

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

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

**ABSENT:** 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 November 13, 2017
- B. Action: Approval of Warrant
- C. Action: Adoption of Resolution: Continuation of the Proclamation of the Existence of a Local Drought Emergency for the City of Woodlake
- D. Action: Adoption of Resolution: Reaffirm the Approval of Emergency Expenditures for the Development and Implementation of the City of Woodlake Well Project
- E. Action: Proclamation Recognizing January 21-27, 2018 as School Choice Week
- F. Action: Adoption of Resolution: Canvassing Results of the Special Election Held in the City of Woodlake on November 7, 2017 and Certifying and Declaring the Results Thereof

**ON A MOTION BY ORTIZ, SECOND BY LOPEZ, IT WAS VOTED TO APPROVE THE CONSENT CALENDAR. APPROVED UNANIMOUSLY.**

**V. ACTION/DISCUSSION ITEMS**

- A. Action: Adoption of Resolution: Receive Public Comments, Waive 2<sup>nd</sup> Reading, and adopt amendments to Chapter 5.48 Cannabis Operations and Chapter 17.28.04 Service Commercial Conditional Uses

**PUBLIC HEARING**

City Employee Waters reported the following: the City is introducing amendments to the following ordinances:

Chapter 5.48 Cannabis Operations – Add Service Commercial (CS) to 5.48.040 Cannabis Dispensaries Permitted Uses and Zoning and allow for cannabis Testing, Distribution, and Transportation to occur in Service Commercial Zones in 5.48.020 Cannabis Production Permitted Uses and Zoning.

Chapter 17.28.04 Service Commercial Conditional Uses – Add cannabis dispensaries, cannabis distribution and cannabis testing facilities to the allowed conditional uses.

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 is proposing to allow for cannabis dispensaries, distribution and testing within Service Commercial Zones.

**PUBLIC HEARING OPENED: 6:33 PM**

**PUBLIC HEARING CLOSED: 6:33 PM**

Vice-Mayor Ortiz asked if this ordinance was an amendment to allow cannabis businesses in the downtown area. City Administrator Lara stated no, downtown is

zoned neighborhood and central commercial which was amended and approved at a previous meeting.

**ON A MOTION BY MARTINEZ, SECOND BY LOPEZ, IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS, WAIVE 2<sup>ND</sup> READING AND ADOPT AMENDMENTS TO CHAPTER 5.48 AND CHAPTER 17.28.04. MOTION APPROVED 3 TO 1, VICE-MAYOR ORTIZ VOTED NO.**

- B. Action: Adoption of Resolution: Issue a Regulatory Permit to Green Bean Pharm and CCW LLC to Conduct Retail Cannabis Operations Within the City of Woodlake

**PUBLIC HEARING**

City Employee Waters reported the following: the City of Woodlake issued a request for proposals for cannabis retailers (dispensaries) within Woodlake city limits. City regulations allow for two dispensaries within the city. The application was placed on the City's website and posted in the City Hall lobby. The City received dozens of inquiries and requests to operate a dispensary within the city limits. Ultimately, the City received two qualified, completed applicants for dispensaries within the city. The two applicants were Green Bean Pharm and CCW LLC. Mayor Mendoza asked if there were specific requirements to obtain a conditional use permit. City Employee Waters stated yes, there is an extensive review process that each applicant must undergo. If anyone is interested in reviewing the process they may call City Hall and ask city staff for a copy of the application packet.

**PUBLIC HEARING OPENED 6:50 PM**

Johnathan Dennis, 783 N. Acacia, Woodlake – Mr. Dennis asked council to keep the cannabis business away from the Presbyterian church. He stated he does not believe it is a good idea because they hold youth services, AA and NA meetings there and does not want that type of business so close. Also, this area of town is very dark and there is no sidewalk and this would be a dangerous and unsafe location.

Michael Dunnaway, 808 S. Church, Visalia – Mr. Dunnaway is part owner of the cannabis dispensary and stated there will be major improvements to ensure a safe location. He stated lighting, sidewalks and paving will be put in to provide a safe environment. Also, Green Bean Pharm understands the importance of investing in the community and working with community leaders and organizations in various programs.

Capi Sullinger, 21485 Main Dr., Woodlake – Miss Sullinger stated she is a member of the Presbyterian Church and does not want to see the cannabis dispensary so close to their church. She gave a letter to council regarding cannabis dispensary statistics in other states. Anyone may request a copy from City Hall.

**PUBLIC HEARING CLOSED 6:57 PM**

**ON A MOTION BY MARTINEZ, SECOND BY LOPEZ, IT WAS VOTED TO ADOPT THE RESOLUTION AND ISSUE A REGULATORY PERMIT TO GREEN BEAN PHARMA AND CCW LLC TO CONDUCT RETAIL CANNABIS OPERATIONS WITHIN THE CITY OF WOODLAKE. APPROVED UNANIMOUSLY.**

- C. Action: Adoption of Resolution: Authorize the City Administrator to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transaction and Use Tax and Authorize the Examination of Transactions (Sales) and Use Taxes

City Administrator Lara reported the following: at the July 24, 2017 City Council meeting, after multiple public hearings and public outreach, Council voted unanimously to put a 1 percent sales tax measure on the November 7, 2017 ballot. If the measure, known as Measure R passes, the revenues will be used to improve quality of life; parks and recreation programs; neighborhood police patrols; gang prevention programs; street maintenance; lighting, landscaping, and trails; and other essential services. The tax will undergo independent audits and have a citizens' oversight committee. Council's goal is to improve parks and recreation and public safety with the tax revenue increase.

The election for Measure R (1% sales tax measure) was held on November 7, 2017. The measure passed with approximately 64% of the vote. The City will enter into two agreements with the California Department of Tax and Fee Administration for the preparation and administration of the tax. Council will also authorize the City Administrator to execute all necessary agreements, forms, or documents necessary for the execution of Measure R.

**ON A MOTION BY LOPEZ, SECOND BY MARTIENZ, IT WAS VOTED TO ADOPT THE RESOLUTION AND AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AN FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTION AND USE TAX AND AUTHORIZE EXAMINATION OF TRANSACTIONS AND USE TAXES. APPROVED UNANIMOUSLY.**

- D. Action: Adoption of Resolution: Approve the Partial Improvements for the Valencia Heights Subdivision

City Administrator Lara reported the following: contractors for Self-Help Enterprises have spent the last year installing the infrastructure improvements listed above. City staff has reviewed the improvements and created a punch list for items that will need to be repaired or altered. Overall, the contractors did quality work and City staff is satisfied with the infrastructure improvements that were completed. Before the City accepts all the improvements Caltrans will have to accept those improvements on Caltrans right-of-way, the punch list created by City staff will need to be completed and trees on Valencia Blvd. will need to be relocated. Mayor Mendoza asked when the work on the shoulder on east Valencia will be completed. A Self-Help representative, Francisco stated within the next 2-3 weeks.

**ON A MOTION BY LOPEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE PARTIAL IMPROVEMENTS FOR THE VALENCIA HEIGHTS SUBDIVISION. APPROVED UNANIMOUSLY.**

- E. Action: Adoption of Resolution: Authorize the City Manager to Sign a Financial Assistance Application for a Financing Agreement from the State Water Resources Control Board for the Planning, Design and Construction of the Woodlake Sewer Improvements Project

City Employee Waters reported the following: the State Water Resources Control Board has funding available for small cities to repair wastewater facilities. The City would like to submit an application for \$5,500,000 in grant funding to repair city sewer lines.

**ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND AUTHORIZE THE CITY MANAGER TO SIGN A FINANCIAL ASSISTANCE APPLICATION FOR A FINANCING AGREEMENT FROM THE STATE WATER RESOURCES CONTROL BOARD. APPROVED UNANIMOUSLY.**

## VI. OTHER BUSINESS

### A. Information: Items from Staff

City Employee Waters – Reported the 4<sup>th</sup> Annual Christmas parade is Saturday, December 9<sup>th</sup> at 7pm. Pictures can be taken with Santa before the parade from 4 pm to 7 pm at the Woodlake Plaza and every child will get a gift.

City Administrator Lara – Reported construction continues to move forward for the community center. Mayor Mendoza asked if the street in front of the museum will be repaired soon. City Administrator Lara stated funding is not available at this time for that project but they will review again when funding is available.

Chief Marquez – Reported the senior dinner hosted by the Woodlake Lions is scheduled for Thursday, December 7<sup>th</sup> at 5:30 pm. Event will be held at the Woodlake Memorial. Also, there were about 20 vehicles vandalized during the weekend. No arrests have been made.

### B. Information: Items from Council

Councilmember Martinez – Reported the annual Thanksgiving lunch in the park was a success.

Mayor Mendoza – Stated he would like to discuss the sidewalk replacement program at the next scheduled council meeting and would also like for Chief Marquez to provide a report of police activities for calendar year 2017.

### 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.

**MEETING MOVED TO CLOSED SESSION AT 7:20 PM**

**MEETING RECONVENED AT 7:40 PM**

Mayor Mendoza reported no action was taken and there was nothing to report

## 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, December 11, 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 7:47 PM

Submitted by,

Irene Zacarias

City Clerk