

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

OTHERS: Lara, Waters, Marquez, Zamora, Zacarias & Student Representative Frausto

ABSENT:

FLAG SALUTE

PUBLIC COMMENT

Lucky Oldfield, 35802 Road 180, Woodlake – Mr. Oldfield reported Mr. George Benson gave free rides to 13 Veterans on Monday, November 13th. He plans to offer this service to Veterans ever year for Veterans Day. Mr. Oldfield also reported the following events; starting January 26th and occurring every 4th Saturday of every month will be Open Hangar Day, from 9 am until noon, for more information call 804-0946. April 20th at 8 am is the 3rd annual Flyin Art Show, for more information call 303-3099. May 4th from 8 am until 2 pm is the Young Eagles Flights, for more information call 804-0946. October 5th from 8 am until 2 pm is the 2nd annual Food for Flight, for more information call 804-0946. November 11th will be the 2nd annual Veterans Day Flights, for more information call 303-3099.

IV. CONSENT CALENDAR –ACTION AND INFORMATION ITEMS

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

- A. Action: Approval of Minutes of the regular meeting held on October 22, 2018
- B. Action: Approval of Warrants
- C. Action: Adoption of Resolution: Approval of the October 2018 Monthly Report of Investments
- D. Action: Adoption of Resolution: Approval of the City of Woodlake’s Fiscal Year 2018/2019 Budget Amendment No. 2
- E. Action: Deny Claim for Damages from Charles Alcorn Filed on October 10, 2018

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

V. ACTION/DISCUSSION ITEMS

- A. Action: Adoption of Resolution: Approval of Mitigated Negative Declaration for the Uncle Green Development – **PUBLIC HEARING**
Community Services Director Waters reported the following: the Project Applicant intends to operate a 116,250 square foot cannabis facility on APN 059-090-002 on the southeast corner of Avenue 344 and Road 196. The Project will be constructed in two phases. Phase 1 includes improving the existing facility to accommodate its new use and Phase 2 includes constructing the additional 44,000 square feet of cultivation space adjacent to the north side of the facility.

The project at full build-out will employ 10-15 full time staff, and will operate from 8am to 5pm, up to seven days a week. One delivery truck per day is anticipated at full Project buildout. The facility’s electrical needs will be serviced by existing Southern California Edison connections that have been assessed as sufficient for full operation of indoor/mixed light cannabis cultivation.

The Project’s water needs will be serviced by an existing on-site well and will eventually connect to the City’s water system for fire suppression. Waste water for operational use (effluent water not recycled in cultivation and washing

process) will be serviced by the existing on-site storm basin. All other waste water, including sewer use, will be serviced by the existing on-site septic system and eventually connect to City sewer. The project has an on-site concrete water storage container that could serve as a Fire Department Connection for fire suppression. Additional water storage tanks may be added to supplement any discrepancy in updated Fire Code standards for fire suppression. Another option is to use City water for fire suppression when the site is eventually connected to the City's water system.

The applicant will be responsible for the following improvements:

- Installation of curb, gutter, street lights and 6' sidewalk along the facility on Avenue 344 and Road 196.
- Installation of a new 30-foot drive approach with security gate on Road 196.
- Installation of curb, gutter, 6' sidewalks, street lights, and a partial asphalt road on West Bravo.
- Installing a second drive approach on West Bravo Avenue, along the south side of the facility.
- Installation of a landscape screen along the frontage of the facility on Avenue 344.
- Installation of perimeter security, including lighting, fencing and an alarm system, in accordance with Chapter 5.48 of the Woodlake Municipal Code.

To accommodate this Project, a Conditional Use Permit to operate under a Cannabis Business License is required by the City of Woodlake. The complete Project description, location and the potential environmental effects are contained in the Mitigated Negative Declaration (MND). The MND has concluded that no significant environmental impacts will occur as a result of the Project.

Mayor Mendoza opened the meeting for public comments.

PUBLIC COMMENT OPENED 6:40 PM

PUBLIC COMMENT CLOSED 6:40 PM

Councilmember Ortiz asked if testing has been done to ensure land is suitable for building. Community Services Director Waters stated proper environmental testing was done and all results were ok.

ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE MITIGATED NEGATIVE DECLARATION FOR THE UNCLE GREEN DEVELOPMENT. APPROVED UNANIMOUSLY.

- B. Action: Adoption of Resolution: Receive Comments on Proposed Regulatory and Conditional Use Permits 18-001, 18-002 and 18-003, Uncle Green

PUBLIC HEARING

Community Services Director Waters reported the following: The applicant is proposing to operate a cannabis business within the City of Woodlake. All cannabis businesses require a conditional use permit from the City. The Conditional Use Permit authorizes the cannabis business to operate on a specific property. The applicant is proposing to use an existing industrial site for a cannabis cultivation, distribution and manufacturing business. The site is located at 34368 Rd 196, Woodlake, CA.

The applicant is requesting a conditional use permit and regulatory permit for the following cannabis businesses:

1. Cannabis Cultivation
2. Cannabis Distribution
3. Cannabis Manufacturing

Cannabis businesses within the City of Woodlake require a Conditional Use Permit, Certificate of Occupancy, Business License, and a Regulatory Permit before beginning operations.

As part of the Conditional Use Permit, the City is requesting that the business comply with the following conditions:

1. Meet all City development and State Building Code requirements prior to beginning operations.
2. Meet all State requirements, laws, and regulations for cannabis businesses in the State of California.
3. Meet all City requirements, laws, and regulations found in the City's Municipal Code, including Section 5.48, which regulates cannabis businesses.
4. Pay all fees and taxes imposed by the City of Woodlake.
5. Failure to comply with any City or State regulations will be considered a violation of the Conditional Use Permit and Regulatory Permit and result in the revocation of the Regulatory Permit.

PUBLIC COMMENT OPENED: 6:45 PM

Lupe Perez, 314 Holly, Woodlake – Mr. Perez asked if Woodlake residents would receive priority in the hiring process for employment. City Administrator Lara stated City cannot ensure priority but will work with employer to assist with job opportunity outreach.

PUBLIC COMMENT CLOSED: 6:47 PM

Mayor Mendoza stated although public comment was closed at tonight's meeting, City staff will continue to take comments until the City Council approves or denies the Conditional Use Permit and Regulatory permit.

ON A MOTION BY ORTIZ, SECOND BY LOPEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE COMMENTS ON CONDITIONAL USE PERMITS 18-001, 18-002 AND 18-003, UNCLE GREEN. APPROVED UNANIMOUSLY.

- C. Information: Proposition 218 Process Presentation
Community Services Director Waters presented a PowerPoint on the Prop. 218 process. See attached.
- D. Action: Adoption of Resolution: Receive Public Comments, Waive 1st Reading, and Set 2nd Reading Date of Ordinances Amending and/or Adding Chapter 8.16.130 Organic Waste Recycling, Chapter 8.16.080 Refuse Rates, Chapter 8.16.100 Senior Lifeline Program, and Chapter 8.16.110 Violations, Citations and Penalties to the Woodlake Municipal Code.
Community Services Director reported the following: mandated by Assembly Bill 1826 commencing on April 1, 2016 requiring businesses to generate a specified amount of organic waste per week for green recycling.

CHAPTER 8.16.130 – ORGANIC WASTE RECYLCING

The City of Woodlake is proposing to provide an organic waste recycling program for reducing the amount of waste sent to landfills and to comply with state mandates relating to organic waste.

The City of Woodlake is undergoing a review of local City Ordinances to see if there is a need to revise ordinances.

CHAPTER 8.16.080 – REFUSE RATES

The City of Woodlake is proposing to amend refuse rates based on the city refuse contractor rates and by city council resolutions.

CHAPTER 8.16.100 – SENIOR LIFELINE PROGRAM

The City of Woodlake is proposing to amend to the Senior Lifeline Program rates based on the city refuse contractor rates and by city application process.

CHAPTER 8.16.110 – VIOLATIONS, CITATIONS AND PENALTIES

The City of Woodlake is proposing to amend violations subject to administrative fines and penalties per Woodlake Municipal Code.

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 to Chapter 8.16.130 Organic Green Waste, Chapter 8.16.080 Refuse Rates, Chapter 8.16.100 Senior Lifeline Program, and Chapter 8.16.110 Violations, Citations and Penalties. City Staff will also recommend waiving the first reading of the ordinance and setting the date of a second reading and public hearing to December 10, 2018.

ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS, WAIVE 1ST READING AND SET 2ND READING DATE OF ORDINANCES AMENDING AND OR ADDING CHAPTER 8.16.130 ORGANIC WASTE RECYCLING, CHAPTER 8.16.080 REFUSE RATES, CHAPTER 8.16.100 SENIOR LIFELINE PROGRAM, AND CHAPTER 8.16.110 VIOLATIONS, CITATIONS AND PENALTIES TO THE WOODLAKE MUNICIPAL CODE. APPROVED UNANIMOUSLY.

- E. Action: Adoption of Resolution: Initiate the Formation of the Valencia Heights Subdivision Landscape and Lighting Assessment District 18-01
City Administrator Lara reported the following: an application was submitted for the formation of the Valencia Heights Subdivision Landscape and Lighting Assessment District 18-01 by the Developer Self Help Enterprises. The subdivision will consist of seventy residential units and four lots that have been dedicated to the City. The four lots consist of a park, a storm water basin and two landscaping strips that will be maintained by the City. All properties comprising the Valencia Heights Subdivision Landscape and Lighting Assessment District 18-01 have been entered the District by the Developer of the Tract as per the ‘Conditions of Approval’ for recordation of those Tracts, and per the Landscape and Lighting Act of 1972. The seventy properties comprising the Subdivision have all been found to benefit from landscaping, street lighting, park space and therefore are to be assessed for their proportionate share of the costs incurred by those benefits. Staff recommends that the City Council initiate the formation of the Valencia Heights Subdivision Landscape and Lighting Assessment District 18-01. The formation will allow the City to recover the revenues necessary to maintain the District.

ON A MOTION BY ORTIZ, SECOND BY LOPEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE INITIATION OF THE FORMATION OF THE VALENCIA HEIGHTS SUBDIVISION LANDSCAPE AND LIGHTING. APPROVED UNANIMOUSLY.

- F. Action: Adoption of Resolution: Approval of the City Engineer’s Report for the Valencia Heights Subdivision Landscape and Lighting Assessment District and Set November 26, 2018, for a Public Hearing to Set the Rates for the District
City Administrator Lara reported the following: As part of the Landscape and Lighting Act of 1972, Council sets a public hearing date for those wishing to comment on any of the individual assessment districts in the City of Woodlake. This date will be set as November 26, 2018 for the new Valencia Heights Subdivision Landscape and Lighting Assessment District. All assessment district property owners have been notified of the public hearing date and location. Prior to any action by the City Council, the City Engineer develops an engineer’s report that breaks down the costs necessary to maintain each assessment district. The individual engineer’s reports, for the assessment district, breaks down the costs necessary to maintain the district. The assessment allows for maintenance of grounds and lights plus incidental costs

such as administration and engineering. The District will be maintained by City staff. At the November 26, 2018 City Council meeting, a public hearing will be held for all property owners of the assessment districts wishing to comment on their district.

ON A MOTION BY ORTIZ, SECOND BY GONZALEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE CITY ENGINEER'S REPORT FOR THE VALENCIA HEIGHTS SUBDIVISION LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT. APPROVED UNANIMOUSLY.

VI. OTHER BUSINESS

A. Information: Items from Staff

City Attorney Zamora – Reported he will be taking some time off in May to welcome his new baby twins to the family.

City Administrator Lara – Reported the South Valencia project is moving along and is looking great. The Magnolia project is pouring concrete and will continue if weather permits. The new baseball/softball fields should start moving dirt as early as next week. The Castle Rock Estates should start in a couple of weeks.

Community Services Director Waters – Reported the new Cricket store should be open for business this week.

Student Representative Daniela Frausto – Reported ASVAB testing for Juniors will be November 14th. Boys Basketball game is November 14th and Girls is November 15th. The Football Semi-finals game is Friday against Shafter, please come and support our boys.

B. Information: Items from Council

Councilmember Martinez – Reported the Persall's annual Free Thanksgiving lunch will be held again at Miller Brown Park on November 22nd from 10 am to noon. Last year about 350 people received a free meal and this year they hope to feed just as much or more. Donations of either monetary or food are always welcome. They will also be collecting coats and blankets. Councilmember Martinez asked if the City has regulations regarding councilmember absences. City Attorney Zamora stated staff may place this item on the agenda for the next scheduled council meeting. Staff may incorporate a city ordinance or enforce the government code regarding council meetings. Mayor Mendoza asked staff to place this item on the agenda for the next scheduled council meeting.

Councilmember Lopez – Reported the annual Christmas Parade is December 8th. Santa's Workshop will be at the Woodlake Plaza from 4 pm to 6 pm. Every child 10 yrs. and younger will receive a free toy and a photo with Santa. The Christmas Parade will start at 7 pm. Last year we had over 60 entries and this year we would like to see more. Chief Marquez reminded everyone that no child (10 yrs. and younger) is turned away for a free toy. Toys for Toys has a different program for families where they need to be referred, to receive a free gift. Santa's Workshop allows for all kids (10 yrs. and younger) to receive a free gift. All ages are welcome to receive a free photo with Santa.

Mayor Mendoza – Reported an EDC meeting had been held last Thursday and many topics were discussed. He also asked the community to help educate each other and encourage each other to attend and participate in community events.

C. Request from Council Members for Future Agenda Items

VII. CLOSED SESSION

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR(S)** (Government Code § 54956.8). It is the intent of this governing body to meet in closed-session to confer with its real property negotiator concerning the purchase, sale, exchange, or lease of real property by or for this local agency as follows:

Property Description (Specify street address, or if no street address, the parcel number or other unique reference): APN# 060-170-071
Our Negotiator: City Administrator, Ramon Lara
Parties with whom negotiating: _____
Instructions to negotiator concerning: Price Terms of payment.

MEETING MOVED TO CLOSED SESSION AT 7:38 PM
MEETING RECONVENED AT 7:45 PM

Mayor Mendoza there was no action 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, November 26, 2018 at 6:30 p.m. at City Council Chambers located at 145 N. Magnolia, 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 7:45 PM

Submitted by,

Irene Zacarias
City Clerk

PROP 218

CITY REFUSE SERVICES

What is Proposition 218?

Article XIII D, Section 6(a) outlines the process for imposing a new property-related fee or increasing the rate of an existing property-related fee.

In order to increase an existing fee, the City must complete three formally required components: (i) notice, (ii) hearing and (iii) protest.

Property owners are noticed of the fee increase, are given the opportunity to voice their concerns at a public meeting and have the ability to “protest” the fee increase.

Notice and Hearing

The City has completed the noticing process and has mailed notices with the proposed fee increases to all owners that receive refuse service.

City Council is responsible for setting a date for a public hearing and date where the Council will take action on the increase.

Purpose for Increase

The reason for the fee increase for refuse service is related to the City's contract with Mid-Valley, the City's refuse hauler.

Our contract stipulates that Mid-Valley has the right to increase fees based on that year's Consumer Price Index (CPI). CPI measures the increase in the cost of goods over a set period of time.

Essentially, CPI measures how much more expensive things get each year and Mid-Valley increases their fees because it also becomes more expensive for them to provide refuse services.

Proposed Increase

<u>Year 1 (2019)</u>	<u>Year 2 (2020)</u>	<u>Year 3 (2021)</u>	<u>Year 4 (2022)</u>	<u>Year 5 (2023)</u>
\$24.45	\$25.18	\$25.94	\$26.71	\$27.52

Comparison to Others (2019)

Residential Service per Month

- Visalia - \$23.85
- Farmersville – \$22.63 (Mid-Valley is provider, also undergoing 218)
- Reedley - \$35.21
- Dinuba – \$29.53
- Coalinga - \$26.80 (Mid-Valley is provider, just completed 218)
- Exeter - \$20.04 (Mid-Valley is provider, also undergoing 218)
- Tulare County - \$27.83

2019 Woodlake Proposed Rate - \$24.45

Questions
