



MINUTES OF A REGULAR MEETING OF
THE SANGER CITY COUNCIL

February 4, 2016
6:00 P.M.
Council Chamber
1700 7th Street
Sanger, CA 93657

A. CALL TO ORDER

The meeting was called to order at [6:02:35 PM](#).

B. OPENING CEREMONIES

The invocation was offered by Pastor Chuck Antaramian.

The flag salute was led by Council Member Tony Pacheco.

Roll Call

Present: Mayor Pro Tem Raul Cantu, Council Member Eli Ontiveros, Council Member Tony Pacheco, Council Member Humberto Garza

Absent: None

C. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

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

AYES: CANTU, ONTIVEROS, PACHECO, GARZA

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

D. CEREMONIAL MATTERS

The Council recognized Fire Explorer/VROP student DJ Bustamante for his assistance during a residential fire and for his commitment to learning about the career of a professional firefighter.

E. WORKSHOP/PRESENTATION

Planner Keith Woodcock, Police Chief Silver Rodriguez and Fire Chief Greg Tarascou conducted a presentation on medical marijuana regulation.

Michael S. Green, President of the Fresno Cannabis Association, conducted a presentation on the challenges and opportunities of the Medical Marijuana Regulation and Safety Act (MMRSA).

Public comment:

Osvaldo Vera commented that the people do not want drugs in Sanger.

Kathryn Pacheco, District 3, asked for clarification on whether the Council would be setting parameters and rules and regulations. City Attorney Scott Cross responded that the discussion is just a workshop requiring no vote but that the Council should address and provide direction regarding cultivation, dispensaries and deliveries of medical marijuana based on the new state legislation and that since the Governor has eliminated the March 1 deadline, the Council has time to decide what they would like to do. Ms. Pacheco suggested that studies be conducted and that contact be made with other states that have allowed use to determine any impacts on the communities in those states.

Bob Lynch stated that if the Council chooses to allow cultivation the ordinance should be very strict about how close it can be to a school because it will attract children and that it should be made almost humanly impossible to get a permit.

Donna Bailey commented that she definitely supports a ban on marijuana and drugs and that even though the deadline is gone she thinks the Council should go forward and decide what Sanger wants to do.

Doris Knowlton commented that it has been really tough listening to all the discussion. She stated that though many may discount the federal government, currently marijuana is an illegal drug and that until the federal government decides to allow it she thinks the City should stay out of it. She suggested that the City try to wait and not jump on the bandwagon.

Henry Provost commented that the best thing the Council can do is not do anything because it's already banned and already illegal. He suggested that the Council wait until November and see what happens.

Council comments:

Council Member Ontiveros commented that he agrees with Ms. Knowlton and Mr. Provost that it is banned now and the City should not to anything.

Council Member Garza stated that he personally was interested in a workshop because he knows very little of this. He said that he wanted to know more about it because he has a friend who is a cancer patient and gets bad headaches after treatment and marijuana helps him so there is some purpose to it. He further stated that his sense of urgency was alleviated because the March 1 deadline is gone. He said the Planning Commission looked at it and they determined that they don't want this here and the City Council should respect the Commission's recommendations.

Council Member Pacheco commented that he does not want to shut the door on this and that he does not necessarily approve of it but wants to be more educated about it. He stated that if the State passes marijuana in November and the City waits until then to do anything then the City will be behind. He said the Council needs to put an ordinance in place to protect the City. He stated that he understands there are people out there who need it and that he wants to do the right thing because it will be a big decision for the City. He said he needs more discussion because he is not for or against it.

Mayor Pro Tem Cantu commented that he respects all the comments and opinions and that he expressed his opinion at the last meeting. He indicated that his decision would be a total ban and that he wants it on the record that he will not change his mind.

After further discussion, the Council provided direction that Staff bring the item back within three months on whether the Council wants to regulate it and if so what the alternatives are on how to regulate and that Staff provide information about timing and cost of placing the item on the ballot.

F. PUBLIC FORUM

Fred Heisman commented that he was shocked with the comment made at the last meeting during the Chamber's quarterly report that they are waiting on the hotel so they can get part of the sales tax. He said that he has been asking when the Chamber will be self-sufficient and that his recommendation is to take the money the City is giving to the Chamber and hire someone to do events. He said the City should make them accountable and make them pay rent and that if they want tax dollars they should earn it.

Jerry Valadez of SAM Academy announced the first annual Sanger Youth Art Fest will be held on February 27, 2016 between 10 a.m. and 5 p.m.

Kathryn Pacheco commented that she hopes the Council will require the Chamber to give a better prepared and more detailed report in the future.

Kevin Carter commented that people are always beating up on the Chamber of Commerce and that in his opinion the City is getting their money's worth. He said the day will never come when the Chamber will be self-sufficient and that the City should make a decision on whether or not they want a Chamber of Commerce.

Oswaldo Vera announced that he will be playing Tejano music for the Senior Center members at 10 a.m. on Thursday, February 11th and invited the Council to attend.

G. CONSENT CALENDAR

The Council by motion of Council Member Pacheco approved the following items on the Consent Calendar:

1. SUBJECT: APPROVED - Minutes of the joint meeting of the City Council and the Successor Agency to the Sanger Redevelopment Agency held on January 21, 2016.
2. SUBJECT: REVIEWED – Warrants including Check Nos. 68915 through 69068.
3. SUBJECT: APPROVED – ORDINANCE NO. 1166-Urban Stormwater Quality Management Ordinance.
The City Council adopted Ordinance No. 1166 adding Article V to Chapter 82 of the Sanger Municipal Code.
4. SUBJECT: APPROVED - Cancellation of March 3, 2016 City Council meeting due to a lack of quorum.

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

AYES: CANTU, ONTIVEROS, PACHECO, GARZA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

H. PUBLIC HEARING

1. SUBJECT: Ordinance related to Emergency Shelters.

The City Council conducted a Public Hearing to discuss emergency shelters. No public comment was offered. The Council closed the Public Hearing.

The City Council by motion of Council Member Garza introduced Ordinance No. 1167 amending Section 90-23 of Chapter 90 of the Sanger Municipal Code to add a Definition for Emergency Shelters, amending Section 90-772 of Chapter 90 to add Subsection (25) Emergency Shelters, and adding Section 90-898 related to Emergency Shelter Regulations. The motion was seconded by Council Member Ontiveros and approved by the following vote:

AYES: CANTU, ONTIVEROS, PACHECO, GARZA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

2. SUBJECT: Ordinance related to Mural Permits.

The City Council conducted a Public Hearing to discuss Mural Permits.

Public comment:

Jerry Valadez of SAM Academy thanked Keith for pursuing implementation of the process. He indicated that last year SAM Academy organized high school kids to do a mural and requested a waiver of fee so they fully experienced the process of going before the Planning Commission and Council and was encouraged that the process will become simpler. He asked that the City be careful in the wording about how non-profit agencies will be treated.

Linda Yost asked that the Council take a good look at the process because the Blossom Days and Big Trees Transit starting with the return of tourist season and the use of murals is an easy and inexpensive way to beautify the town and encourage local talent and artists. She said that towns use murals to tell the town story or historical interests. She said she thinks the simpler process will be a real benefit to the City. She recommended taking a trip to Exeter to see their set of murals that emphasize the qualities of their town.

Doris Knowlton commented that she loves SAM Academy and their mural. She suggested having the process include review by the Downtown Association since they are also trying to beautify downtown. She suggested that there should be no cost to non-profit agencies and the SAM Academy.

The Council closed the Public Hearing.

The City Council by motion of Council Member Ontiveros introduced Ordinance No. 1168 proposing to amend Sanger Municipal Code Section 90-891(9) establishing a Mural Permit; and amending the City's Commercial Districts (C-P, C-1, C-2, C-3, C-4, C-M), Industrial Districts (M-L, M-H); and Public/Quasi-Public District (RSC) to allow Murals subject to the approval of a Mural Permit. The motion was seconded by Council Member Garza and approved by the following vote:

AYES: CANTU, ONTIVEROS, PACHECO, GARZA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

3. SUBJECT: Ordinance related to Supportive Housing and Transitional Housing.

The Council conducted a Public Hearing to discuss supporting housing and transitional housing. No public comment was offered. The Council closed the Public Hearing.

The City Council by motion of Council Member Pacheco introduced Ordinance No. 1169 amending Section 90-53 of Chapter 90 of the Sanger Municipal Code to add a Definition for Supportive Housing, amending Section 90-54 of Chapter 90 to add Definitions for Target Population and Transitional Housing, and amending Sections 90-182 (Residential Agriculture), 90-222 (R-1-10 Single Family Residential 10,000 Square Foot Minimum Lot Size), 90-262 (R-1-7.5 Single Family Residential 7,500 Square Foot Minimum Lot Size), and 90-202 (R-1-6 Single

Family Residential 6,000 Square Foot Minimum Lot Size), to allow Supportive and Transitional Housing as Allowed Residential Uses. The motion was seconded by Council Member Garza and approved by the following vote:

AYES: CANTU, ONTIVEROS, PACHECO, GARZA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

I. DEPARTMENT REPORTS

1. SUBJECT: INFO ITEM - Update on Raised Pedestrian Crossing on Faller Avenue near JFK Park.

City Engineer Josh Rogers provided an update to the Council regarding the project to design and construct a raised pedestrian crossing on Faller Avenue near JFK Park.

Public comment:

Oswaldo Vera asked if any local contractors were informed of the project. City Engineer Rogers indicated that the request for bids was advertised.

Doris Knowlton asked what is a raised crossing and was informed that a raised crosswalk is similar to a speed bump.

2. SUBJECT: APPROVED - RESOLUTION NO. 4599 - Budget Amendment and Purchase of Computers from Bizco Technologies.

The City Council by motion of Council Member Ontiveros approved Resolution No. 4599 approving a 2015-16 FY Budget Amendment for the purchase of four new computers and necessary accessories and approved the purchase of the computers and necessary accessories from Bizco Technologies in the amount of \$20,000 using Measure S funds. The motion was seconded by Council Member Pacheco and approved by the following vote:

AYES: CANTU, ONTIVEROS, PACHECO, GARZA
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

J. CITY MANAGER/STAFF COMMUNICATION

City Manager Tim Chapa reported that he has been meeting with staff one-on-one and in groups regarding a number of issues and thanked them for their efforts in bringing him up to speed. He indicated that a critical issue that has come out is that Staff needs to present the Council with the audited financial statements for the fiscal year 14/15 CAFR at the February 18th meeting but will need to provide more information and any implications and suggested a workshop be held on

February 17th at 4 p.m. He indicated that the auditors will make the presentation both at the workshop and at the Council meeting for consideration for approval. He said Staff will get confirmation from the Council that the date and time will work then will schedule the workshop. He announced that because of the importance of presenting the CAFR, the Strategic Plan community workshop report has been moved to the March 17th Council meeting and will be followed by coordination of the goal-setting session with the Council.

K. MATTERS INITIATED BY CITY COUNCIL MEMBERS

Council Member Ontiveros reported that the ICSC event in Los Angeles went very well and that a lot of retailers and big chains are interested in Sanger. He commented that the hotel they stayed in was in a very rough neighborhood and asked that Staff consider location of hotels when making reservations in the future.

Council Member Garza asked what THC is that was referenced during the presentation on medical marijuana. Fire Chief Greg Tarascou responded that it is delta-nine tetrahydrocannabinol and it is the chemical component that produces the “high” effect that people get from smoking marijuana. He said that research has discovered it can reduce nausea and increase appetite for cancer patients and reduce violent seizure activity in pediatrics.

Council Member Pacheco said he dovetails what Council Member Ontiveros said. He commended Dan Spears for a good job in setting up the table at the ICSC event. He said that all three Council Members who attended the event visited with everyone and were kind of aggressive. He said it was a good learning experience and he has received contact from one vendor dealing with a business in Fresno who wants to find out about a street sweeper. He said it was a good seminar and was grateful for the opportunity to attend.

Mayor Pro Tem Cantu commented that while at the ICSC event, contact was made with representatives from Dunkin Donuts, Home Depot, Big 5 and a few others that were interested in Sanger. He said that Sanger was the only community in attendance that is located outside of the LA area and they were impressed that Sanger was there. He commented that it is important that the Council continue to attend these events and that another event is coming up in Monterey in March. He asked City Manager Chapa if Staff can look into that and budget it. He announced the Fresno County Blossom Trail Reception will be held tomorrow at 10 a.m. in Reedley. He suggested that Planning Commissioners be allowed the opportunity to participate in training courses and asked that 3 or 4 Planning Commissioners have not attended the Planning Institute. He asked for a consensus from the Council that 2 Commissioners attend.

Planner Woodcock reported that \$3,000 was in the budget and that 3 Commissioners are interested in attending. He said the cost is about \$1500 per person but some Commissioners said they would stay with relatives in an effort to lower the cost so that 3 Commissioners could attend.

City Manager Chapa indicated that Staff can look at the budget and see if there are travel dollars and bring it back to Council at the February 18th meeting.

Mayor Pro Tem Cantu said there have been concerns about the parking at 7th and P Street at the American Legion building because it is difficult to see oncoming traffic. City Engineer Rogers indicated that he would look into it.

L. ADJOURNMENT

Being no further business the Council adjourned their meeting at [8:35:01 PM](#).