



## MINUTES OF A REGULAR MEETING OF THE SANGER CITY COUNCIL

April 20, 2017  
6:00 P.M.  
Council Chamber  
1700 7<sup>th</sup> Street  
Sanger, CA 93657

### A. CALL TO ORDER

The Council called their meeting to order at [6:03:30 PM](#).

### B. OPENING CEREMONIES

The invocation was offered by Pastor Gilbert Carrisalez.

The flag salute was led by Mayor Frank Gonzalez.

#### Roll Call

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

Absent: Council Member Melissa Hurtado

### C. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

The Council by motion of Mayor Pro Tem Ontiveros deleted Item H-1 and approved the agenda as amended. 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

Shelly Dickinson said requesting copy of a military ID is prohibited by law.

Fred Heisman said the City should provide a banner to Shelly Dickinson. He asked for a status on the SR 180 monument sign and progress on negotiations with the California TrusFrame.

Oswaldo Vera asked why his calls are not being answered by council members.

E. CONSENT CALENDAR

The Council by motion of Mayor Pro Tem Ontiveros removed Items E-1, E-4 and E-5 and approved the following items on the Consent Calendar:

2. SUBJECT: REVIEWED - Warrants including Check Nos. 72461 through 72576.
3. SUBJECT: APPROVED - Payroll including Direct Deposit Nos. 40628 through 40846; Payroll Check Nos. 55937 through 55969; and Benefit Check Nos. 1258 through 1265.
6. SUBJECT: APPROVED - Bethel and Church Avenue Traffic Signals.  
The City Council: 1) awarded the contract for the Bethel and Church Avenue Traffic Signal to Cable Links Construction, 5940 E. Shields Avenue, Suite 202, Fresno, CA 93727, in the amount of \$264,075.16; 2) approved a construction contingency for change orders in the amount of \$26,407 (10%) for this project; and 3) authorized the City Manager to execute contract documents on behalf of the City.
7. SUBJECT: APPROVED - Participation in San Joaquin Green: Colleges and Parks.  
The City Council retroactively authorized the City Manager to sign the MOU and any related documents with Tree Fresno to participate in the San Joaquin Green: College and Parks project.
8. SUBJECT: APPROVED – RESOLUTION NO. 2017-1-7 - WaterSMART Grant.  
The City Council adopted Resolution No. 2017-17 approving the Grant Application with the U.S. Department of Interior, Bureau of Reclamation and authorized the City Manager to execute the application documents.
9. SUBJECT: APPROVED – RESOLUTION NO. 2017-18 - Urban Greening Grant.  
The City Council adopted Resolution No. 2017-18 approving the Grant Application with the State of California Natural Resources Agency for the Urban Greening Grant and authorized the City Manager to execute the application documents.

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

1. SUBJECT: APPROVED WITH CORRECTION - Minutes of the Special Meeting held on March 16, 2017 and the Special and Regular Meetings held on April 6, 2017.

The Council by motion of Council Member Martinez approved the Minutes as corrected. The motion was seconded by Mayor Pro Tem Ontiveros and approved by the following vote:

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

4. SUBJECT: APPROVED – ORDINANCE NO. 2017-01 - Marijuana Regulations Ordinance.

Public comment:

Henry Provost suggested the Council consider the ordinance in two separate categories: recreational and medical.

Oswaldo Vera provided comment opposed to allowing both medical and recreational marijuana in the City.

Jeff Crow suggested the Council table adoption of the Ordinance to review the language related to possession.

Donna Bailey provided comment opposed to allowing marijuana be sold in the City.

Nicholas Eugene (last name unknown) provided comment in support of allowing medical marijuana.

Gilbert Carrisalez provided comment opposed to allowing marijuana in the City.

Geoff Lickey encouraged the Council to adopt the Ordinance.

Shelly Dickinson provided comment about how medical marijuana may have helped an ill relative.

Doris Knowlton suggested that marijuana has never been tested as a pharmaceutical.

Logan (last name unknown) provided comment related to the addiction potential of marijuana compared to alcohol and other drugs.

Jeff Crow provided comment in support of medical marijuana.

Osvaldo Vera provided comment opposed to marijuana.

Pastor Gilbert Carrisalez provided comment opposed to marijuana.

An unidentified woman provided comment in support of medical marijuana.

Henry Provost suggested the Council conduct a workshop regarding marijuana.

Dick Sheppard, Sanger resident, said pharmaceutical companies have produced a marijuana pill and that it is very expensive.

Victor Ruiz asked for clarification regarding the Ordinance preventing medical dispensaries but allowing personal use of marijuana.

City Attorney Hilda Cantú Montoy said the Ordinance does not focus on dispensaries. It prohibits commercial activity, including recreational and medical and allows cultivation and personal use as authorized by state law.

Efren Rubio suggested a community workshop be held.

Hector Sandoval suggested the Council make a decision that benefits the greater good.

The City Council by motion of Mayor Pro Tem Ontiveros adopted Ordinance No. 2017-01 adding Section 90-94 to Chapter 90, Article II, of the Sanger City Code Relating to Marijuana Regulations in all Zoning Districts and Adding Article XXVII to Chapter 90 of the Sanger City Code Relating to Regulation of Medical and Recreational Marijuana within the City of Sanger. The motion as seconded by Council Member Garza and approved by the following vote:

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

5. SUBJECT: APPROVED – ORDINANCE NO. 2017-02 - Ordinance Relating to Powers and Duties of Measure S Citizens Oversight Committee.

After further discussion, the City Council by motion of Mayor Pro Tem Ontiveros adopted Ordinance No. 2017-02 Amending Section 66-218 of Article VI of Chapter 66 of the Sanger City Code Relating to Powers and Duties of the Citizens Oversight Committee. 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

F. DEPARTMENT REPORTS

1. SUBJECT: APPROVED - Purchase of a new Leader Ambulance, Gurney and Related Equipment.

Public comment:

Fred Heisman asked about the timeframe for the purchase of the new ambulance.

The City Council by motion of Mayor Pro Tem Ontiveros approved the budget amendment for the purchase of a new ambulance from Leader Industries and the purchase of a patient gurney from Stryker Medical in the amount not to exceed \$279,250 and authorized the City Manager to execute the contract documents on behalf of the City. 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

2. SUBJECT: APPROVED - Application to Fresno LAFCo for Extension of Services.

The City Council by motion of Mayor Pro Tem Ontiveros adopted Resolution No. 2017-19 authorizing submittal of an application to Fresno LAFCo for an extension of services to property located at the southwest corner of Academy Avenue and Highway 180. 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

3. SUBJECT: APPROVED – RESOLUTION NO. 2017-21 - Sanger Landscaping and Lighting Maintenance District No. 1.

The City Council by motion of Mayor Pro Tem Ontiveros approved Resolution No. 2017-20 accepting the Engineer's Report; approved Resolution No. 2017-21 to levy and collect assessments for the maintenance within the Sanger Landscaping and Lighting Maintenance District No. 1; and set a public hearing for June 1, 2017. 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

4. SUBJECT: APPROVED – RESOLUTION NO. 2017-22 - Sanger Landscaping and Lighting Maintenance District No. 2.

The City Council by motion of Mayor Pro Tem Ontiveros approved Resolution No. 2017-22 accepting the Engineer's Report; approved Resolution No. 2017-23 to levy and collect assessments for the maintenance within the Sanger Landscaping and Lighting Maintenance District No. 2; and set a public hearing for June 1, 2017. 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. CITY MANAGER/STAFF COMMUNICATION

City Engineer Josh Rogers provided an update on capital projects currently under construction.

Public Works Director John Mulligan provided information related to the remodel of the bathroom at Sanger Park.

City Manager Tim Chapa updated the Council regarding his submittal to the FPPC.

H. MATTERS INITIATED BY CITY COUNCIL MEMBERS

1. DELETED - Council's direction regarding Council Member Hurtado's request to consider approval of a resolution in support of SB687 at a future regular meeting.

Council Member Garza asked that the Council consider placing an item on the agenda related to medical marijuana dispensaries.

Mayor Pro Tem Ontiveros thanked Staff for their work on the crosswalk at Bethel and Cherry Avenues; said he is looking forward to the Community Workshops; commended City Manager Chapa on his due diligence regarding his follow up with the FPPC.

Council Member Martinez asked for an update on the Indianola Avenue project.

City Engineer Rogers said testing results indicate that it is not recommended to begin paving due to the recent weather conditions and it is anticipated that paving will begin in another week or week and a half.

Mayor Gonzalez asked that the Council consider placing an item on the agenda regarding the Sanger Chamber of Commerce contract.

I. ADJOURNMENT

Being no further business the Council adjourned their meeting at [7:31:25 PM](#).