

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

OTHERS: Lara, Waters, Marquez, Zamora & Zacarias

ABSENT:

FLAG SALUTE

PUBLIC COMMENT –

Rafael Ramirez, 320 Summit, Woodlake – Mr. Ramirez reported he feels he is being harassed by the Woodlake Police Department. He stated his home was recently searched without a search warrant and his phone was taken from him. He stated that he has filed many complaints. He stated that he feels he is being harassed.

IV. CONSENT CALENDAR –ACTION AND INFORMATION ITEMS

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

- A. Action: Approval of Minutes of the regular meeting held on November 26, 2018 (Pages1-10)
- B. Action: Approval of Warrants (Pages 11-50)
- C. Action: Adoption of Resolution: Approval of the November 2018 Monthly Report of Investments (Pages51-53)
- D. Action: Adoption of Resolution: Approval to Appoint Belen Gomez to the Delta Vector Control District (Pages 54-55)
- E. Action: Adoption of Resolution: Approval of the Appointment of Sandra Flores and Anthony Perez to the City of Woodlake Economic Development Board (Pages 56-57)
- F. 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 (Pages 58-59)
- G. Action: Adoption of Resolution: Approval of the 2019 City Council Meeting Schedule (Pages 60-61)

ON A MOTION BY GONZALEZ, 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 2nd Reading, and Adopt Ordinance Adding Chapter 8.18 Organic Waste Recycling and Amending 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. – **Public Hearing**
Community Services Director Waters 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 8.18– 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.

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.

PUBLIC COMMENT OPENED 6:37 PM

PUBLIC COMMENT CLOSED 6:37 PM

ON A MOTION BY ORTIZ, SECOND BY LOPEZ IT WAS VOTED TO ADOPT THE RESOLUTION, RECEIVE PUBLIC COMMENTS, WAIVE 2ND READING AND ADOPT ORDINANCE. APPROVED UNANIMOUSLY.

- B. Action: Adoption of Resolution: Receive Public Comments, Waive 1st Reading, and Set 2nd Reading Date of an Ordinance Adding Chapter 2.04.020 City Council Member Vacancies, 2.04.030 City Council Member Absence from Meetings – Reappointment to the Woodlake Municipal Code – **PUBLIC HEARING**
Community Services Director Waters reported the following: The City is proposing an ordinance that adds sections to Chapter 2.04 CITY COUNCIL of the Municipal Code:

CHAPTER 2.040.020 - CITY COUNCIL MEMBER VACANCIES

This section outlines the conditions by which a City Council member seat would be vacated.

CHAPTER 2.040.030 – CITY COUNCIL MEMBER ABSENCE FROM MEETINGS – REAPPOINTMENT.

The section outlines the attendance requirements for City Council members in order to avoid vacating their seat and how a vacated seat would be filled.

California Government Code 36513 states the following regarding meeting attendance:

(a) If a city councilmember is absent without permission from all regular city council meetings for 60 days consecutively from the last regular meeting he or she attended, his or her office becomes vacant and shall be filled as any other vacancy.

Many cities have also adopted ordinances that clarify attendance requirements. In most cases, City Staff found that cities typically specify the number of meetings that may be missed due to unexcused absences instead of the number of days. Using meetings instead of days simplifies attendance rules and avoids problems regarding the interpretation of “60 days” (skipped meetings, when does the 60-day countdown begin, etc.).

PUBLIC COMMENT OPENED: 6:49 PM

PUBLIC COMMENT CLOSED: 6:50 PM

ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AS AMENDED AND APPROVE RECEIVE PUBLIC COMMENTS AND WAIVE 1ST READING AND SET 2ND READING DATE. APPROVED UNANIMOUSLY.

- C. Action: Adoption of Resolution: Solicit and Consider Input on Possible Competitive and Supplemental Activities to Include in a 2018 CDBG Application – **Public Hearing**

Community Services Director Waters reported the following: CDBG Program regulations require that the City conduct a public hearing on all CDBG-related matters to provide for and encourage citizen participation, particularly by low and moderate-income persons who reside in areas in which CDBG funds are used. Therefore, when the public hearing is opened, the public will be invited to comment on possible competitive and supplemental activities to include in a 2018 CDBG application.

Public notices in both English and Spanish were published in the November 30, 2018 issue of The Kaweah Commonwealth notifying the public of this public hearing.

On November 1, 2018, HCD released a Notice of Funding Availability (NOFA) announcing the availability of CDBG Program funds of approximately \$29,600,000 from the 2018 funding allocation. Applications are due February 5, 2019.

Eligible activities predominantly benefit low- and moderate-income Californians and include: Homeownership Assistance and Housing Rehabilitation programs; Public Facility and Public Improvements projects (including Public Improvements in Support of New Housing Construction); Public Service programs, Planning Studies, Economic Development Business Assistance and Microenterprise activities.

The City may apply for a maximum of \$3,000,000 for a maximum of three activities. This includes any combination of three activities from the following list: Housing, Public Improvements (i.e., infrastructure), Public Facilities, Public Services, Enterprise Fund, and Planning (PTA) activities. Within the maximum of three activities, one PTA activity (one study only) may be applied for, up to a maximum request of \$100,000. A Housing Fund “Combo Program” of Housing Rehabilitation and Homeownership Assistance counts as one activity, up to a maximum request of \$1,000,000. An Enterprise Fund “Combo Program” of Business Assistance and Microenterprise counts as one activity, up to a maximum request of \$500,000. A Public Services activity may include up to two individually eligible Public Service programs, up to a maximum of \$500,000. Public Facilities and Public Improvements are eligible for a maximum of \$3,000,000 each.

Funding is awarded through a competitive process. Applications are rated and ranked according to criteria established in State CDBG Regulations. Points are awarded for funding under four main categories including Need, Readiness, Jurisdictional Capacity/Past Performance, and State Objectives. Each activity in the application will be rated and ranked against applications for the same activity. Therefore, it is possible to be awarded or denied funding on scores for each activity. For example, it is possible to be awarded funds for one activity, but not another. This is possible if one activity is competitive and scores well and another does not.

A separate allocation of funding and application process is available for Economic Development Over-the-Counter (OTC) projects and is not counted in the three-activity maximum or the maximum funding cap of \$3,000,000. Economic Development OTC funding is provided to a specific project and can consist of financial assistance to a single business or a large number of businesses served by common infrastructure. The most common form of OTC project is a single business with a single project where funds are provided as a loan to an eligible borrower. Economic Development OTC applications are processed on a first-come, first-served basis with no competitive rating and ranking. The City is eligible

for a maximum of \$3,000,000 in funding per project. Two-year awards for single projects may be considered for funding up to \$6,000,000. HCD began accepting applications on November 1, 2018, and will continue to accept them until June 30, 2019, based on funding availability.

PUBLIC COMMENT OPENED: 6:53 PM

Lupe Perez, 314 Holly, Woodlake – Mr. Perez asked if any more additional low-income homes would be built in the City of Woodlake. City Administrator Lara stated staff would review all their options.

PUBLIC COMMENT CLOSED 6:56 PM

ON A MOTION BY LOPEZ, SECOND BY GONZALEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND SOLICIT AND CONSIDER INPUT ON POSSIBLE COMPETITIVE AND SUPPLEMENTAL ACTIVITIES. APPROVED UNANIMOUSLY.

- D. Action: Adoption of Resolution: Enter a Memorandum of Understanding Between the City of Woodlake, the Woodlake Fire District, and Exeter Ambulance
City Administrator Lara reported the following: The City of Woodlake, the Woodlake Fire District and Exeter Ambulance all agree that Exeter Ambulance could provide a better service to residents, residing in the boundaries of the City and the Fire District, if an ambulance was stationed in the City of Woodlake. The three entities involved, have come up with the attached Memorandum of Understanding (MOU) in a joint effort to station an Exeter District Ambulance and staff in the City of Woodlake. The purpose of the MOU is to:
- a. Promote health care and health care services for the residents within the boundaries of the City of Woodlake and the Woodlake Fire District.
 - b. Provide and forge effective partnerships to benefit the residents, residing in the boundaries of Exeter Ambulance, the City of Woodlake, and the Woodlake Fire District.
 - c. Delineate and express the understandings between the City, the Fire District and Exeter Ambulance.

The City Council and the Citizens' Oversight Committee have made stationing an ambulance in the City of Woodlake a priority for the last two years. This MOU would achieve that goal. Exeter Ambulance is working towards staging an ambulance in Woodlake as early as January 2019.

ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WOODLAKE, THE WOODLAKE FIRE DISTRICT AND THE EXETER AMBULANCE. APPROVED UNANIMOUSLY.

- E. Action: Adoption of Resolution: Approval of the City of Woodlake's Fee Schedule Effective January 1, 2019
City Administrator Lara reported the following: The City of Woodlake currently collects fees for services provided to the public, such as: administration, utilities, planning, building, development, airport and police. Many of the fees are out of date, and do not provide sufficient revenues for the City to recover the cost of providing services to the public. The fee schedule is reviewed annually to assure that appropriate revenues are being collected to cover the expenditures associated with services provided to the public. The purpose of developing a uniform fee schedule is to provide the public with a better understanding of the current fee structure and to update those fees that are not providing enough revenues for services delivered by the City of Woodlake. The goal of developing an updated fee schedule is not to create a profit for the City, but to ensure that the City is covering its expenditures for services provided.

ON A MOTION BY GONZALEZ, SECOND BY MARTINEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVE THE CITY OF WOODLAKE'S FEE SCHEDULE EFFECTIVE JANUARY 1, 2019. APPROVED UNANIMOUSLY.

- F. Action: Adoption of Resolution: Canvassing Results of the General Municipal Election Held in the City of Woodlake on November 6, 2018 and Certifying and Declaring the Results Thereof

City Clerk Zacarias reported the following: Upon the completion and certification of the election results by the County Registrar of Voters, the successors to office shall be sworn into office by the City Clerk. The General Municipal Election was held in the City of Woodlake on Tuesday, November 6, 2018 for the purpose of electing three (3) City Councilmembers.

ON A MOTION BY MARTINEZ, SECOND BY MENDOZA IT WAS VOTED TO ADOPT THE RESOLUTION AND ACCEPT THE CANVASSED ELECTION RESULTS. APPROVED UNANIMOUSLY.

VI. OTHER BUSINESS

- A. Information: Items from Staff

City Attorney Zamora – Wished everyone Happy Holidays

City Clerk Zacarias – Reminded council and staff about the Holiday lunch on Friday at noon. Also, due to the holidays, the next scheduled council meeting will be January 14, 2019.

Chief Marquez – Reported the Christmas parade was a great event with no issues. The senior dinner hosted by the Woodlake Lions will be Thursday at 5:00 pm at the Woodlake Community Center.

City Administrator Lara – Reported the beautiful tree in Council Chambers was donated by the Woodlake Lions Club and decorated by Rita Rodriguez. The construction on South Valencia is moving along. Magnolia street will be closed all week.

Community Services Director Waters – Reported basketball sign-ups are ongoing and will continue until January 19th.

- B. Information: Items from Council

Councilmember Ortiz – Wished everyone a Merry Christmas

Councilmember Lopez – Reported the Christmas parade was great, and everyone had a good time. Thanked Councilmembers Mendoza and Martinez for helping to wrap last minute gifts.

Councilmember Martinez – Reported he was sorry he missed the parade but was happy to be able to help wrap gifts for Santa's workshop.

Councilmember Gonzalez – Reported the parade was great and was happy to be able to watch it with his family. The Flying Tigers had an amazing float. Also, he wanted to commend Officer Villarreal for a job well done and going above and beyond his duties. Officer Villarreal shared a basketball game with Councilmember Gonzalez's son and he appreciated the time he took to have that interaction with the youth of the community.

Mayor Mendoza – Asked staff what classes are currently being offered at the Woodlake Community Center. City Administrator Lara stated ESL classes will be offered in the future. The following have meetings at the Community Center: City Council, Planning Commission, Economic Development Committee, Citizens' Oversight Committee and Woodlake Lions Club. Mayor Mendoza asked for the meeting minutes from Planning Commission, EDC and COC be sent to council members.

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 7:30 PM
MEETING RECONVENED AT 7:45 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 10, 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