

**PRESENT:** Councilmembers Mendoza, Ortiz, Valero, Gonzalez & Martinez

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

**ABSENT:**

**FLAG SALUTE**

**PUBLIC COMMENT**

IV. CONSENT CALENDAR –ACTION AND INFORMATION ITEMS

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

A. Action: Approval of Minutes of the regular meeting held on November 12, 2019

B. Action: Approval of Warrants

C. Action: Adoption of Resolution: Approval of the 2020 City Council Meeting Schedule

D. Action: Adoption of Resolution: Approval of the Appointment of Donna Fraser to the City of Woodlake Citizens' Oversight Committee

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

V. ACTION/DISCUSSION ITEMS

A. Action: Adoption of Resolution: Receive Public Comments, Waive 1<sup>st</sup> Reading, and Set 2<sup>nd</sup> Reading Date of Ordinances Amending Chapter 5.32 and Chapter 5.33 and Adding Chapter 5.34 to the Woodlake Municipal Code

**PUBLIC HEARING**

Community Services Director Waters reported the following: The City of Woodlake is undergoing an ordinance review to establish regulations in compliance with Senate Bill 946.

Chapter 5.32 Peddlers and Solicitors - The City of Woodlake is proposing to update peddler and solicitor regulations in compliance with Senate Bill 946.

Chapter 5.33 Mobile Vendors - The City of Woodlake is proposing to update mobile vending regulations and requirements.

Chapter 5.34 Sidewalk Vendors - The City of Woodlake is proposing to establish sidewalk vending regulations in compliance with Senate Bill 946. Senate Bill No. 946 took effect on January 1, 2019, provides that cities and counties may not regulate sidewalk vending except in accordance with California Government Code sections 51038 and 51039. Provisions of the Woodlake Municipal Code currently regulate sidewalk vendors in a manner that is inconsistent with S.B. 946, and the City seeks to adopt an enforceable sidewalk vending program that responds to the objective needs and circumstances of the Woodlake community. Until the effective date of S.B. 946, the City regulated sidewalk vendors by means of a general license for "peddlers and commercial solicitors." In response to the state law, regulating sidewalk vending through a local license specific to the activity will enable the City to more effectively comply with state mandates. 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, Chapter 5.32, Chapter 5.33 and Chapter 5.34 to the Woodlake Municipal Code.

Regulating sidewalk vending will benefit the City by promoting entrepreneurship and a dynamic streetscape, while ensuring protection of the public safety and welfare. Unless properly regulated, vending in the public right-of-way and in public parks creates the potential for increased safety risks including, but not limited to, interfering with the performance of police, firefighter, and other emergency personnel, and interfering with the ability of pedestrians and persons with disabilities to follow a safe path of travel. The licensing requirements of this ordinance are necessary to collect adequate information about vending operations to ensure that vending does not adversely affect the public welfare. Requiring sidewalk vendors to maintain a minimum unobstructed pedestrian path vending locations is necessary to ensure compliance with state and federal disability access standards and to maintain the safe flow of pedestrian traffic, as required of all businesses encroaching in the public right of way. Requiring sidewalk vendors to undergo background checks is necessary to ensure vendors meet the requirements of a license to operate in or near parks, schools, residences, and other places frequented by children. The mobile vendor amendments would clarify the current regulations to similarly restrict the mobile vending ordinance to clarify times, hours and locations that doesn't negatively affect traffic and pedestrian access. SB 946 does not apply to Mobile Vendors. Requiring all vendors to obtain a health permit from the Tulare County Department of Public Health before engaging in the sale of food to the public is necessary to protect the public health and safety. Restricting vending near school grounds when the grounds are open for student instruction is necessary to protect the safety of children traveling to and from campus and to avoid disrupting classroom instruction and school activities. Restricting vending in residential areas and restricting vendors' use of sound amplifying equipment is necessary to protect residents and visitors from excessive noise and traffic impacts.

**PUBLIC HEARING OPENED: 6:32 PM**

Armida Martinez, 648 N. Acacia, Woodlake – Mrs. Martinez stated when she worked for the City of Woodlake, they had issues with push cart vendors. Staff was concerned vendors were operating under unsafe conditions.

**PUBLIC HEARING CLOSED 6:33 PM**

**ON A MOTION BY ORTIZ, SECOND BY MARTINEZ IT WAS VOTED TO ADOPT THE RESOLUTIO AND RECEIVE PUBLIC COMMENTS AND SET DATE FOR 2<sup>ND</sup> READING. APPROVED UNANIMOUSLY.**

- B. Action: Adoption of Resolution: Receive Public Comments, Waive 1<sup>st</sup> Reading, and Set 2<sup>nd</sup> Reading Date of Ordinances Amending Chapter 6.08 and Chapter 6.12 to the Woodlake Municipal Code -**PUBLIC HEARING**

Community Services Director Waters reported the following: The City of Woodlake is undergoing a review of local City Ordinances to see if there is a need to revise ordinances.

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 and updating the limits on number of household pets and chickens. Chapter 6.12 Supplemental Dog Control Regulations – The City of Woodlake is proposing to update the supplemental dog control regulations for owner responsibility of noise and tethering of dogs. 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 Chapter 6.08 and Chapter 6.12 to the Woodlake Municipal Code. The Animals Generally 6.08 currently allows for up to twenty-four (24) chicken, ducks, geese, turkeys, rabbits, pigeons, or other fowls as long as 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 is benefit in reducing the

number of these animals allowed and regulating location of coops or cages in neighborhood residences. Cities such as Porterville have limited the number to three (3) hens, whereas Visalia doesn't allow chickens at all. This ordinance would allow for four (4) chickens in a coop twenty-five feet (25') from any residence. The supplemental dog ordinance currently limits the number of dogs allowed per residence to four (4) but does not limit the number of household pets in a residence. A household may have only four (4) dogs, but may have five (5) cats, twelve (12) chickens, a rabbit or any number of animals. This ordinance would put a limit on the number of cats a residence may have, and a total number of household pets allowed in city limits. Cities like Visalia, among many others in the state, allow for up to four (4) dogs or cats total per residence Where Corcoran allows for six (6) dogs and cats total. With the number of stray cats in the City, and with the many residence feeding them, being able to limit the number legally allowed per residence can help alleviate the stray cat issue and help promote better living conditions for the community overall. The proposed ordinance would limit the number of animals the following: Four (4) dogs over the age of four months; three (3) cats over the age of four months; three (3) reptiles; and the combined total of household pets shall not exceed six (6) animals. Additionally, the proposed amendments to this title would adopt the California Health and Safety Code Section 122335 prohibiting tethering and chaining of dogs from a fixed structure.

**PUBLIC HEARING OPENED 6:49 PM**

Frances Mann, 789 N. Palm, Woodlake – Mrs. Mann asked if it is 25 ft from neighbor, CSD Waters stated yes.

**PUBLIC COMMENT CLOSED 6:49 PM**

**ON A MOTION BY MARTINEZ, SECOND BY GONZALEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS AND SET DATE FOR 2<sup>ND</sup> READING. APPROVED UNANIMOUSLY.**

- C. Action: Adoption of Resolution: Receive Public Comments, Waive 1<sup>st</sup> Reading, and Set 2<sup>nd</sup> Reading Date of Ordinances Amending Chapter 8.12 and Chapter 8.36 to the Woodlake Municipal Code – **PUBLIC HEARING**

Community Services Director Waters reported the following: The City of Woodlake is undergoing a review of local City Ordinances to update fire related regulations in compliance with local and state regulations.

Chapter 8.12 Prohibited Fireworks - The City of Woodlake is proposing to update the prohibited fireworks and penalties.

Chapter 8.36 Opening Burning - The City of Woodlake is proposing to update the opening burning restrictions, allowable uses and penalties for violations. 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 Chapter 8.12 and Chapter 8.36 to the Woodlake Municipal Code. Chapter 8.12 Prohibited Fireworks: The language that defines “Prohibited Fireworks” has been updated to be more specific on what is a dangerous firework in California. The current ordinance gives the city the option to cite for a misdemeanor infraction with a fine of \$500.00. The proposed ordinance includes the city administrative fine structure that is imposed under authority of Government Code, Section 53069.4 and Health and Safety Code, Section 12557; and the police power of the City of Woodlake.

Chapter 8.36 Opening Burning: The draft ordinance mirrors the current policies of the San Joaquin Valley Air Pollution Control District. The draft ordinance gives a detailed description of what is allowed and what is illegal. The proposed ordinance includes the city administrative fine structure that is imposed under authority of Government Code, Section 53069.4 and Health and Safety Code, Section 12557; and the police power of the City of Woodlake.

**PUBLIC COMMENT OPENED: 6:58 PM**

Frances Mann, 789 N. Palm, Woodlake – Mrs. Mann asked if it is ok to burn garbage. CSD Waters stated no.

Chuck Mann, 789 N. Palm, Woodlake – Mr. Mann asked if a BBQ fire pit is legal. CSD Waters stated yes.

**PUBLIC COMMENT CLOSED: 7:00 PM**

**ON A MOTION BY GONZALEZ, SECOND BY VALERO IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS AND SET DATE FOR 2<sup>ND</sup> READING. APPROVED UNANIMOUSLY.**

- D. Action: Adoption of Resolution: Receive Public Comments, Waive 1<sup>st</sup> Reading, and Set 2<sup>nd</sup> Reading Date of Ordinances Amending Chapter 10.19 Recreational Vehicle Parking of the Woodlake Municipal Code – **PUBLIC HEARING**  
Community Services Director Waters reported the following: The City of Woodlake is undergoing a review of local City Ordinances to see if there is a need to revise ordinances.

Chapter 10.19 Recreational Vehicle Parking – The City of Woodlake is proposing to update recreational vehicle parking regulations by establishing setback and location guidelines. The current Municipal Code has regulations in place for residential parking within the City of Woodlake but fails to address recreational vehicles. The proposed addition would clarify what is considered a recreational vehicle and would establish setbacks and location guidelines where recreational vehicles can be stored. 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 Chapter 10.19 Recreational Vehicle Parking Ordinance.

From a code enforcement perspective, there have been at least 15 code enforcement violations addressing recreational vehicles parked on lawns, stored in backyards and countless 72- hour violations for these vehicles parked on city streets in 2019.

This ordinance would allow for a recreational vehicle to be stored in a backyard following that said vehicle is screened by a solid 6-7 foot fence or hedge, 5 feet from the rear property line and 2 feet from any building or fence line. All vehicles stored in the back yard must be on a paved or a permanent hard surface.

Certain recreational vehicles will be allowed to park on the driveway as long as they are not hooked up to services, on a paved or permanent hard surface, less than 25' long and limited to one vehicle or boat. All vehicles stored must be operable.

**PUBLIC COMMENT OPENED 7:03 PM**

Chuck Mann, 789 N. Palm, Woodlake – Mr. Mann asked if this includes 5<sup>th</sup> wheel vehicles. CSD Waters stated certain recreational vehicles will be allowed to park on the driveway as long as they are not hooked up to services, on a paved or permanent hard surface, less than 25' long and limited to one vehicle.

**PUBLIC COMMENT CLOSED 7:04 PM**

**A ON A MOTION BY ORTIZ, SECOND BY MARTINEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS AND SET DATE FOR 2<sup>ND</sup> READING. APPROVED UNANIMOUSLY.**

- E. Action: Adoption of Resolution: Receive Public Comments, Waive 1<sup>st</sup> Reading, and Set 2<sup>nd</sup> Reading Date of Ordinances Amending Chapter 17.16 and Adding Chapter 17.61, Chapter 17.67 and Chapter 17.68 to the Woodlake Municipal Code.- **PUBLIC HEARING**

Community Services Director Waters reported the following: The City of Woodlake is improving Zoning Regulations of local City Ordinances to see if there is a need to revise and/or add ordinances to improve general welfare in residential neighborhoods.

Chapter 17.16 Single Family Residential Zoning - The City of Woodlake is proposing to update the design standards for front yard paving.

Chapter 17.61 Regulation of Temporary Canopy Structures - The City of Woodlake is proposing to restrict temporary canopy structures in residential areas.

Chapter 17.67 Fence Ordinance - The City of Woodlake is proposing to establish design standards for fences in residential areas.

Chapter 17.68 Unimproved Lots- The City of Woodlake is proposing to establish regulations for unimproved or vacant lots in city limits. 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 Chapter 17.16, Chapter 17.61, Chapter 17.67 and Chapter 17.68 to the Woodlake Municipal Code.

**Front Yard Paving:** This ordinance is intended to preserve residential character and streetscapes and minimize excessive storm water runoff from residential properties. The unregulated expansion of paved parking areas in front, rear and side yards interfering with the pattern of building and open areas in neighborhoods and can increase vehicle clutter by encouraging small parking lots in yard space which was intended to remain an open space or to be landscaped. Excessive paving has a negative impact on the neighborhood character and may negatively impact the city's storm water management system with increased runoff to the storm drain or into neighboring properties. The proposed ordinance would limit the percentage of the yard that can be paved and used as parking to no more than fifty (50) percent of the front yard. Paving would include cement, asphalt, pavers, bricks and masonry unless it is clearly a landscaping feature and will not be used as parking.

**Temporary Canopies:** There is a growing number of temporary canopy structures popping up in Woodlake. Many of these are being used as carports or storage areas in residential zones. They have become a fixture on the property and are no longer considered temporary. These structures violate setback requirements and are not to be considered an accessory structure. These structures are unsightly, may decrease the property values of the neighborhood and may pose as a fire hazard. This proposed ordinance would restrict these structures from being used as a carport or for storage and would not permit the use in front yard setbacks or street side yards and driveways. Temporary Canopies will be allowed to be used on a temporary basis for events for a seventy-two (72) hour consecutive period, no more than three (3) times a year.

**Fence Ordinance:** This ordinance would clarify and limit the type and heights of fencing allowed in residential areas. Currently, the City has a specific height requirement for front and back yard heights but does not have a specific regulation for the type of material used. The proposed ordinance would allow the following: Front and side yards will allow for chain-link, concrete or block, latticework, wood or wrought iron fencing at a height not taller than four (4) feet if the fence is more than fifty (50) percent opaque materials. Rear yards will allow for concrete or block, lattice work and wood fencing between the heights of six (6) feet and seven (7) feet.

**Unimproved lots:** This ordinance will restrict any vehicle, equipment, or storage on any vacant lot or unimproved lot in city limits regardless of the zoning. The ordinance will help enforce abandoned vehicles on empty lots.

All ordinances will include a penalty in accordance to the City's establish Administrative Fine amounts set in Chapter 1.12.070.

**PUBLIC COMMENT OPENED 7:11 PM**

**PUBLIC COMMENT CLOSED 7:11 PM**

**A ON A MOTION BY ORTIZ, SECOND BY MARTINEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS AND SET DATE FOR 2<sup>ND</sup> READING. APPROVED UNANIMOUSLY.**

- F. Action: Adoption of Resolution: Receive Public Comments, Waive 2<sup>nd</sup> Reading and Adopt Ordinance Amending Chapter 5.48 Cannabis Businesses of the Municipal Code – **PUBLIC HEARING**

Community Services Director Waters reported the following: Chapter 5.48.030 – This addition to the municipal code adds a definition for “non-storefront” retail licenses.

Chapter 5.48.055 – Non-Storefront Dispensary - This addition to the Woodlake Municipal Code sets forth the conditions by which a cannabis business may receive a “non-storefront retail” cannabis regulatory permit. The proposed addition would limit non-storefront retail cannabis sales to licensed manufacturers, distributors and cultivators that have active Woodlake Cannabis Regulatory Permits. 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 5.48, Cannabis Businesses.

The proposed ordinance would allow the City to issue “non-storefront retail” licenses to cannabis businesses that have received a manufacturing, distribution or cultivation license in the City of Woodlake. Recent state rules have clarified that cities cannot prevent the delivery of cannabis products, even if that city bans cannabis retailers. The result of this rule is an increased desire from cannabis companies to sell cannabis via a delivery service. Currently, the City allows for two storefront dispensaries, which would not change if the proposed ordinance were adopted. The proposed ordinance would allow Woodlake cultivators, manufacturers and distributors to sell and deliver cannabis but would not allow them to act as a storefront business.

**PUBLIC COMMENT OPENED 7:16 PM**

**PUBLIC COMMENT CLOSED 7:16 PM**

**ON A MOTION BY ORTIZ, SECOND BY GONZALEZ IT WAS VOTED TO RECEIVE PUBLIC COMMENTS, WAIVE 2<sup>ND</sup> READING AND ADOPT RESOLUTION. APPROVED UNANIMOUSLY.**

- G. Action: Adoption of Resolution: Receive Public Comments and Adopt the Woodlake Housing Element (2019-2023) – **PUBLIC COMMENTS**

Community Services Director Waters reported the following: The Housing Element is one of the seven General Plan Elements mandated by the state of California, as required in Sections 65580 to 65589.8 of the Government Code. Updates are technical and administrative in nature, and do not result in fundamental alterations. State law requires that the Housing Element consist of and “identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing.”

The State of California Requires that each General Plan contain certain elements, including a Housing Elements which identifies opportunities for housing within the City. The Housing Element must also include an analysis of existing and projected housing needs, goals, policies and objectives related to housing development.

The City has prepared their Housing Element for 2019-2023 and will submit the plan to HCD this fall. City Staff recommends that Council approve the plan and authorize staff to make any changes requested by HCD.

**PUBLIC COMMENT OPENED 7:20 PM**

Lupita Pinon, 598 W. Mt. View, Woodlake – Ms. Pinon asked if there was enough land to build the new homes. City Administrator Lara stated yes.

**PUBLIC COMMENT CLOSED 7:24 PM**

**ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO RECEIVE PUBLIC COMMENTS, WAIVE 2<sup>ND</sup> READING AND ADOPT RESOLUTION. APPROVED UNANIMOUSLY.**

- H. Action: Adoption of Resolution: Enter into a Cooperative Agreement with the State of California for the City of Woodlake North Valencia Blvd. Extension Improvements Project

City Administrator Lara reported the following: The City of Woodlake North Valencia Street Improvements Project will construct curb, gutters, ramps, sidewalks, street lights and storm drain improvements on North Valencia Blvd. from Sierra Avenue north to Sequoia Avenue. The corridor currently has none of the above-mentioned amenities which makes pedestrian and bicycle traffic unsafe. The City has begun the preliminary engineering, environmental and right-of-way process on the project. The City will cover the expenditures associated with these services with Measure R funds. The estimated cost for those services is one hundred and seventy-three thousand two hundred dollars (\$173,200).

To prepare the project for construction, staff will begin the process of submitting all necessary agreements for funding. The attached agreement if approved will provide seventy thousand dollars (\$70,000) in SHOPP funding. The funding is a commitment from Caltrans to promote a partnership with the City that leads to more complete streets on State highways like Naranjo Blvd. and Valencia Blvd.

**ON A MOTION BY MENDOZA, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND ENTER INTO AGREEMENT WITH STATE OF CALIFORNIA. APPROVED UNANIMOUSLY.**

VI. OTHER BUSINESS

- A. Information: Items from Staff

City Attorney Zamora – Mr. Zamora wished everyone a Happy Thanksgiving and reminded everyone that Tuesday, December 3<sup>rd</sup> is Giving Tuesday and encouraged everyone to give of their time if possible, to those in need.

City Clerk Zacarias – Reminded Council and Staff that the Employee Holiday potluck is December 20<sup>th</sup>. Please let me know if you can attend. Also, if any council members would like to participate in the parade, let me know and I will prepare a float for you.

Community Services Director Waters – Reported the deadline for basketball sign ups is December 20<sup>th</sup>.

City Administrator Lara – Reported the City of Woodlake partnered with the Homegrown Project, Woodlake Lions and Woodlake Volunteer Fire and put together 20 Thanksgiving food baskets and delivered them to families in the community. Avedian Properties donated the turkeys for the baskets.

Chief Marquez – Chief reported the department has been notified about a post made on social media regarding a threat made to take place on December 16<sup>th</sup>. The holidays are approaching, and the community will see more officers patrolling the streets.

- B. Information from Council

Vice-Mayor Ortiz -Reported she attended the Mid Valley luncheon with PWS Ornelas. It was a great lunch and great information was shared. She also wished everyone a Happy Thanksgiving.

Councilmember Gonzalez – Reported there will be a Volleyball Alumni game on November 30<sup>th</sup> at 6 pm

Councilmember Martinez – Asked if the Student Representatives would be coming back to council meetings. Mayor Mendoza stated he spoke to the students and they are interested in returning. He also asked with Woodlake PD could patrol the streets around the high school during lunch and after school. There have been some students speeding down the streets and driving recklessly. Chief Marquez stated he will contact the high school as well. He reminded everyone about the free Thanksgiving lunch on Thursday, if

it rains it will be moved to the Community Center instead of Miller Brown park. He also wished everyone a Happy Thanksgiving.

Councilmember Valero – Wished everyone a Happy Thanksgiving and reminded council and staff that the Woodlake Lions is hosting their senior dinner on December 12<sup>th</sup>.

Mayor Mendoza – Wished everyone a Happy Thanksgiving

## VII. 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, December 9, 2019 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

Greg Gonzalez Jr. - Councilmember

Jose L. Martinez – Councilmember

William Valero – Councilmember

Meeting adjourned at 7:49 PM

Submitted by,

Irene Zacarias

City Clerk