

**PRESENT:** Councilmembers Mendoza, Lopez & Martinez

**OTHERS:** Lara, Marquez, Waters, Diaz & Zacarias

**ABSENT:** Ortiz & G. Gonzalez Jr.

**FLAG SALUTE**

**PUBLIC COMMENT** – None

**IV. CONSENT CALENDAR –ACTION AND INFORMATION ITEMS**

Request Approval of the Consent Calendar Action Items (IV. A-F)

- A. Action: Approval of Minutes of the regular meeting held on July 24, 2017
- B. Action: Approval of Warrants
- C. Action: Adoption of Resolution: Authorize Staff to Purchase the Property with APN No. 061-200-041
- D. Action: Adoption of Resolution: Continuation of the Proclamation of the Existence of a Local Drought Emergency for the City of Woodlake
- E. Action: Adoption of Resolution: Reaffirm the Approval of Emergency Expenditures for the Development and Implementation of the City of Woodlake Well Project
- F. Action: Deny Claim for Damages from Adonis Serna dated July 24, 2017

Mayor Mendoza asked to pull Item's IV D & E because they need an 4/5's vote for approval.

**ON A MOTION BY MARTINEZ, SECOND BY LOPEZ, IT WAS VOTED TO APPROVE THE CONSENT CALENDAR, EXCLUDING D & E. APPROVED UNANIMOUSLY.**

**V. ACTION/DISCUSSION ITEMS**

- A. Action: Adoption of Resolution: Receive Public Comments, Waive 2nd Reading, Adopt Ordinances Removing, Amending or Adding Chapter 5.48 Cannabis Businesses, Chapter 8.50 Medical Marijuana, 8.51 Mobile Marijuana Dispensaries, Chapter 17.22.03 Neighborhood Commercial Conditional Uses, Chapter 17.24.03 Central Commercial Conditional Uses, 17.24.04 Central Commercial Prohibited Uses, and Chapter 17.32.04 Light Industrial Conditional Uses of the Woodlake Municipal Code  
City Employee Waters reported the City is introducing the following ordinances:  
**Chapter 5.48 Cannabis Businesses** - The provisions of this ordinance will repeal **Chapter 8.50 Medical Marijuana** and **8.51 Mobile Marijuana Dispensaries** and create new guidelines for cannabis operations and sales within the City of Woodlake. The ordinance also establishes a process by which entities can apply for cannabis licenses within the City of Woodlake.  
**Chapter 17.22.03 Neighborhood Commercial Conditional Uses** - The provisions of this ordinance are intended to add "Cannabis Dispensary" as a conditional use within the Neighborhood Commercial zone.  
**Chapter 17.24.03 Central Commercial Conditional Uses** - The provisions of this ordinance are intended to add "Cannabis Dispensary" as a conditional use within the Central Commercial zone.  
**Chapter 17.24.04 Central Commercial Prohibited Uses** - The provisions of this ordinance are intended to remove "Marijuana Dispensaries" as a prohibited use within the Central Commercial zone.

**Chapter 17.32.04 Light Industrial Conditional Uses** - The provisions of this ordinance are intended to add “Commercial Cannabis Businesses” as a conditional use within the Light Industrial zone.

The purpose of this public hearing is to give citizens an opportunity to make their comments known regarding the proposed amendments and/or additions to the ordinances listed above. The City of Woodlake Planning Commission has reviewed the proposed amendments and has recommended approval. The first reading for the proposed ordinances took place at the July 24<sup>th</sup> City Council meeting. City staff recommends that City Council Receive Public Comments, Waive 2nd Reading, Adopt Ordinances Removing, Amending or Adding Chapter 5.48 Cannabis Businesses, Chapter 8.50 Medical Marijuana, 8.51 Mobile Marijuana Dispensaries, Chapter 17.22.03 Neighborhood Commercial Conditional Uses, Chapter 17.24.03 Central Commercial Conditional Uses, 17.24.04 Central Commercial Prohibited Uses, and Chapter 17.32.04 Light Industrial Conditional Uses of the Woodlake Municipal Code.

**PUBLIC COMMENT OPEN 6:42 PM**

Steve Riggs, 669 Cypress, Woodlake – Mr. Riggs stated he will be applying to have a cultivation shop in Woodlake.

**PUBLIC COMMENT CLOSED 6:45 PM**

**ON A MOTION BY MARTINEZ, SECOND BY LOPEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND ADOPT ORDINANCES AS ADDED OR AMENDED. APPROVED UNANIMOUSLY.**

- B. Action: Adoption of Resolution: Receive Public Comments, Waive 2nd Reading, and Adopt Ordinances Amending Chapter 13.12 Water Conservation Regulations, Chapter 6.08 Animals Generally, and Chapter 6.12 Supplemental Dog Control Regulations of the Woodlake Municipal Code

**PUBLIC HEARING**

City Employee Waters reported the City is undergoing a review of local ordinances to see if there is need for revisions and reported the following:

**Chapter 13.12 Water Conservation Regulations** – The City of Woodlake is proposing to update the allowed outdoor irrigation of vegetation time for Water Conservation Stage 3 and for Water Conservation Stage 4.

**Chapter 6.08 Animals Generally** – The City of Woodlake is proposing to update the allowed number animals requiring twenty-five feet minimum distance from other dwellings.

**Chapter 6.12 Supplemental Dog Control Regulations** – The City of Woodlake is proposing to update the supplemental dog control regulations for owner responsibility to limit dogs per dwelling.

At the July 10<sup>th</sup> City Council meeting, two public comments addressed the outdoor irrigation of vegetation times for Stage 3 and Stage 4 water conservation stages. The current allowed watering time between 8pm and 6am was a burden to the residents which expressed their challenges during the public comment. Upon reviewing other city’s allowed watering times for water conservation stages, allowing from 6pm to 8am is being presented as a potential amendment to the water conservation ordinance. The Animals Generally 6.08 currently allows for up to twenty-four (24) chicken, ducks, geese, turkeys, rabbits, pigeons, or other fowls if these animals are maintained on a premise. With the number of chickens specifically which are running at large on public property and unmaintained on private property, there could be benefit in reducing the number count of these animals allowed on a city residence. The Supplemental Dog Control Regulations 6.12 does not currently have a limit on number of dogs allowed per residence. Cities like Exeter and Visalia, among many others in the state, allow for up to four (4) dogs total per residence. With the number of strays in the City, and with

the poor maintenance and care of homes with an excess of dogs, being able to limit the number legally allowed per residence can help alleviate the stray dog issue and help promote better living conditions for dogs overall. The purpose of this public hearing is to give citizens an opportunity to make their comments known regarding the proposed amendments and/or additions to the ordinances listed above. The first reading for the proposed ordinances took place at the July 24<sup>th</sup> City Council meeting. City staff recommends that City Council Receive Public Comments, Waive 2nd Reading, and Adopt Ordinances Amending Chapter 13.12 Water Conservation Regulations, Chapter 6.08 Animals Generally, and Chapter 6.12 Supplemental Dog Control Regulations of the Woodlake Municipal Code.

**PUBLIC HEARING OPENED: 6:47 PM**

Steve Riggs, 669 Cypress, Woodlake – Mr. Riggs was happy to see these amendments because he has had to deal with neighbors with roosters.

**PUBLIC HEARING CLOSED: 6:49 PM**

**ON A MOTION BY LOPEZ, SECOND BY MARTINEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND ADOPT THE AMENDED ORDINANCES. APPROVED UNANIMOUSLY.**

- C. Action: Adoption of Resolution: Accept the Request for the Termination of the Agreement Between Woodlake Pride and the City of Woodlake

City Administrator Lara reported the following: since 2001 Woodlake Pride and the City of Woodlake have had an agreement in place that allows Woodlake Pride to run the Woodlake Botanical Garden on City of Woodlake and Wutchumna Water Company property. The garden has become a great attraction and an asset to the City of Woodlake, its residents and the surrounding communities. On July 13, 2017, the Woodlake Pride Board of Directors voted unanimously to terminate the agreement between Woodlake Pride and the City of Woodlake. Correspondence regarding that decision is attached as Attachment No. 1. In Attachment No.1, Woodlake Pride staff writes that they have begun the process of cleaning up the site and will be transferring maintenance of the garden back over to the City. To honor the request made by Woodlake Pride the City has begun the process of preparing to take over maintenance of the garden with City staff. The City understands that the garden is an asset to the residents of Woodlake and will make sure to maintain the garden so that it may be enjoyed for years to come. The City will also work with those that wish to continue working at the garden and volunteering their time and resources.

**ON A MOTION BY MARTINEZ, SECOND BY LOPEZ IT WAS VOTED TO ADOPT THE RESOLUTION ACCEPT THE REQUEST FOR TERMINATION OF THE AGREEMENT. APPROVED UNANIMOUSLY.**

- D. Action: Adoption of Resolution: Approve the Agreement Between the Wutchumna Water Company and the City of Woodlake for the Discharge of City Storm Water
- City Administrator Lara reported the following: the Wutchumna Water Company's Bravo Lake-Wutchumna Ditch system has assisted the City in disposing of storm waters and other miscellaneous occurring surface waters from within its boundaries as set forth in the City of Woodlake Storm Drain System Master Plan. The Wutchumna Water Company and City of Woodlake's agreement that allows the discharge of storm waters into the Wutchumna Water Company's system has expired. The two entities have been working for months on a mutually beneficial agreement that will allow the continued use of Wutchumna's system by the City. The agreement would expire February 28, 2021 but could continue in five year intervals if both entities mutually agreed to do so. The agreement is attached for review. Staff recommends that Council approve the agreement between the Wutchumna Water Company and the City of Woodlake for the continued discharging of City storm water into Wutchumna's system.

**ON A MOTION BY LOPEZ, SECOND BY MARTINEZ, IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE AGREEMENT BETWEEN WUTCHUMNA WATER COMPANY AND THE CITY OF WOODLAKE. APPROVED UNANIMOUSLY.**

- E. Action: Adoption of Resolution: Approve the Agreements Between the City of Woodlake and Wutchumna Water Company and Sentinel Butte Mutual Water Company to Include Wutchumna and Sentinel Butte Properties Within the Greater Kaweah GSA

City Employee Waters reported the following: the Sustainable Groundwater Management Act requires all local agencies to be part of a Groundwater Sustainability Agency. As part of the GSA process the City needed to establish our service area to include within the Greater Kaweah GSA. The City requested to include the entirety of the City's service area with the GSA boundaries. Initially, Wutchumna Water Company investigated the possibility of including Bravo Lake, which is within City Limits, to be included in the East Kaweah GSA. Sentinel Butte Water Company also investigated the possibility of having their property including in the East Kaweah GSA. The City's position has been to keep the entirety of the City and its service areas within the jurisdiction of the Greater Kaweah GSA. The attached resolution would approve an agreement with Wutchumna Water Company and Sentinel Butte Mutual Water Company that would require the inclusion of Bravo Lake and properties owned by Wutchumna Water Company that are within City Limits to be included within the Greater Kaweah GSA. The agreement also commits the City to work with Wutchumna and Sentinel Butte as GSA regulations are being established. Staff recommends that the City Council approve the agreements between the City of Woodlake and Wutchumna Water Company and Sentinel Butte Mutual Water Company

**ON A MOTON BY MARTINEZ, SECOND BY LOPEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE AGREEMENTS. APPROVED UNANIMOUSLY.**

## VI. OTHER BUSINESS

- A. Information: Items from Staff

City Administrator Lara – Reported a contractor had been selected for the community center but the decision was challenged and was being reviewed by the city attorney.

Chief Marquez – Reported the first day of school is August 22<sup>nd</sup> and officers will be out on traffic safety and notices will be posted to social media.

- B. Information: Items from Council

Mayor Mendoza – Reported a Thank You card was sent to the city to thank everyone for the beautiful Botanical Gardens.

- C. Request from Council Members for Future Agenda Items

## VII. CLOSED SESSION

1. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:

Conference with legal counsel – **EXISTING LITIGATION** (Government Code § 54956.9(d)(1)).

☒ Parties, case/claim no. City of Woodlake v. Garibay, Tulare County Case No. VCU263067

☐ Case name unspecified because of jeopardy to settlement negotiations or service of process.

2. **PENDING LITIGATION** (Government Code § 54956.9). It is the intention of this governing body to meet in closed-session concerning:

Conference with legal counsel – **EXISTING LITIGATION** (Government Code § 54956.9(d)(1)).

☒ Parties, case/claim no. City of Woodlake v. Woodlake Public Cemetery District, Tulare County Case No. VCU 267523

☐ Case name unspecified because of jeopardy to settlement negotiations or service of process.

City Administrator Lara reported there was nothing to discuss in Closed Session.

## NOTICE TO THE PUBLIC

As provided in the Ralph M. Brown Act, Government Code sections 54950 et seq., the Governing Board may meet in closed session with members of its staff and its attorneys. These sessions are not open to the public and may not be attended by members of the public. The matters the Council will meet on in closed session are identified below or are those matters appropriately identified in open session as requiring immediate attention and arising after the posting of the agenda. Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1 “Documents: If distributed to the Council less than 72 hours before a regular meeting, any public records which are subject to public inspection and pertain to an open-session item on the regular meeting agenda shall be available at the following address at the time they are distributed to a majority of the Council: 350 North Valencia Boulevard, Woodlake, California 93286. Public records distributed to the Council at a public meeting will be available to the public at such meeting if they were prepared by the City. Exemptions and details in Government Code § 54957.5 (a) shall apply.”

## VIII. ADJOURN

The next scheduled City Council meeting will be held on Monday, August 28, 2017 at 6:30 p.m. at City Council Chambers located at 350 North Valencia Boulevard, Woodlake, CA 93286.

City Council:

Rudy Mendoza - Mayor

Frances Ortiz - Vice Mayor

Louie Lopez - Councilmember

Greg Gonzalez Jr. - Councilmember

Jose L. Martinez - Councilmember

Meeting adjourned at 6:56 PM

Submitted by,

Irene Zacarias  
City Clerk