a basin.
City Engineer Rogers said the park is not a basin.

Sherri Gumber-Carter said she is a Fresno County Master Gardener and she is interested in water-wise landscapes.

The Council by motion of Councilmember Garza adopted Resolution No. 2022-94, approving:

1. The Final Map for Tract No. 5826, Phase 1 of Tract No. 5826;
2. The Subdivision Agreement for Final Map of Tract No. 5826, Phase 1 of Tract No. 5826;
3. The Improvement and Credit/Reimbursement Agreement, D.R. Horton CA3, Inc. for Tract No. 5826, Phase 1 of Tract No. 5826;
4. Statement of Covenants Affecting Land Development Acknowledging Right to Farm Law for the Final Map of Tract No. 5826, Phase 1 of Tract No. 5826.
5. Covenant Regarding Land Development for the Final Map of Tract No 5826, Phase 1 of Tract No. 5826 "Sanger Landscape and Lighting District No. 2";
6. Covenant Regarding Land Development for the Final Map of Tract No 5826, Phase 1 of Tract No. 5826 "Community Facilities District No. 2005-01";
7. Basin Covenant Affecting Land Development for the Final Map of Tract No. 5826, Phase 1 of Tract No. 5826;
8. Temporary Sewer Lift Station Covenant Affecting Land Development for the Final Map of Tract No. 5826, Phase 1 of Tract No. 5826; and
9. Agreement for Common Use of Easements.

The motion was seconded by Mayor Pro Tem Martinez and approved by the following vote:

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

I. MATTERS INITIATED BY COUNCILMEMBERS

1. Wastewater Treatment Plant Update

Public Works Director John Mulligan presented on the item.

G. DEPARTMENT REPORTS (continued)

SUBJECT: APPROVED - Updates to the 10-Year Capital Improvement Plan for Fiscal Year 2022-2023 with use of ARPA funds, impact fees, and other funds, and amending the Fiscal Year 2022-2023 budget to reflect such updates.

Administrative Services Director Patrick Chaffee presented on the item.

Public comment:

Jaime Garza said we have been saying we need fair housing, parks and suggested to use a portion of the funds to non-profits.

Kevin Carter said he has never seen a City Manager work this hard to do something good for the City and get this much resistance. He said he agrees with the plan he does not believe the City should spend money on private buildings.

Tom Nicholson said he is grateful for the government providing ARPA funds to try to relieve the pain of what has happened recently. He said the City has a good proposal. Infrastructure is important. He said he understands policies but the Council should engage their districts and constituents. He suggested the Council table the item. He disagrees with only using \$36,000 for downtown.

Frank Gonzalez said he was on the Council in 2016 and there was a lot of community involvement and requests for new parks and playing areas. He said the Council should execute the plan; not prolong it.

Glenda Champion Carey said we were in an unprecedented time with COVID. She said the Council should get the community involved with Town Hall meetings to share thoughts on how to improve the City.

Jerry Valadez said he has been a business owner in downtown for nine and a half years and there has been much talk about downtown beautification. He said the Council should have public input especially of downtown business owners who have been waiting for beautification. He said ARPA funds are a once in a lifetime opportunity and the people need to have input.

Councilmember Hurtado made a motion to postpone the agenda item for further community engagement. The motion failed for lack of second.

The Council by motion of Councilmember Montelongo adopted Resolution No. 2022-95 approving updates to the 10-Year Capital Improvement Plan for Fiscal Year 2022-2023 with use of ARPA funds, impact fees, and other funds, and amending the Fiscal Year 2022-2023 budget to reflect such updates. The motion was seconded by Mayor Pro Tem Martinez and approved by the following vote:

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

H. CITY MANAGER/STAFF COMMUNICATION

None.

I. MATTERS INITIATED BY CITY COUNCIL MEMBERS (continued)

2. Discussion and direction regarding Geary Avenue Improvement Project.

City Engineer Rogers presented on the item.

The Council reached a consensus to continue with the meeting past 10:00 PM as required by the Council Rules of Procedure.

City Manager Tim Chapa said the Council can have two options: 1) by consensus give direction to bring back an amendment to the CIP to advance a project in lieu of another; or 2) allow Staff to come back in January or February to look at all projects instead of one isolated issue.

Councilmember Hurtado asked for a consensus to direct Staff to come back with an alternative to move up the Geary Avenue project and swap with another project that is not in District 1.

No consensus was reached.

Mayor Ontiveros said since no consensus was provided for option one, Staff will fall back to Option two.


3. Mayor Ontiveros asked for a consensus to direct the City Manager to work with Time in Destiny, Broken Chains, and Warriors of Faith regarding the fentanyl awareness event.

Consensus was reached.

J. ADJOURNMENT

Being no further business, the Council adjourned their meeting at 10:18 PM.

ATTEST:



Rebeca P. Ramirez, City Clerk