

PRESENT: Lara

ZOOM: Councilmembers Mendoza, Councilmember Martinez, Waters, Zacarias, Marquez & Zamora

PHONE IN: Councilmember Ortiz

ABSENT: Valero

FLAG SALUTE

PUBLIC COMMENT

IV. CONSENT CALENDAR –ACTION AND INFORMATION ITEMS

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

A. Action: Approval of Minutes of the regular meeting held on March 23, 2020

B. Action: Approval of Warrants

C. Action: Adoption of Resolution: Enter Into a Joint Lawsuit Against Southern California Edison and Pacific Gas & Electric. Regarding the Under-Collection of Utility Users Taxes

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

V. ACTION/DISCUSSION ITEMS

A. Information: COVID-19 Update and Continuation of Local Emergency for the City of Woodlake

Community Services Director Waters reported the following: On January 31, 2020, the United States Department of Public Health and Human Services declared a public emergency for COVID-19 beginning on January 27, 2020 and on March 4, 2020, Governor Gavin Newsom declared a state of emergency in the State of California due to the number of confirmed cases of COVID-19 in the State. Woodlake also declared a local emergency at the March 23rd City Council meeting and the emergency remains in place until terminated by City Council.

The City has undertaken several measures to reduce the spread of COVID-19 in the community including closing City Parks and Facilities and enforcing the State's recommendations related to non-essential businesses.

B. Action: Adoption of Resolution: Receiving Public Comments and Waiving the 2nd Reading and Adopting Section 2.36.110 of the City Municipal Code – **PUBLIC HEARING**

Community Services Director Waters reported the following: The purpose of this public hearing is to give citizens an opportunity to make their comments known regarding the proposed amendment to section 2.36.110 of the Woodlake Municipal Code.

Organizations receiving federal funds are subject to procurement guidelines of the Uniform Guidance (UG). The procurement standards in the UG created 5 methods of procurement: Micro purchases, small purchases, sealed bids, competitive proposals and noncompetitive (sole source) proposals as well as other requirements. For the city to be in compliance with UG, it needs to either create purchasing guidelines for federally funded purchases or update its ordinances.

PUBLIC HEARING OPEN: 6:39 PM
PUBLIC HEARING CLOSE 6:39 PM

ON A MOTION BY ORTIZ, SECOND BY MARTINEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS, WAIVE 2ND READING AND ADPT AMENDMENTS TO SECTION 2.36.10 OF THE WOODLAKE MUNICIPAL CODE. APPROVED UNANIMOUSLY.

- C. Action: Adoption of Resolution: Receive Public Comments, Waive 2nd Reading and Adopt Amendments to Chapter 13.04 of the Woodlake Municipal Code – **PUBLIC HEARING**

Community Services Director Waters reported the following: The purpose of this public hearing is to give citizens an opportunity to make their comments known regarding the proposed amendment to Chapter 13.04 of to the Woodlake Municipal Code.

SB 998 prohibits disconnection for nonpayment by any residential customer who have been delinquent for less than 60 days. It requires the provider give notice in writing or by telephone at least seven business days before disconnection and include an offer to discuss alternative payment or deferred payment methods and information regarding appeals and extensions. The notice must include the following: Customer's name and address; Amount of delinquency; Date by which payment or arrangement for payment is required to avoid discontinuation of service; Description of the process to apply for an extension of time to pay the amount owing; Description of the procedure to petition for review and appeal of the bill giving rise to the delinquency; and Description of the procedure by which the customer can request a deferred, amortized, reduced or alternative payment schedule. If the occupant of the property is not the account holder, the provider must also notify the occupant of the impending disconnection.

The legislation prohibits disconnection of customers that meet **ALL** of the following parameters:

1. Health Conditions: Customer or tenant of the customer submits certification from a primary care provider stating discontinuation of water service would (i) be life threatening, or (ii) pose a serious threat to the health and safety of a resident.
2. Financial Inability: Customer demonstrates he or she is financially unable to pay for water service within normal billing cycle and the customer is deemed "financially unable to pay" if any member of the customer's household is a current recipient of the following benefits: CalWORKs, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or the customer declares the household's annual income is less than 200% of the federal poverty level.
3. Alternative Payment Arrangements: Customer is willing to enter into an amortization agreement, alternative payment schedule or a plan for deferred or reduced payment, consistent with the City's policy. The City Clerk may select the appropriate alternative payment arrangement after reviewing the information and documentation provided by the customer.

Aspects that will change in order to comply with SB 998:

1. The City will not shut off water service until the water account is delinquent for 60 days. Likewise, the City will not shut off water service if a customer has entered into an alternative payment arrangement; however, if a customer does not enter into an alternative payment arrangement or has entered into an alternative payment arrangement but is in default for 60 days, the City will proceed with shutoff.

2. A final disconnection notice will be delivered to the premises of delinquent alternative payment customers no less than 5 business days prior to shutoff.

3. Set qualifications and terms for establishing payment arrangements.

PUBLIC HEARING OPEN 6:42 PM

PUBLIC HEARING CLOSE 6:42 PM

ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND RECEIVE PUBLIC COMMENTS, WAIVE 2ND READING AND ADOPT AMENDMENTS TO CHAPTER 13.04 OF THE WOODLAKE MUNICIPAL CODE. APPROVED UNANIMOUSLY.

- D. Action: Adoption of Resolution: Declaring a Vacancy on the Woodlake City Council and Noticing the Intent to Appoint a Qualified Elector to Fill Said Vacancy

City Administrator Lara reported the following: Councilman Greg Gonzalez Jr. was elected to the Woodlake City Council by virtue of the general election and subsequently qualified and entered office. Councilman Greg Gonzalez Jr. has been absent from Woodlake City Council meetings on February 10, 2020, February 24, 2020, March 9, 2020 and March 23, 2020 and these absences violate a council member's responsibilities pursuant to California Government Code section 36513(a). His said absences have created a vacancy on the City Council. The City Council of the City of Woodlake intends to fill the vacancy pursuant to California Government Code section 36512. California Government Code section 36512 provides that in the case of a vacancy in any position of the Woodlake Council, such vacancy may be filled by a majority vote of the Woodlake Council, and such appointee shall serve in place of the official who vacated the office until the next following general election.

ON A MOTION BY MARTINEZ, SECOND BY ORTIZ IT WAS VOTED TO ADOPT THE RESOLUTION AND DECLARE A VACANCY ON THE WOODLAKE CITY COUNCIL AND NOTICE THE INTENT TO APPOINT A QUALIFIED ELECTO TO FILL THE VACANCY. APPROVED UNANIMOUSLY.

- E. Action: Adoption of Resolution: Approval of the City of Woodlake's Audited Basic Financial Statements of the Measure R Revenue Fund, the Local Transportation Special Revenue Fund and the Transit Enterprise Fund for the Year Ended June 30, 2019.

City Administrator Lara reported the following: The City of Woodlake undergoes an annual independent audit of its basic financial statements of its governmental activities, its business-type activities, each of its major funds, and its aggregate remaining fund information. For Fiscal Year 2018/2019, the City of Woodlake in conjunction with the Tulare County Association of Government contracted Brown Armstrong Certified Public Accountants to perform the audit.

The audit is conducted with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that the audit is performed to obtain reasonable assurance about whether the City financial statements are free of material misstatement. The audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. The audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. The audit will also consider the City's internal controls over financial reporting and test its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters.

Staff has reviewed the independent auditor's report for the year ended June 30, 2019 and concurs with the report. The financial statements present fairly, in all material respects and there were no findings for the audit ending June 30, 2019.

ON A MOTION BY ORTIZ, SECOND BY MARTINEZ IT WAS VOTED TO ADOPT THE RESOLUTION AND APPROVAL THE CITY OF WOODLAKE'S AUDITED BASIC FINANCIAL STATEMENTS OF THE MEASURE R REVENUE FUND, THE LOCAL TRANSPORTATION SPECIAL REVENUE FUND AND THE TRANSIT ENTERPRISE FUND FOR THE YEAR ENDED JUNE 30, 2019. APPROVED UNANIMOUSLY.

VI. OTHER BUSINESS

A. Information: Items from Staff

Chief of Police Marquez – Reported the citizens of Woodlake all did well on Easter Sunday regarding the Social Distancing order. There were no incidents to report.

B. Information from Council

Councilmember Ortiz – Happy to see Woodlake is looking very clean at this time. Asked staff to place the numbers to Proteus and CSet on the City's website.

Councilmember Martinez – Asked staff to continue to work with the citizens of Woodlake on a payment plan for those affected by COVID-19. Asked staff to check if there are small cans available for the elderly.

BOS Valero – Reported United Way, Proteus and CSet have resources available for those struggling to pay rent and utilities due to COVID-19.

Mayor Mendoza – Reminded everyone of the Food Drive on April 14 held at the Woodlake Food Pantry. If anyone needs additional information please call, 559-564-5212.

C. Information from Public

Pastor Dennis – The pastor from the Woodlake Presbyterian Church thanked City Staff for all their hard work during this difficult time.

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, April 27, 2020 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

Jose L. Martinez – Councilmember

William Valero – Councilmember

Meeting adjourned at 7:01 PM

Submitted by,

Irene Zacarias

City Clerk