



MINUTES OF A REGULAR MEETING OF THE SANGER CITY COUNCIL

March 2, 2017
6:00 P.M.
Council Chamber
1700 7th Street
Sanger, CA 93657

A. CALL TO ORDER

The Council called their Regular Meeting to order at [6:01:12 PM](#).

B. OPENING CEREMONIES

Pastor Ponce-DeLeon 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 moved Agenda Item G-2 Comcast Update from CITY MANAGER/STAFF COMMUNICATIONS to follow the PUBLIC FORUM. 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

D. PUBLIC FORUM

Jim Frausto & Steve Schroder of California TrusFrame (CTF) stated it has been 30 days since addressing the Council about impact fees and since then they have met with Staff and were informed that the City is not in a position to reduce fees but are working on a proposal to defer fees. They submitted to Council a proposal to defer the balance of impact fees for five years and allow CTF to participate in any impact fee reduction programs implemented in the future.

Fred Heisman said the Council has the power to get it approved now.

Donna Bailey said this issue with California TrusFrame is confusing and asked if the health center is being charged the same. She also said that the City still has done nothing about a marijuana ordinance and that an audit needs to be conducted on Measure S.

Ed Cuadros suggested that there is a lack of transparency at City Hall and said that elected officials have a responsibility to do their homework to know what questions to ask.

Bob Lynch asked that Council instruct individuals who come to the podium to please speak into the microphone.

G. CITY MANAGER/STAFF COMMUNICATION

2. Comcast Update.

Community Development Director Tom Navarro and Angela Hiyama of Comcast provided an update on the project to provide internet service at the Kings River Technology Park.

E. CONSENT CALENDAR

The Council by motion of Mayor Pro Tem Ontiveros approved the following items on Consent Calendar:

1. SUBJECT: APPROVED - Minutes of the Special and Regular meetings of the City Council held on February 16, 2017.
2. SUBJECT: REVIEWED - Warrants including Check Nos. 72113 through 72239.
3. SUBJECT: APPROVED - O Street Reconstruction Project – 5th Street to 9th Street.
The City Council: 1) awarded the contract for the O Street Reconstruction Project to Agee Construction Corporation, 1039 Hoblitt Avenue, Clovis, CA 93612 in the amount of \$617,107.00; 2) approved a construction contingency for change orders in the amount of \$61,710.00 (10%) for this project; 3) authorized the City Manager to execute contract documents on behalf of the City; and 4) approved a budget amendment to recognize an increased federal appropriation for the project and to reduce the budgeted local match in the 16/17 fiscal year budget.
4. SUBJECT: APPROVED - O Street Reconstruction Project Testing Services.
The City Council 1) awarded the contract for construction testing services on the O Street Reconstruction Project to RMA Geoscience, Inc., 3897 N. Ann Avenue,

Fresno, CA 93727; and 2) authorized the City Manager to execute the contract documents on behalf of the City.

5. **SUBJECT:** APPROVED - Agreement for Police K-9 Training Services.
The City Council approved the Agreement between Adlerhorst International, Inc. and the City of Sanger for Police K-9 training services and authorized the City Manager to execute the Agreement.
6. **SUBJECT:** APPROVED – RESOLUTION NO. 2017-08 - Declaration of City Equipment as Surplus Property.
The City Council approved Resolution No. 2017-08 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.
7. **SUBJECT:** APPROVED - Electric Management Services Program.
The City Council authorized the Electrical Management Service program offered by EnerPower and authorized the City Manager and/or his designee to sign the related documents on behalf of the City.
8. **SUBJECT:** APPROVED - Authorization for Out of State Travel – Fire Engine Inspection.
The City Council authorized Out of State travel for Captain David Santos and Engineer Dean Williams to attend the pre-paint inspection of the new fire engine in Snyder, Nebraska at the end of March.
9. **SUBJECT:** APPROVED - Authorization for Out of State Travel – ICSC RECon Convention.
The City Council authorized Out of State travel for City Manager Chapa, Mayor Gonzalez, and Community Development Director Navarro to attend the ICSC RECon Convention on May 21 through May 24, 2017 in Las Vegas, NV.

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

F. DEPARTMENT REPORTS

1. SUBJECT: APPROVED - Taxi Scrip Sales Agreement with Fresno County Council of Governments.

The City Council by motion of Mayor Pro Tem Ontiveros approved the agreement to provide Taxi Scrip Sales and application processing services with the Fresno Council of Governments for the period of March 2, 2017 through June 30, 2027. 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: APPROVED - Community Development Block Grant Projects Services.

The City Council by motion of Council Member Garza awarded a Consulting Engineer Agreement for Community Development Block Grant Project Services to Yamabe & Horn Engineering, Inc. and authorized the City Manager to execute the agreement on behalf of the City. The motion was seconded by Council Member Martinez and approved by the following vote:

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

3. SUBJECT: APPROVED – RESOLUTION 2017-09 - State Department of Housing and Community Development Grant Application for Veterans Park.

Public comment:

Gerald Adams, Sanger asked Council if the City can develop a park that will make it look like we are “The Nation’s Christmas Tree City.”

The City Council by motion of Mayor Pro Tem Ontiveros approved Resolution No. 2017-09 approving the Grant Application with the California Department of Housing and Community Development and authorized the City Manager to sign the application documents. 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: APROVED - Memorandum of Understanding between the City of Sanger and the Sanger Firefighters Association.

Public comment:

Jeanne Adams, member of the Citizen's Oversight Committee for nearly four years and current chairperson, said she supports raises in an effort to retain good employees but does not believe that entire bargaining group members should receive a wage increase out of Measure S.

Julian Chapa said he is a public safety advocate and said he looks for political stability and public safety stability.

Fred Heisman asked if the Fire Chief gets a raise. He also asked how the City will pay \$16 million that will be owed to CalPERS.

Henry Provost said a complete complement of staff when Measure S went into effect remains the same and new staff hired after are covered by Measure S. He said when employees hired before Measure S leave then new staff should be transferred to the full complement in existence prior to Measure S. He said he is not against the raises but is against how they are being paid.

Sue Simpson, citizen and a member of the Citizen's Oversight Committee, in an effort to simplify the issue, presented an example of how the cost of raises compound year after year using stacking blocks. She also said the COC has requested a compliance audit so an independent professional can review the expenditures of Measure S.

Dylan Savory, Political Director of Central Labor Council representing 50 different labor unions within the community. To be clear, he said the Sanger Police and Fire Associations are not a part of the Council but they represent all workers everywhere. He said he strongly supports both contracts and though he's no economist most people in the room also are not. He said firemen and police officers put their lives on the line every day while most people do not. He said men and women in uniform of all sorts deserve to be compensated at a level that is equitable to the type of work that they do.

Craig Pitts, Sanger Firefighter Association, said when the City was affected by the recession, the Fire Association accepted furloughs and pay cuts. He said the MOU has safeguards in the way of reopeners and if necessary the Association will come back to the table to make things work. He also said it is important to use raises to retain employees and detrimental to the progression of

the Department. Without MOU approval, people will leave and the Department will lose a lot of experience. He said he appreciates the negotiating with the new City Manager and has no reason to believe anyone has been misled. He thanked the Council for their consideration.

Kevin Carter said no one questions the value of the Fire and Police employees but that it's about following the rules. He said there have been questions about how to use the money and if it's been used properly. He suggested that this Council has not had direction in this issue. He also asked for an explanation on how it is proper to use Measure S funds for the raises.

James Miser, CPA, said the people of Sanger are still under the February 5, 2008 vote for Measure S, which says "to recruit hire train additional police officers firefighters, paramedics, 9-1-1- emergency dispatch workers..." He said that in every general fund account from 2008 to the current year, received a jump when Measure S received a jump. He said in effect, Measure S is being used for general fund expenditures. He said he believes, though cannot prove, that raises given last year were funded by Measure S.

Tony Gonzales said he knows the Council, citizens of Sanger and the COC are not against raises but that the argument is not following proper procedure and that the COC is to guide the money for proper purposes. He urged the Council to make right choices.

Reyes Carrillo, President of SPOA and citizen of Sanger, said he voted for Measure S and that if Measure S did not exist the City would not have all that Measure S has provided. He said Measure S has done well for the City. He said the Department lost 8 to 10 officers within the 2 years and it's been hard for officers to cover by working overtime or extra shift. He said the City had not been in a position to give raises and now that there is it should be used for that. He said it should not be hoarded. He said he appreciated Council's time in reviewing and considering the MOU.

Steve, property owner in the rural area of Sanger, said the controversy is whether or not the City can follow the law. He said the audit is needed.

The City Council by motion of Council Member Garza approved the Memorandum of Understanding (MOU) between the City of Sanger and the Sanger Firefighters Association for the period of January 1, 2017 through June 30, 2019 and authorized the City Manager to execute the MOU. The motion was seconded by Council Member Hurtado and approved by the following vote:

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

5. **SUBJECT:** APPROVED - Memorandum of Understanding between the City of Sanger and the Sanger Police Officers Association.

Public comment:

The record reflects that public comments on Agenda Item F-4 are the same for Agenda Item F-5.

Kevin Carter said he knew that this would be twisted so that it could all get worked out. He said he believes all this was worked out before it was put on the ballot.

Tony Gonzales said he was somewhat disappointed that the Council did not follow the recommendation of the community.

Henry Provost, Sanger, said usually there is a pie chart during budget time showing public safety and asked if it has gotten bigger or smaller. He said that when it comes to the full complement that was started, he asked how supplement and supplant doesn't apply to this area. He said he is not against raises but does not want to see Measure S turned into a slush fund.

Jim Miser, said when ethics versus legality the people should follow legality. He said the people expect additional funding. He said when the \$120,000 is used by Measure S it will not be paid from the General Fund so in essence it is stealing from the Police and Fire Department.

Bob Lynch, Sanger, said he believes the Fire and Police Departments should have a raise but the Council has to decide where the money will come from.

Fred Heisman said he just hopes we can pay it.

Sue Simpson said she was a little surprised at the way the vote went because they wanted to set up a safety net to get an independent opinion from the compliance audit.

The City Council by motion of Council Member Garza approved the Memorandum of Understanding (MOU) between the City of Sanger and the Sanger Police Officers Association for the period of January 1, 2017 through June 30, 2019 and authorized the City Manager to execute the MOU. The motion was seconded by Council Member Hurtado and approved by the following vote:

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

6. SUBJECT: APPROVED - Sanger Fire Department Health/Wellness Program.

Jim Miser said currently every City department has a fitness wellness program in their budget and said he finds it curious that we cannot find money for raises but can for a wellness program.

Victor Ruiz said it is a good bargain because it would lessen workers' compensation payments.

The City Council by motion of Council Member Hurtado approved the Side Letter of Agreement with the Sanger Firefighters Association, and the Wellness Services Agreement with Pinnacle Training Systems, LLC, implementing a voluntary Health/Wellness Program in the Fire Department and authorized the City Manager to execute the agreements. The motion was seconded by Council Member Martinez and approved by the following vote:

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

G. CITY MANAGER/STAFF COMMUNICATION

1. Fire Department Policy Update.

City Manager Chapa acknowledged and recognized Fire Chief Greg Tarascou for receiving the International Professional Chief Fire Officer designation and said globally about 1,200 fire chiefs qualify for this program.

Fire Chief Tarascou said he has been in the process for about a year in updating policies utilizing Lexipol. He thanked Administrative Secretary Rolinda Hernandez and Staff for their assistance. The draft form will be rolled out within the next 30 days.

H. MATTERS INITIATED BY CITY COUNCIL MEMBERS [8:26:18 PM](#)

Council Member Hurtado had nothing to report.

Council Member Garza had nothing to report.

Mayor Pro Tem Ontiveros said he supports the audit requested by the Citizen's Oversight Committee.

Council Member Martinez reminded the Council of the Blossom Festival this weekend and the Apache basketball team will be playing at the Selland Arena on Saturday. He said it was a very

tough vote tonight and he respects everyone's opinion. He said every Council Member is voting on what they think is best for the City.

Mayor Gonzalez asked if the audit will be placed on the agenda for the next meeting. He also said he would like to amend Measure S to include language that the COC reviews all expenditures before vote by the City Council.

City Manager Chapa said the audit item will most likely be on the next agenda.

Mayor Gonzalez asked how soon the marijuana would come back before the Council.

City Attorney Montoy said the ordinance is almost done and that it will go to the Planning Commission mid-March and back to the Council for introduction on April 6th then adoption at the following meeting.

I. ADJOURNMENT

Being no further business the Council adjourned their meeting at [8:30:37 PM](#).