

2014-15 Fresno County Grand Jury Report No. 2

Political Turmoil Threatens Sanger's Recovery

INTRODUCTION

As the nation struggled economically near the end of the 21st century's first decade, the City of Sanger was challenged not only by the impacts of unemployment, business shutdowns and the housing slowdown, but also by gang and drug issues, municipal layoffs and furloughs and by political discord.

Investigations by the Fresno County Grand Jury in 2008-09 and 2010-11 concluded that Sanger's governance was in such disarray that the city was in a precarious financial situation and City Council members were micromanaging municipal staff.

Since 2010, however, there has been a commendable and well-publicized economic turnaround in Sanger. New City Hall leadership has gotten Sanger's financial house in order and has collaborated effectively with City Council members to bring new business and housing to town. The roles of elected and nonelected officials have been clearly defined in new policies and procedures as recommended by the Grand Jury.

In 2010, Sanger voters approved Measure L, requiring that four council members be elected from geographic areas of the city and the mayor to be elected at large. All council members were chosen at large before Measure L's adoption.

Following the November 2014 election of a new council member, however, new concerns were raised in the community about political divisions and their impact on city progress. Citizens talked about – and media reported – alleged Ralph M. Brown Act violations, conflicts of interest on the City Council, incivility among council members, campaign law violations and suspicions by the past majority that a new council majority did not have Sanger's best interests at heart.

BACKGROUND

Sanger, founded in 1911, is a general law city in southeastern Fresno County with a population of 25,129, according to the California Department of Finance. Sanger is the fourth most-populous city in the county. The Fresno Council of Governments (COG) reports 80.5 percent of the residents are Latino, 14.6 percent white and 2.9 percent Asian-Pacific Islander.

COG estimates average household income in Sanger of \$40,761, compared to recent United States Census Bureau estimates of \$45,563 for Fresno County households, \$61,094 for all of California and \$53,046 for the nation. The federal estimate is that nearly 24 percent of residents and 30.8 percent of children live at an economic level below the poverty level.

The Sanger City Council consists of a mayor elected at large and four members, each elected from a district in which the council member resides. Each council member – including the mayor – has one vote. The mayor presides at council meetings and at ceremonial and community events in Sanger.

The mayor serves a two-year term and council members serve four years. Elections are staggered so two council members and the mayor are on the ballot in each election. Sanger does not have term limits.

On Nov. 4, 2014, the mayor and one incumbent council member were retained by voters and a new council member was elected. The new member gathered nearly 63 percent of the votes in his district, with a 28.6 percent voter turnout. In the other district, 37.5 percent of registered voters cast ballots and the incumbent polled more than 51 percent. The mayor ran unopposed with 31.5 percent of Sanger's 10,273 eligible voters participating.

Immediately after the election, conventional and social media based in Sanger reported about disharmony among City Council members because of a majority shift. The media reports and comments thereon said the City Council changes could threaten community progress.

Media accounts also referred to Grand Jury investigations in 2008-09 and 2010-11 into city leadership, conflicts of interest and how council members and the mayor are elected.

Those Grand Jury reports recommended changes, many of which were implemented by a new city manager and council. They also called attention to Sanger's code of ethics, aimed at preventing conflicts of interest and undue influence of elected officials upon city staffers, and at promoting transparency in governance.

Against this background, the 2014-15 Fresno County Grand Jury received complaints about a special City Council meeting Dec. 12, 2014, eight days after the new council's organization session Dec. 4. The special meeting was called on 24 hours' notice (the minimum required) to consider terminating employment of the city manager.

Using social media and personal contact, word of the meeting spread. More than 200 people gathered at City Hall, but there were so many people that the meeting was relocated from council chambers to the fire station. The City Council voted 4-0 to retain the city manager after hearing from several citizens, one of whom threatened to lead a recall of three council members.

After the meeting, media reports speculated that pre-meeting contact among council members violated the Brown Act, intended to protect the public's interest in government decision-making. Subsequent news and opinion articles also suggested the possibility of conflicts of interest and improper collaboration among three council members

Citizen complaints to the Grand Jury and witness testimony focused on those issues and on the impact of political turmoil on the City Council as well as fallout from an attempt to oust the city manager on city's efforts to further recover economically and thrive going forward.

Founded as a farming center that became a food processing town, Sanger today is trying to attract new businesses to replace those closed in the past decade or so.

Sanger suffered in the national housing crisis when a boom in single-family residential construction in the 1980s and '90s slowed to a trickle in the first decade of the 21st century. New builders have been recruited to provide more housing options for Sanger's residents, present and future.

That economic downturn also took a toll on businesses in Sanger, especially locally owned small enterprises in the downtown area. The Grand Jury was told that Sanger's unemployment rate, percentage of college graduates and median household income compared unfavorably to nearby communities, making it difficult to recruit new businesses. Political disharmony, said witnesses, erected an additional barrier to progress.

PURPOSE OF THE INVESTIGATION

The Grand Jury's primary responsibility is to review local government operations, management and fiduciary responsibility (e.g. Penal Code § 919, 925 et seq.) to ensure the public's business is being conducted properly.

Any impediments to the smooth functioning of local government, therefore, must be investigated so citizens have impartial information needed to make changes, should they deem change necessary. In short, the Grand Jury shines a light on governance, but the people decide whether to take action.

The Grand Jury also is a guardian of the Brown Act (Government Code § 54950-54963), which protects the public's right to know about how local governments conduct business. In this case, the Grand Jury was told that City Council members contacted each other prior to a public meeting to discuss issues of public business without notification and outside the public's presence

DISCUSSION

The Grand Jury's investigation included interviews with a citizen, a city official and City Council members, reviews of council agendas, meeting minutes and audio recordings of meetings. Grand Jury members observed City Council meetings, read printed and online news and opinion reports and social media posts, checked the city's website and visited Sanger to look at the community.

The Grand Jury concluded that even though there is ample evidence of good intentions for the City of Sanger, albeit from divergent perspectives, the current climate of Sanger governance is one of hostility, mistrust, secrecy and personal grievances that, left unresolved, could lead to municipal dysfunction.

In the course of its investigation, the Grand Jury heard accusations against elected officials, some from years past and already investigated, and some new allegations of wrongdoing. The Grand Jury was not presented sufficient evidence to support the many allegations, some of which have been or are being investigated by law enforcement and other agencies.

However, suspicion and mutual dislike among elected officials and their supporters fuel an atmosphere leading to citizens to mistrust government as an institution, creating an atmosphere unwelcoming to the economic drivers Sanger needs to continue its recovery.

PROGRESS BY EXAMPLE

The Grand Jury was told of many recent examples of progress made in community improvement resulting from city and private-sector initiatives and cooperation, including:

- Securing a builder to finish a housing development abandoned during the recession.
- Attracting the state headquarters for a major military veterans organization.
- Constructing two national-chain restaurants.
- Refurbishing of a national discount retailer's Sanger location.
- Contracting with an international company to reduce city energy costs through innovative strategies, including solar power.
- Helping increase employment through development and requiring contractors to hire locally.
- Finding a new supermarket tenant to replace one that left during the recession.
- Strategizing ways to take advantage of a new transportation connection to Kings Canyon and Sequoia National Parks.
- Planning to capitalize on improvements being made to State Route 180.

- Working with the highly regarded Sanger Unified School District, which has proven an attraction for new families and businesses.

But the Grand Jury was told repeatedly that openly hostile relations between City Council members, the mayor the city manager and other municipal leaders threaten Sanger's efforts to prosper in the future.

DEC. 12, 2014 COUNCIL MEETING

A special City Council meeting was scheduled for Friday, Dec. 12, 2014. The City Council's regular meeting schedule (requiring 72 hours' notice) is the first and third Thursdays of each month, but special meetings can be called with just 24 hours' notification.

This special meeting was called for eight days after a new council member was seated following the Nov. 4, 2014 municipal election.

There were three items on the Dec. 12 agenda: A discussion of complaints by residents of a housing development, "Public Forum" (when citizens may speak) and a closed session on "Public Employee Discipline/Dismissal/Release/Complaint" to consider the city manager's employment.

The Grand Jury heard testimony that the meeting was scheduled at the behest of a City Council member through the city attorney, who then notified council members by email (the standard method of notification). A public notice was posted, as is customary, in the City Clerk's Office, City Hall, at the Sanger branch of the Fresno County Public Library and on Sanger website <http://www.ci.sanger.ca.us/>.

Word of the meeting spread rapidly through social media and by citizens contacting one another by phone or in person, witnesses told the Grand Jury.

Media and Grand Jury witness accounts of the meeting agreed that more than 200 people arrived at City Hall for the meeting – so many it was re-located to the Sanger Fire Station nearby.

Most citizens in the audience spoke in favor of retaining the city manager. The council went into closed session with just four members, because the mayor declined to participate, saying he believed the special meeting violated the Brown Act. Upon return to general session, the council announced a 4-0 vote to retain the city manager.

Some audience members threatened City Council members with a recall election. Although no action on a recall appeared to have been taken as this investigation concluded, there were renewed cries for a recall in conventional and social media. Grand Jury witnesses said the mayor was one of those advocating for recall, which was confirmed by social media posts.

One council member testified that he consulted with another member after receiving the meeting notification. Another councilman said at the Dec. 12 meeting that he had contacted a council colleague prior to the meeting. One councilman declined comment and the mayor and another council member testified they had no pre-meeting contact with other council members.

Testimony to the Grand Jury did not confirm any Brown Act violation in pre-meeting contact among City Council members, nor was the Grand Jury informed of any formal complaint by citizens.

The Brown Act concern led the Grand Jury to inquire what training council members and the mayor receive about open-meeting regulations and about conflict-of-interest policies, procedures and statutes.

Sanger conducts regular training by counsel for new and continuing council members. Each elected official receives a handbook of city policies, protocols and relevant laws. Annual training is available for new and current council members. The council member elected on Nov. 4, 2014, received training before taking office at the council's Dec. 4, 2014 meeting.

Each new council member also is sent – at city expense – to a workshop in Sacramento at which the Brown Act, conflict-of-interest and other relevant laws are subjects of instruction. That session was conducted in January 2015 and the newest City Council member attended.

MEASURE S

Measure S, a ¼-cent tax on sales in Sanger, received more than 71 percent voter approval in 2008. It was initiated "to recruit/hire/train additional police officers, firefighters, paramedics and 9-1-1 emergency dispatch workers; purchase a fire engine, ambulance, and other emergency equipment; maintain special anti-gang/anti-drug police units; increase neighborhood patrols/police presence at schools."

The measure also established the Measure S Oversight Committee, which is appointed by the mayor from the citizenry at large with council approval, and requires annual independent audits and that "all funds [are] to be used for public safety purposes."

Shortly after his election and installation, the newest City Council member asked the city manager to place on the Measure S Oversight Committee's agenda a concept proposal for a gang- and drug-prevention program, put forward by a community group in which the councilman was involved.

The proposal was for a recreational program to be created in a vacant city building to be refurbished for the program. Implementation, the proposal concluded, would require \$430,000 from Measure S.

That request was denied by the city manager because protocol for consideration wasn't followed, witnesses told the Grand Jury. That message was conveyed to the council member, who expressed displeasure directly to the city manager and sent an email to City Council members explaining his perspective.

Some witnesses testified that this was an effort to use undue influence upon the committee, but others characterized it as a misunderstanding of the protocol for committee consideration of proposals.

The council member brought his proposal to the Measure S Committee several months later and it was rejected.

A QUESTION OF REPRESENTATION

Sanger appears still to be challenged by implementation of Measure L, approved by voters in 2010 to provide district representation on the City Council. Four council members are elected from districts and the mayor at-large. Previously, all five council members were elected at-large and then chose one of their number to be mayor.

In 2015, the Grand Jury was told the mayor presides over all City Council meetings and has one vote, just as the other members. The mayor also appoints city commission and committee members, confers with the city manager about the agenda (prepared by the manager), performs ceremonial duties outside council meetings, and frequently speaks to media about Sanger challenges and achievements.

Council members also testified that their ability to serve district constituents was hampered by a policy adopted after the 2010-11 Grand Jury investigation concluded that council members contacted city staffers personally. Under the new policy, council members must contact the city manager, who decides on the city's response.

That process makes it difficult for council members to effectively and quickly address constituent issues, said witnesses, who also complained that council members have no discretionary budget to provide help for constituents' pressing issues. The Grand Jury was told that district-only projects must face citywide competition for funds and scheduling. Some areas do not fare well, witnesses testified, because of personality conflicts.

In Grand Jury testimony, council members said they have little effective input on appointments, undermining Measure L's aim of providing more-equitable representation for all residents.

At a council meeting Feb. 19, 2015, attended by Grand Jury members, a proposal was introduced to have commission and committee appointments made by council members from their districts rather than by mayoral appointment at-large with council concurrence.

The member proposing this change was absent because of illness. None of the other council members made a courtesy motion to table until he could be present. The proposal generated public and council comments, some casting suspicion on motive for the proposal's introduction, before being defeated 4-0.

In Grand Jury testimony, council members were concerned that some districts have few – or even no – residents of their district serving on some committees and commissions. Other governing bodies in Fresno County allow more district input on appointments. However, those entities do not have the same structure or traditions as Sanger's council.

TAKING CREDIT

Citizens, one City Council member and city staff worked together to bring the American Legion California headquarters to Sanger and found a suitable vacant building near the distressed downtown area.

However, it wasn't until a public announcement of the relocation that the council member representing that district learned about it, according to testimony of Grand Jury witnesses.

Media accounts and comments at a subsequent City Council meeting indicated that the mayor and one council member involved in veterans organizations were involved in the recruitment effort. However, other councilmen were not, including the representative of the district where the headquarters would be situated, and testified they were excluded in part so they couldn't take credit.

It must be noted, that in events celebrating the relocation after the initial announcement, all Sanger council members were included in praise.

DOWNTOWN REDEVELOPMENT

Redeveloping Sanger's downtown business district is another issue putting the council majority at odds with other council members, the city manager and the Chamber of Commerce.

The council majority of council members opposes efforts to mount a new study to assess needs and suggest ways to make downtown more vibrant.

Most downtown businesses are small and locally operated, but many of the landlords are not Sanger residents. There are vacancies in downtown buildings as a result of the recent poor economy and also because some structures must be renovated to meet building and safety codes before they can be re-occupied.

Some owners believe refurbishment would be too costly to recoup the investment, the Grand Jury was told, and there is concern that higher rent for renovated space could price it out of the reach of small businesses.

Grand Jury witnesses said there have been several redevelopment plans, but none has come to fruition.

However, downtown redevelopment supporters believe there is a window of opportunity with anticipated increased tourism resulting from a new bus service to Kings Canyon and Sequoia National Parks. The hope expressed to the Grand Jury is that passengers will linger in Sanger before or after bus rides and businesses downtown could take advantage of their visits.

While business interests in Sanger want to redevelop downtown, some council members oppose because principal beneficiaries would be absentee landlords. Those opponents also question the need to pay for additional study because the city has plans that have not been implemented.

Another indication of an unwillingness to collaborate is council-majority action to overturn previous approval to create a sign directing travelers into Sanger from Highway 180 and Academy Avenue.

By not approving the proposed sign's design, said witnesses, a council majority placed its own agenda ahead of the collective good of the city, nullified a council action and the expense attached thereto, and created a precedent viewed as a threat to economic recovery.

HOSTILE ATMOSPHERE

Witnesses testified that a majority of City Council members have been part of an effort to discredit and replace the mayor and city manager.

The Grand Jury was told that council members trying to force change have made no effort to seek common ground, nor have those with whom they don't get along. Instead, both sides believe their ideas and questions are disrespected and disregarded, deepening the divide.

Grand Jury members who visited Sanger also heard from citizens about a negative climate of suspicion and incivility created by accusations raised publicly and privately that included Brown Act-violation allegations, abuse of influence, conflicts of interest and election misconduct.

Some result in formal complaints, but most do not. Some are investigated, even involving law-enforcement, the Fresno County District Attorney's Office and state agencies, but seldom has there been a conclusion that resulted in any penalty.

Multiple witnesses testified that some concerns shared with public agencies were not acknowledged and may not have been investigated, leaving complainants frustrated, more mistrustful of government and with grievances unaddressed.

One exception was a California Fair Political Practices Commission fine levied against a council member for election campaign violations. Witnesses said many past bones of contention are kept alive in today's community conversation because they were not resolved.

Citizens, media and witnesses said the Fresno County Grand Jury was the "only hope" to investigate the allegations, but when told that they should file formal complaints, none did so.

Accusations – some from years past – were repeated during interviews with the Grand Jury, and in media and also during a City Council meeting observed by Grand Jury members.

Included were concerns that some council members don't follow protocol in dealing with city staffers or when trying to bring proposals forward. Council members have close ties through family, friends or business that give the appearance of conflict of interest when voting on some city contracts or developments. However, accusations to the Grand Jury of wrongdoing were not supported by sufficient evidence.

It is more difficult for Sanger council members to avoid the appearance of conflict of interest simply because they are active community members. They are connected through business, family, friends, schools, churches, service organizations and other groups and individuals.

Sanger is far from unique in Fresno County in this regard.

The appearance of conflicts of interest in small communities, however, requires a higher level of vigilance by elected officials to ensure the public's trust. Sanger does its part by paying to educate all

elected officials about ethics, transparent governance and conflict-of-interest issues as recommended by a previous Grand Jury.

In Grand Jury testimony, council members expressed disrespect of other members, the mayor and City Hall personnel. Some of that hostility also is displayed in council meetings through remarks made about members in attendance or absent, or directed toward citizens addressing the council.

The Sanger city manager resigned in May 2015 to take a position in another San Joaquin Valley city at a lower salary, just five months after the special City Council meeting at which the new City Council voted 4-0 not to fire him. He told the Sanger Herald that the new City Council majority made it “more difficult to move programs forward. There's a difference in philosophy of how to incentivize the economy of this city.”

The cumulative effect of mistrust and hostility is governance that elevates pettiness, personal animosity and retaliation to such levels that some votes for or against proposals appear not to consider the community's best interests.

In addition, media coverage of the conflicts makes it relatively easy for outsiders to conclude that Sanger is a city in turmoil and, therefore, possibly not an attractive place for investment or to raise a family.

CITIZENS ARE THE KEY

A key element in meeting Sanger's challenges is citizen involvement, and it seems as if it doesn't take many citizens to have an impact. As one witness told the Grand Jury, “Give me 200 people and I can run this city.”

An example of citizen engagement happened when a special City Council meeting was convened Dec. 12, 2014 to consider discharging the city manager. More than 200 people, rallied together in just 24 hours, came out on a rainy Friday evening during the holiday season so their voices could be heard. They waited as the meeting was relocated, expressed themselves and then applauded when the City Council voted 4-0 to retain the city manager.

City Council members testified that the citizen input was pivotal in the decision.

There are reasons for the lack of citizen participation, the Grand Jury was told:

- Many residents live, but don't work, in Sanger, limiting time available for families, friends and activities.
- The Sanger Herald covers city government in depth, but other media outlets serving Sanger do not, limiting citizens' ready access to information.
- Sanger residents likely are no different from other Americans who, polls indicate, are dissatisfied with elected officials and suspicious of government in general.
- Recent media articles suggest that less attention is paid to local governance in public schools than to governance at the state and national levels.

In Sanger, as in other Fresno County communities, fewer people vote. The Fresno County Registrar of Voters, which conducts Sanger elections, has employed several strategies to increase electoral participation countywide through early-voting options, simplified registration and consolidating elections.

However, fewer than one in three registered voters participated in Sanger's Nov. 4 election. In one council district, just 28.6 percent of eligible voters exercised their franchise.

The Grand Jury was told that the Registrar of Voters will continue to explore and evaluate voting alternatives to encourage larger turnouts.

People who would like to participate in Sanger City Council meetings face additional challenges. Council agendas are cumbersome to navigate online. Council meeting minutes list only who spoke, not their topics or positions.

Notices/agendas of council meetings and meetings of Sanger's commissions and committees are posted online and supplied electronically to citizens who request them. The city keeps minutes of each City Council meeting as well as audio recordings. Minutes and recordings are archived on the city website.

The Grand Jury found one drawback to audio recordings: Navigation to the precise portion for review is difficult and some audio also was not clear because of simultaneous speakers.

Another possible issue discouraging citizen engagement came to light in Grand Jury testimony. Several witnesses testified that when they tried to redress grievances about Sanger governance with county and other agencies, they received no acknowledgement and/or never were informed of the outcome.

CONCLUSIONS

After carefully reviewing information obtained by the Grand Jury, observing the council in action and interviewing Sanger residents the Grand Jury concluded that the political divisions are deep and deeply personal.

The Grand Jury did not receive conclusive evidence to support allegations about improprieties, which have taken on a life of their own and added to mistrust and hostility between and among City Council members and City Hall leadership. However, the Grand Jury recognizes that its investigation was not focused on the details of some complaints, especially those that took place many years ago.

Had some allegations been dealt with by agencies to which they were reported, fact-based conclusions would have resulted and some old complaints would less likely be fodder for current divisive gossip.

Sanger's election-by-district setup does not have the support mechanism enjoyed elsewhere to allow City Council members to effectively and quickly deal with what constituents believe are pressing issues.

Training or some other catalyst is needed to bring together the divided leaders of Sanger and harness all the good intentions for the greatest good of the community and all its residents. Absent more harmony and collaboration, some residents and businesses could choose to relocate from Sanger and others be discouraged from coming to the community. Both would be unfortunate, especially following the amount of progress in a short period of time.

There is a reluctance to share decision making more broadly in setting city priorities. A minority of council members, a few city leaders and business-interest groups chart the course, but don't include a broad spectrum of interests, nor keep the entire council in the loop.

The result can be – and often is – reluctance by City Council members to go along with community-serving proposals. Delays or rejections hurt efforts to improve Sanger and lead to dysfunction that discourages progress.

Sanger already is dealing with fallout from the discord between the City Council majority and city staff. The city manager resigned, saying he was unable to find middle ground with the new council majority. It would seem only a matter of time before other city employees loyal to the city manager and some elected officials who have supported him will become similarly discouraged and leave.

The Fresno County District Attorney's Office offers citizens of Sanger and the rest of Fresno County a new opportunity to bring their concerns to its new Public Integrity Unit, helping address a concern of Grand Jury witnesses that their complaints were disregarded and not investigated. Investigations would provide facts that might quiet recycled suspicions.

Sanger can achieve harmonious governance, but citizens will have to demand and support it.

Media could play a role in any concerted positive effort to heal the divisions by encouraging respect for diverse views, promoting civic participation to bring fresh perspectives on city challenges and insisting that city leaders be models of civility, putting aside old personal and political differences and for the common good.

Until residents, through greater involvement, insist upon a civil, collaborative and comprehensive effort to harness all the good intentions of elected, city and community leaders, Sanger's dysfunctional decision making could exact a toll on advancing the broadest interests of all residents.

To secure the city's future, citizens must put aside what divides the community and develop the kind of broad-based collaboration that will ensure all Sanger residents share more than just a ZIP code.

FINDINGS

F101: The citizens of Sanger rarely make their voices heard in city governance, but when they did Dec. 12, 2014, they proved they could influence council majority decisions – in this case, not to dismiss the city manager. More citizen involvement will be necessary to heal divisions and hold elected officials and City Hall leaders accountable for taking actions that benefit all Sanger residents.

F102: Municipal priorities are established by a small group of citizens, council members and city leaders, which discourages broader input that reflects specific concerns, and also contributes to an atmosphere of suspicion that leads to dysfunctional decision making in the implementation process.

F103: Disconnection and disharmony between the City Council and its members and City Hall already has caused potential employers to express reservations about doing business or undertaking development projects in Sanger, despite an available work force and a well-regarded school district.

F104: Political turmoil in Sanger, reported upon by conventional and social media, could discourage people from moving to the community or could encourage residents to move away.

F105: Although witnesses said that there have been City Council retreats in the past to encourage collaboration, none has been proposed recently to help Sanger's elected leadership and key city staff members work in more-constructive collaboration.

F106: Measure L's intention to promote more-equal representation for all residents throughout Sanger suffers because council members don't have a greater say in challenges facing their district constituents, as is the case in other governing bodies within Fresno County.

F107: Because of traditions in effect since before election by districts began, the mayor has retained appointment powers, ceremonial duties and agenda-setting responsibilities that other council members don't have.

F108: The improvement of Sanger is the desire of all those interviewed by the Grand Jury, but there are differences in how varied perspectives should be addressed and whether what's good in one area of Sanger meshes with an overarching need in another part.

F109: It was not possible to conclude that there were Brown Act violations by the City Council in advance of the Dec. 12 special meeting, nor to support other allegations of serial meetings. However, vigilance by the citizenry will be necessary to be certain the public is properly included in City Council discussion and decisions. Sufficient training and resource materials are provided to help all elected officials understand Brown Act requirements.

F110: Citizens with concerns about Sanger governance found little satisfaction when they expressed them to government agencies and law enforcement, adding to their frustration and mistrust of government and elected officials. The Fresno County Grand Jury's complaint system and the recently established Fresno County District Attorney's Office Public Integrity Unit are available to investigate citizen concerns about local governance.

F111: City Council minutes don't provide sufficient detail about citizen comments, but overall online delivery of agendas, meeting notices and other relevant information is good.

F112: The Measure S ¾-cent sales tax to pay for improved public safety and emergency services has accomplished much of what was intended, although gang and drug activity continue to be challenges. However, Measure S sunsets after the 2017-18 fiscal year and questions need to be answered now about whether to ask voters to extend it and to be ready should such an extension not occur.

F113: There is a lack of economic activity in downtown Sanger, where vacant spaces increase in buildings whose landlords are not Sanger residents and may be reluctant to make the investment necessary to allow occupancy.

F114: Threats of a recall election surfaced during the Dec. 12, 2014 meeting and were reiterated as the Grand Jury investigation concluded.

F115: The resignation of the city manager is a serious indication of the disconnection between the elected City Council majority and city government leaders, which could result in more defections to less-hostile organizations.

RECOMMENDATIONS

R101: The City Council, mayor and city manager should make citizen involvement in Sanger governance a top priority, exploring innovative ways to engage all residents and help cultivate a sense of civic responsibility to face challenges together. One goal could be creating a culture of citizen engagement and helping sustain it through collaborations with various interest groups as outlined in Recommendation 105. **(F101, F102, F103, F106, F108, F115)**

R102: The council should consider at least one meeting each year in each of the four districts to encourage citizen involvement throughout the community and give all citizens a better understanding of issues of importance in the various City Council districts. **(F101, F102, F105, F106, F107, F108)**

R103: The city should work with conventional and social media to survey residents about their priorities for progress. Widely publicizing the results would serve as an initial step toward Recommendation 105, encourage citizen engagement and inform all citizens about what's important to others in the community. **(F101, F102, F106, F108, F112)**

R104: After surveying residents, the City Council, mayor, city manager and stakeholders in education, business, service, seniors, youth, veterans, faith, nonprofit and other communities should establish a mechanism for regular and public collaboration on setting priorities for Sanger. The broad-based approach should help heal political divisions and provide insights into the broadest range of concerns throughout the community. **(F101, F102, F103, F106, F108, F111, F115)**

R105: All stakeholders must ensure that initiatives are rooted in community priorities established through the survey and collaboration process and that everyone is kept in the information and progress loop. **(F101, F102, F103, F104, F108)**

R106: The City Council, mayor and city manager should plan a retreat or workshop – as has occurred in the past – to help heal political and personal differences that threaten Sanger's recovery from economic challenges of the recent recession. **(F101, F103, F104, F105, F115)**

R107: The City Council should consider a way to broaden the appointment process for city commissions and committees so all parts of the city and varied perspectives are represented. **(F101, F102, F106, F107)**

R108: There should be greater inclusion of council members in ceremonial and other community-affirming events, especially those occurring in a member's district, so constituents can become more familiar with their representatives and council members have more contact with citizens. **(F102, F106)**

R109: City Council members elected from the four districts should each have a small fund in the city budget that would allow the members to address quickly some issues of constituents. **(F102, F106)**

R110: The Measure S Oversight Committee should continue to operate free of influence by any elected officials, but it should be subject to Recommendation 107, to ensure inclusion of all parts of the community in decision making. **(F101, F102, F108, F112)**

R111: The future of Sanger's downtown should be the subject of thorough public discussion, with input from throughout the community. Topics for consideration would include developing a new plan or using one already available to upgrade downtown as a commerce center, find alternatives to capitalize on anticipated tourism increases; and repurposing the area to some community-desired uses. **(F101, F102, F108, F113)**

R112: The Sanger City Council must strive harder to avoid the appearance of Brown Act violations and conflicts of interest by putting into practice lessons learned in the city's multiple training opportunities. **(F101, F109)**

R113: A City Council recall election should be avoided because such elections are costly, deepen divisions rather than repair them, may discourage citizen participation in government and take time. A more professional, civil tone set by council members, perhaps reinforced through positive media coverage, would help citizens understand there are more productive ways to resolve differences for the common good. **(F101, F114, F115)**

R114: The City of Sanger should make available on its website or other communications channels information about contacts for citizens with concerns and complaints about city operations and the City Council. The city must first, however, ensure that those contacts are willing to engage with citizens on their issues. **(F101, F110, F114)**

R115: Citizens of Sanger can present their concerns about government and elected officials to the new Public Integrity Unit of the Fresno County District Attorney's Office or to the Fresno County Grand Jury. **(F101, F110, F114)**

R116: The Fresno County Grand Jury should better publicize its complaint process to encourage more participation by citizens who have concerns about local governance. **(F101, F110)**

R117: The Sanger City Council should insist that minutes of its meetings include more detail about citizen input and that the minutes are approved at the next regular council meeting. **(F101, F111)**

REQUEST FOR RESPONSES

Pursuant to Penal Code 933(c) and 933.05, the Fresno County Grand Jury requests responses to each of the specific findings and recommendations. Responses are required within 60 days of the receipt of this report for those involving elected officials and 90 days for those not involving elected officials.

RESPONDENTS

Sanger City Council – Findings 101-109 and 111-115 and Recommendations 101-113 and 116.

City Manager, Sanger – Findings 101-106, 108, 110 and 112-113 and Recommendations 101, 103-106, 109-111 and 114

Lisa Sondergaard Smittcamp, Fresno County District Attorney – Finding 110 and Recommendations 114-116

SOURCES AND REFERENCES

2008-2009 and 2011-2012 Fresno County Grand Jury investigation reports and responses

Interviews with Sanger City Council members, the Sanger mayor, Sanger city manager and a citizen

Observation of a Sanger City Council meeting by grand Jurors

Tour of Sanger by grand jurors

Review of audio tapes, agendas and minutes of Sanger City Council meetings

News articles, opinion pieces and letters to the editor of Sanger Herald and The Fresno Bee

Online articles, opinion pieces, posts and comments from the Sanger Herald, Fresno Bee, Facebook (citizens and elected officials)