

Lindsay City Council Meeting Agenda

Regular Meeting
Council Chambers at City Hall
251 E. Honolulu, Lindsay, California
Tuesday, March 22, 2016
6:00PM

-
1. a) Call to Order: 6:00 p.m.
b) Roll Call: Council members Salinas, Mecum, Kimball, Mayor Pro Tem Sanchez, Mayor Padilla.
c) Flag Salute: Council member MECUM.
d) Invocation

 2. Public Comment: The public is invited to comment on any subject under the jurisdiction of the Lindsay City Council, including agenda items, other than noticed public hearings. Comments shall be limited to (3) minutes per person, with 30 minutes overall for the entire comment period, unless otherwise indicated by the Mayor.

 3. COUNCIL REPORTS.
Presented by Council members.

 4. STUDENT REPORT.
Presented by Esmie Munoz.

 5. STAFF REPORTS.
Presented by Bill Zigler, Interim City Manager.

 6. Consent Calendar: These items are considered routine and will be enacted by one motion, unless separate discussion is requested by Council or members of the public.
Request for approval of the following: (pg.1-25)
 - a) Meeting Minutes for Mar. 8th, 2016.
 - b) Warrant List for Mar. 7th & 14th, 2016.
 - c) Temporary Use Permit allowing closure of alley directly behind the Orange Bar for an OBF Beer Garden on Apr. 16 from 8am to 2am Apr.17.
 - d) Follow-up on Development Extension Agreement for Westwood Ave., Res. 16-03
 - e) Temporary Use Permit allowing Sale of Shaved Ice at 419 W. Hermosa
 - f) Temporary Use Permit allowing La Puerta Abierta Church Use of the Lindsay Park Stage Area on Friday, Mar. 25th from 2-10pm.
 - g) Temporary Use Permit allowing Church of God of Prophecy Use of the Lindsay Park Stage Area on Saturday, Mar. 26th from 2-10pm.

 7. PROCLAMATION ANNOUNCING APRIL AS CHILD ABUSE PREVENTION MONTH IN THE CITY OF LINDSAY. (pg. 26)
Presented by Sandra Loftin, Office Manager.

 8. REQUEST TO CONTINUE BUDGET STUDY SESSION TO APRIL 12, 2016. (pg. 27)
Presented by Justin Poore, Finance Director.

 9. STREET IMPROVEMENT DISCUSSION.
Presented by Mike Camarena, City Services Director.

 10. EXECUTIVE SESSION:
Conference with Legal Counsel regarding Liability Claims GC§54956.95 1 - case
Claimant: Sheila DeOcampo
Agency Claimed Against: Lindsay Police Department

 11. ADJOURN. The next Regular meeting is scheduled for **TUESDAY, APRIL 12, 2016 at 6:00 PM** in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, CA 93247.

Materials related to an Agenda item submitted to the legislative body after distribution of the Agenda Packet are available for public inspection in the office of the City Clerk during normal business hours. Complete agenda is available at www.lindsay.ca.us In compliance with the Americans with Disabilities Act & Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the office of the City Clerk at (559) 562-7102 ext 8031. Notification 48 hours prior to the meeting will enable the City to ensure accessibility to this meeting and/or provision of an alternative format of the agenda and documents in the agenda packet.

Lindsay City Council Meeting Minutes

Pg. 8164

Regular Meeting
251 East Honolulu, Lindsay, California
Tuesday, March 8, 2016
6:00 P.M.

CALL TO ORDER.

Mayor PADILLA called the Regular Meeting of the Lindsay City Council to order at 6:00 p.m. in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, and California.

COUNCIL PRESENT: SALINAS, MECUM, KIMBALL, SANCHEZ, Mayor PADILLA.

COUNCIL ABSENT: None.

FLAG SALUTE: Council member SALINAS

Mayor PADILLA asked if there were any members of the audience that needed translation into Spanish, seeing there were none, she continued on to the Invocation.

INVOCATION: led by Pastor Mark Smith of the United Methodist Church.

PUBLIC COMMENT: There were none.

COUNCIL REPORTS

Council member MECUM - had nothing to report

Council member KIMBALL - reported on Healthy Kids Healthy Lindsay Meeting, Cultural Arts Dinner on 3/19 & book sale kicks off on 3/22.

Council member SALINAS – reported new swings are in at the main park

Mayor Pro Tem SANCHEZ – had nothing to report

Mayor PADILLA –talking on the radio about the importance of voting and supporting McDermond for our youth.

STUDENT REPORT –

Student Representative Reported on the following items:

Successful blood drive (100 participants)

Spring Fever Week activities

Sports Schedule

Spring break starts 3-21

STAFF REPORT

Interim City Manager Bill Zigler’s report included the following:

Support for Tulare County New Employment Credit

Staff is reviewing facility rental schedules

Staff is reviewing streamlining of Utility Bill Payments

Lindsay Foods Grocery store is open on Mirage

Wellness Center/Pool Update

McDermond Update on activities & maintenance

Report on Olive Bowl Project

City Services report on HRPP Project, City Park & Building Permits

CONSENT CALENDAR:

a) Meeting Minutes for Feb. 23rd, 2016.

b) Warrant List for Feb. 22nd, 26th & 29th, 2016.

c) Treasurer’s Report for Feb. 29th, 2016.

d) 2016 Orange Blossom Festival Advertisement.

e) Use of City facilities for 2016 Orange Blossom Festival.

ACTION:

On Motion by MECUM and Second by KIMBALL, the Lindsay City Council approved the Consent Calendar, as presented, Via Minute Order.

AYES: MECUM, KIMBALL, SALINAS, SANCHEZ, PADILLA.

NOES: None.

ABSENT: None.

CONSIDERATION OF RESOLUTION 16-08 APPROVING SITE PLAN REVIEW FOR PROPERTY LOCATED AT 202 N. HWY 65.

Assistant City Planner Brian Spaunhurst introduced this item and staff report. He stated Resolution 16-08 is a request to reconstruct the existing Taco Bell restaurant for an increase of about 95 sq. ft. and re-orient the building to face east. He then asked for Council approval of the draft resolution subject to the conditions found below and in the attached resolution:

- Construction shall be in substantial compliance with the approved site plan
- All requirements of the Americans with Disabilities Act (ADA) shall be satisfied
- All signage shall require separate approvals under a separate permitting process
- The main ingress/egress point located to the west of the site shall be repaved and appropriately striped
- All utilities, mechanical and HVAC equipment shall be screened from public view

Discussion included description of the proposed changes to the site - relocating trash enclosures, ADA access to the site from the street, new building will have ADA compliant bathrooms and egress will be striped for right turn only. The business will be closed a minimum of 45 days for a complete reconstruct of the building

Mayor PADILLA asked for any further questions from Council, seeing none she asked, "what if any action do you wish to take on Resolution 16-08?"

ACTION:

On Motion by SALINAS and Second by SANCHEZ, The Lindsay City Council approved RESOLUTION 16-08 APPROVING SITE PLAN REVIEW FOR PROPERTY LOCATED AT 202 N. HWY 65, by the following vote:

AYES: SALINAS, SANCHEZ, MECUM, KIMBALL, PADILLA.
NOES: None.
ABSENT: None.

CONSIDERATION OF RESOLUTION 16-09 APPROVING BUDGET AMENDMENT #3.

Finance Director Justin Poore introduced this item and staff report. He stated "In reviewing the Revenues and Expenditures related to recreation reporting, staff realized that recreation was absorbed by the McDermont Field House Budget and as a result of this absorption financial statements have presented understated net income and fund balance amounts in the McDermont Field House Fund and overstated net income and fund balance amounts in the General Fund. Further, because it was included among McDermont Field House Fund budget totals, the proper presentation and recognition of the amount of recreational support the city provides to its residents and the applicable costs were less transparent than desired. This amendment would provide the desired transparency and clarity of the financial outcomes of recreational activity in the McDermont Field House and the General Fund."

Since separation of recreation from the McDermont Field House Fund will change the approved 2015/16 budget allocations, this action requires a budget amendment. Staff is requesting approval of draft resolution 16-09 allowing that a Recreation Budget be created to separately represent McDermont Field House Financials from the City and to properly reflect these changes.

Using a flow chart he showed comparison of fund balances with recreation included and with it taken out. Ultimately this will allow the city to not only follow GASB law but will allow staff to better forecast revenue streams for recreation in addition to how McDermont is operating and functioning and will affect both funds in a positive way. This will also assist in determining which programs are working and which ones need to be eliminated.

General Manager, Clint Ashcraft provided Council with information on how the amounts were determined. He explained that McDermont has Events, Fitness, Sports Programs, and Attractions. These Programs all have revenue and expense associated with each of them. Of the \$2.2 million dollar McDermont budget, 7% is Events, 3% is Fitness, 30% Sports Programs/Recreation and 60% is Attractions. With this, our intention is to take the Recreation Service out of the business of McDermont. McDermont is an Enterprise Fund and it is intended to provide for its own expenses. Recreation is a Service Fund that City's typically provide.

RESOLUTION 16-09 APPROVING BUDGET AMENDMENT #3 continued

Questions & discussion included explanation of how the recreation has been reported to this point, clarification that this request will only change how Recreation/McDermont is being reported, how ineffective programs at McDermont can be more easily identified.

Mayor PADILLA asked if there were any further questions or discussion from Council, seeing none she asked, "What if any action do you wish to take on Resolution 16-09?"

Before taking a roll call vote, the City Clerk advised the Mayor there was a correction needed to the resolution included in the agenda. She explained that the resolution included in the agenda listed a requested change of \$575,020 then listed the requested amount Council approved as \$496,940. The requested change needs to match the approved change in the resolution and supporting documentation of \$575,020. A corrected resolution was provided for each Council member and extra copies were available for the public on the back table with the extra agendas.

Council noted the request and approved the resolution, as amended.

ACTION:

On Motion by MECUM and Second by KIMBALL, The Lindsay City Council approved RESOLUTION 16-09 APPROVING BUDGET AMENDMENT #3, AS AMENDED, by the following vote:

AYES: MECUM, KIMBALL, SALINAS, SANCHEZ, PADILLA.
NOES: None.
ABSENT: None.

PUBLIC SAFETY OFFICER STAFFING.

Interim Public Safety Director, Chris Hughes introduced this item. Interim Director Chris Hughes stated this presentation was in response to a question asked by a Council member regarding Police Officer Staffing within the City and the average in the nation.

Utilizing his research information and a power point he reported staffing ratios nationwide as 1.9 police officers per 1000 residents & 1.5 officers per 1000 residents in the western states. He stated Tulare County staffing ratios are 1.08 officers per 1000 in Visalia; .76 per 1000 in Dinuba; 1.1 per 1000 in Porterville; 1.7 per 1000 in Exeter; 1.5 per 1000 in Farmersville; 1.5 per 1000 in Tulare and .91 per 1000 in Lindsay. In comparison to other cities, Lindsay is not the highest or the lowest; we have adequate coverage for our residents.

The Interim Director provided a break down of current staff including patrol officers, sergeants and detectives currently providing public safety services for the City of Lindsay. Discussion and questions included previous years staffing, combining of police/fire services implemented in 2012, vacant positions and challenges within the department as related to overtime costs and ongoing departmental needs such as Training, Vacation, Sick time FMLA & injuries.

Questions & discussion included the number of vacant positions and over-time costs vs. budget costs.

Mayor PADILLA asked if there were any further questions or discussion from Council? Hearing none she stated, "With no further questions we will move on to the next item which is to adjourn the meeting. Is there a Motion to adjourn the meeting"?

ADJOURN. Upon motion by MECUM and Second by SANCHEZ, Mayor PADILLA adjourned the Meeting of the Lindsay City Council at 7:06 pm. The next Regular City Council Meeting will be held on **Tuesday, March 22, 2016 at 6PM** in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, CA 93247.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal-Padilla, Mayor

CITY OF LINDSAY ORGANIZATIONAL CHART FOR 2015-2016

FUND /DEPT	TITLE/DESCRIPTION		
1014010	CITY COUNCIL		
1014040	CITY MANAGER		
1014050	FINANCE		
1014060	CITY ATTORNEY		
1014090	NON-DEPARTMENTAL		
1014110	PUBLIC SAFETY		
1014120	PUBLIC WORKS DEPT.		
1014130	STREETS		
1014210	PARKS		
1024111	ASSET FORFEITURE		RESTRICTED FUND
2614160	GAS TAX-MAINTENANCE		RESTRICTED FUND
2634180	TRANSPORTATION		RESTRICTED FUND
2644190	TRANSIT FUND		RESTRICTED FUND
3004300	MCDERMONT OPERATION		ENTERPRISE FUND
4004400	WELLNESS CENTER/AQUATIC		ENTERPRISE FUND
5524552	WATER		ENTERPRISE FUND
5534553	SEWER		ENTERPRISE FUND
5544554	REFUSE		ENTERPRISE FUND
5564556	LAND APPLICATION		SPECIAL REVENUE FUND
600	CAPITAL IMPROVEMENT FUND		ISF
8414140	CURB & GUTTER		SPECIAL REVENUE FUND
856	STORM DRAIN SYSTEM		SPECIAL REVENUE FUND
857	DOMESTIC WASTEWATER		SPECIAL REVENUE FUND
660	SUCCESSOR AGENCY FUND - RDA		
662	SUCCESSOR AGENCY FUND - LMI		
ASSESSMENT DISTRICTS:			
8834883	SIERRA VIEW	8884888	PARKSIDE ESTATES
8844884	HERITAGE PARK	8894889	SIERRA VISTA
8854885	INGOLDSBY	8904890	MAPLE VALLEY
8864886	SAMOA STREET	8914891	PELOUS RANCH
8874887	SWEETBRIER UNITS		
HOUSING AND COMMUNITY DEVELOPMENT:			
7004700	CDBG REVOLVING LN FUND		
7204720	HOME REVOLVING LN FUND		
779	IMPOUND ACCOUNT		

NOTE: All payments using the object code of 200: EXAMPLE XXX-200-XXX are Liability accounts for monies collected from other sources - i.e. payroll deductions, deposits, impounds, etc - and are not Expenses to City

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
85986	03/07/16	2760	A & B TURF	1014210	036007	1863	\$630.00
85986	03/07/16	2760	A & B TURF	1014210	036007	1864	\$270.00
85987	03/14/16	5677	AL JAMES REID JR.	3004300	055006	FEBRUARY 2016	\$425.00
85988	03/14/16	5943	ALEJANDRA CARRANZA	3004300	055026	FEBRUARY 2016	\$600.25
85989	03/14/16	5009	ANDY GARCIA	3004300	055019	FEBRUARY 2016	\$180.00
85990	03/14/16	5674	ANTHONY GONZALEZ	3004300	055006	FEBRUARY 2016	\$300.00
85991	03/14/16	5895	ARTURO VARGAS	3004300	055010	FEBRUARY 2016	\$1,000.00
85992	03/14/16	5910	BAKER COMMODITIES INC.	3004300	069091	3028-00-60056364-JAN.	\$22.00
85993	03/14/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1753780	\$170.07
85994	03/14/16	5930	CHRIS ALLARD	3004300	069092	MCD-8 FEBRUARY 2016	\$400.00
85994	03/14/16	5930	CHRIS ALLARD	4004400	023000	WC-7 FEBRUARY 2016	\$200.00
85995	03/14/16	4887	CITY OF EXETER	1014130	022012	NOV. & DEC. 2015 CNG	\$200.29
85995	03/14/16	4887	CITY OF EXETER	1014210	022012	NOV. & DEC. 2015 CNG	\$200.29
85995	03/14/16	4887	CITY OF EXETER	1014120	022012	NOV. & DEC. 2015 CNG	\$200.29
85995	03/14/16	4887	CITY OF EXETER	2614160	022012	NOV. & DEC. 2015 CNG	\$200.29
85995	03/14/16	4887	CITY OF EXETER	5524552	022012	NOV. & DEC. 2015 CNG	\$200.29
85995	03/14/16	4887	CITY OF EXETER	5534553	022012	NOV. & DEC. 2015 CNG	\$200.29
85995	03/14/16	4887	CITY OF EXETER	5544554	022012	NOV. & DEC. 2015 CNG	\$200.29
86033	03/14/16	279	CITY OF PORTERVILLE	1014120	022012	201602038442-DEC. CNG	\$42.89
86033	03/14/16	279	CITY OF PORTERVILLE	1014130	022012	201602228720-JAN. CNG	\$61.46
86033	03/14/16	279	CITY OF PORTERVILLE	1014210	022012	201602228720-JAN. CNG	\$61.46
86033	03/14/16	279	CITY OF PORTERVILLE	1014120	022012	201602228720-JAN. CNG	\$61.47
86033	03/14/16	279	CITY OF PORTERVILLE	1014130	022012	201602038442-DEC. CNG	\$42.88
86033	03/14/16	279	CITY OF PORTERVILLE	1014210	022012	201602038442-DEC. CNG	\$42.88
86033	03/14/16	279	CITY OF PORTERVILLE	2614160	022012	201602228720-JAN. CNG	\$61.47
86033	03/14/16	279	CITY OF PORTERVILLE	2614160	022012	201602038442-DEC. CNG	\$42.89
86033	03/14/16	279	CITY OF PORTERVILLE	5524552	022012	201602228720-JAN. CNG	\$61.46
86033	03/14/16	279	CITY OF PORTERVILLE	5524552	022012	201602038442-DEC. CNG	\$42.88
86033	03/14/16	279	CITY OF PORTERVILLE	5534553	022012	201602038442-DEC. CNG	\$42.88
86033	03/14/16	279	CITY OF PORTERVILLE	5534553	031007	201509295599-LAB	\$1,552.00
86033	03/14/16	279	CITY OF PORTERVILLE	5534553	022012	201602228720-JAN. CNG	\$61.46
86033	03/14/16	279	CITY OF PORTERVILLE	5544554	022012	201602228720-JAN. CNG	\$61.47
86033	03/14/16	279	CITY OF PORTERVILLE	5544554	022012	201602038442-DEC. CNG	\$42.89

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
85996	03/14/16	102	CULLIGAN	6004552	064002	154799-FEB.	\$43.92
85996	03/14/16	102	CULLIGAN	6004552	064002	3301-JAN.	\$48.98
85996	03/14/16	102	CULLIGAN	6004552	064002	154807-FEB.	\$49.59
85996	03/14/16	102	CULLIGAN	6004552	064002	3301-FEB.	\$55.66
85996	03/14/16	102	CULLIGAN	6004552	064002	154815-FEB.	\$94.26
85996	03/14/16	102	CULLIGAN	6004552	064002	154815-JAN.	\$89.29
85996	03/14/16	102	CULLIGAN	6004552	064002	154823-FEB.	\$39.25
85996	03/14/16	102	CULLIGAN	6004552	064002	154823-JAN.	\$23.75
86042	03/14/16	1463	DANNY SALINAS	1014010	037012	FEBRUARY 2016	\$50.00
85997	03/14/16	316	DEPT OF JUSTICE	1014110	039001	141723	\$130.00
85997	03/14/16	316	DEPT OF JUSTICE	1014120	031000	141723	\$32.00
85997	03/14/16	316	DEPT OF JUSTICE	3004300	069088	141723	\$32.00
85998	03/14/16	2223	DIANE BUCAROFF	1014070	031000	FEBRUARY 2016	\$570.00
85999	03/14/16	5993	DIEGO MEDINA	3004300	055019	FEBRUARY 2016	\$750.00
86000	03/14/16	4809	EDWARD SAVERY	3004300	055006	FEBRUARY 2016	\$25.00
86001	03/14/16	5611	ELITE FITNESS & NUTRITION	3004300	069113	FEBRUARY 2016	\$3,000.00
86002	03/14/16	5997	ENVIRONMENTAL CONCEPTS	2614160	065013	216125	\$1,015.42
86003	03/14/16	4460	EVANS FEED & LIVESTOCK	1014110	066017	457195	\$50.85
86004	03/14/16	5676	FIT FOR LIFE	4004400	055006	FEBRUARY 2016	\$350.00
86005	03/14/16	4837	GREG MULLINS	3004300	055006	FEBRUARY 2016	\$325.00
86006	03/14/16	2975	HAJOCA CORPORATION	3004300	069092	S008845855.001	\$14.68
86007	03/14/16	1391	HOME DEPOT	1014210	022000	6173749	\$242.88
86007	03/14/16	1391	HOME DEPOT	1014210	022000	6173750	\$247.52
86007	03/14/16	1391	HOME DEPOT	1014210	036007	4021065	\$460.86
86007	03/14/16	1391	HOME DEPOT	4004400	023000	6142403	\$123.77
86007	03/14/16	1391	HOME DEPOT	6004775	064002	6173751	\$181.58
86008	03/14/16	4721	HUSSAIN RAYANI	3004300	055019	FEBRUARY 2016	\$810.00
86009	03/14/16	5990	J. GUADALUPE LOPEZ	3004300	069115	223975-SECURITY GUARDS	\$576.00
86010	03/14/16	5992	JENNIFER MULLINS	3004300	055006	FEBRUARY 2016	\$150.00
86011	03/14/16	3702	JOB LARA	3004300	055025	JAN. G.U.M. PROGRAM	\$696.00
86012	03/14/16	5675	JOHNNY GONZALEZ	3004300	055025	JAN. G.U.M. PROGRAM	\$696.00
86013	03/14/16	5996	JORDAN MEDINA	3004300	055019	FEBRUARY 2016	\$120.00
86014	03/14/16	5897	JOSE LUIS ESPINO II	3004300	055010	FEBRAURY 2016	\$100.00
86015	03/14/16	4190	JUAN GUTIERREZ	3004300	055019	FEBRUARY 2016	\$825.00

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86016	03/14/16	5994	JULIO CESAR FONSECA	3004300	055002	FEBRUARY 2016	\$60.00
86016	03/14/16	5994	JULIO CESAR FONSECA	3004300	055019	FEBRUARY 2016	\$975.00
86017	03/14/16	5462	KATHY PREKOSKI	4004400	055006	FEBRUARY 2016	\$840.00
86018	03/14/16	5804	KELSIE AVINA	4004400	055006	FEBRUARY 2016	\$225.00
86020	03/14/16	5448	KIRBY D. MANNON	4004400	055006	FEBRUARY 2016	\$200.00
86021	03/14/16	3560	KNORR SYSTEMS, INC	3004300	095002	PWSVI-1053	\$770.40
86022	03/14/16	5991	KURT SALTZMAN	3004300	069090	REFUND 6 ENTRY FEES	\$36.00
86023	03/14/16	5424	LINDSAY VETERINARY	1014110	031010	58327	\$30.00
86023	03/14/16	5424	LINDSAY VETERINARY	1014110	031010	58555	\$30.00
86024	03/14/16	1442	LLOYD ANDERSON ELECTRIC	2614160	032004	93301	\$3,525.30
86024	03/14/16	1442	LLOYD ANDERSON ELECTRIC	2614160	032004	93301 FY2015	\$792.00
86024	03/14/16	1442	LLOYD ANDERSON ELECTRIC	5534553	037000	93119	\$495.42
86024	03/14/16	1442	LLOYD ANDERSON ELECTRIC	5534553	022008	93120	\$605.10
86024	03/14/16	1442	LLOYD ANDERSON ELECTRIC	5534553	022008	93121	\$183.10
86024	03/14/16	1442	LLOYD ANDERSON ELECTRIC	5534553	037000	93118	\$144.00
86024	03/14/16	1442	LLOYD ANDERSON ELECTRIC	5534553	022008	93117	\$180.00
86025	03/14/16	4981	MARIA ALEJANDRA GUTIERREZ	3004300	055006	FEBRUARY 2016	\$325.00
86026	03/14/16	5989	MICHAEL ESTRADA	1014090	034000	REFUND WATER DAMAGE	\$500.14
86027	03/14/16	5980	MICHAEL L. HARTMAN, CPA	1014050	031000	FEBRUARY 2016-2	\$4,512.00
86028	03/14/16	5916	MICHELLE CORONADO	3004300	055026	FEBRUARY 2016	\$1,500.00
86029	03/14/16	5959	MIGUEL RODRIGUEZ	3004300	055019	JAN 2016 REPLACEMT CK	\$180.00
86030	03/14/16	5959	MIGUEL RODRIGUEZ	3004300	055019	FEBRUARY 2016	\$300.00
86031	03/14/16	5876	MINDBODY, INC.	3004300	069103	INV01193413	\$1,694.42
86032	03/14/16	5971	OSCAR VELASQUEZ	3004300	055019	FEBRUARY 2016	\$180.00
86019	03/14/16	1426	PAM KIMBALL	1014010	037012	FEBRUARY 2016	\$50.00
86034	03/14/16	5713	PPG ARCHITECTURAL FINISHES	6004775	064002	971704013190	\$763.64
86035	03/14/16	5498	PRENTICE ROBINSON	3004300	055019	FEBRUARY 2016	\$90.00
86036	03/14/16	4452	RAMONA PADILLA	1014010	037012	FEBRUARY 2016	\$75.00
86037	03/14/16	5696	RASHEEM RAYANI	3004300	055019	FEBRUARY 2016	\$120.00
86038	03/14/16	5573	RENEE ALVARADO	3004300	055010	FEBRUARY 2016	\$750.00
86039	03/14/16	3840	RICHARD RIOS	1014210	036007	REPAIR REIMBURSEMEN	\$627.17
86039	03/14/16	3840	RICHARD RIOS	1014210	030001	FEBRUARY 2016	\$1,600.00
86040	03/14/16	5511	ROSAENA SANCHEZ	1014010	037012	FEBRUARY 2016	\$50.00
86041	03/14/16	2218	RUBEN GONZALEZ	1014090	034000	SEWER BACK UP	\$130.00

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069103	2/19/16	\$63.79
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069103	3/11/16	\$202.07
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069103	2/18/16	\$203.67
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069103	3/4/16	\$272.87
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069103	2/25/16	\$186.61
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069103	2/5/16	\$156.19
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069103	2/11/16	\$282.03
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	055025	1/20/16	\$3.99
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069116	2/13/16	\$7.98
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069116	2/26/16	\$8.79
86043	03/14/16	298	SAVE MART SUPERMARKETS	3004300	069116	3/6/16	\$17.58
86044	03/14/16	3208	SHANNON PATTERSON	4004400	055006	FEBRUARY 2016	\$375.00
86045	03/14/16	1776	SMART & FINAL	3004300	069116	3/11/16	\$258.05
86045	03/14/16	1776	SMART & FINAL	3004300	069116	2/12/16	\$236.83
86045	03/14/16	1776	SMART & FINAL	3004300	069116	2/19/16	\$132.50
86045	03/14/16	1776	SMART & FINAL	3004300	069116	3/4/16	\$141.61
86045	03/14/16	1776	SMART & FINAL	3004300	069116	2/5/16	\$486.43
86045	03/14/16	1776	SMART & FINAL	3004300	069116	2/26/16	\$307.73
86046	03/14/16	5982	SONIA IZQUIERDO	3004300	055026	FEBRUARY 2016	\$384.00
86047	03/14/16	5986	STEELCRAFT PRODUCTS	6004775	064002	66305	\$1,289.40
86048	03/14/16	4914	STEPHANIE VELASQUEZ	3004300	055006	FEBRUARY 2016	\$700.00
86048	03/14/16	4914	STEPHANIE VELASQUEZ	4004400	055006	FEBRUARY 2016	\$200.00
86049	03/14/16	5490	STEVEN A MECUM	1014010	037012	FEBRUARY 2016	\$50.00
86050	03/14/16	5899	SUPPLYWORKS	3004300	069091	5160243-00	\$857.83
86051	03/14/16	4943	TIMOTHY CULVER	3004300	055026	FEBRUARY 2016	\$4,410.00
86052	03/14/16	1664	TU. CO. ENVIRONMENTAL HEALTH	4004400	032007	IN9154933	\$971.00
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-093-008-000 SILVESTRE	\$533.06
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	206-121-020-000 SANDY	\$543.49
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-261-004-000 GUADALUPE	\$601.28
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	206-113-014-000 ADRIANA	\$629.61
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-303-002-000 JORGE	\$646.72
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-303-004-000 JOSE	\$650.50
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-303-006-000 JUDITH	\$664.27
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-303-003-000 JUAN	\$664.27

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	201-070-019-000 MARIA	\$692.16
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-063-021-000 MARIO	\$362.34
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-283-023-000 JORGE	\$955.43
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-283-015-000 ANDREA	\$955.43
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-283-020-000 RITO	\$955.43
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-030-034-000 JOSEPH	\$1,382.91
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-283-021-000 GLORIA	\$991.14
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-283-014-000 RAFAEL	\$997.70
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	202-200-018-000 JACQUELINE	\$891.78
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-281-019-000 SUSANA	\$1,043.98
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-281-021-000 MARIA	\$1,080.35
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-281-022-000 MOHSIN	\$1,080.35
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-283-019-000 JESUS	\$1,169.39
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	201-090-044-000 KIRK	\$1,241.89
86053	03/14/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-281-017-000 SALEM	\$1,245.13
86054	03/14/16	5432	TU. CO. TRANSPORTATION AUTH.	1014130	047001	MEASUR R INT. DEC. 2015	\$4,961.10
86055	03/14/16	5432	TU. CO. TRANSPORTATION AUTH.	101	200204	QTR ENDING 3/31/16	\$13,105.54
86056	03/14/16	4767	TULARE REGIONAL MEDICAL	3004300	055025	JAN. G.U.M. PROGRAM	\$566.00
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	1014090	037018	LATE FEES	\$105.20
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	1014040	036008	C.M.-294418579 JAN.	\$123.09
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	1014110	036008	P.S.-294418579 JAN.	\$142.49
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	1014050	036008	FINANCE-294418579 JAN.	\$186.62
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	1014120	036008	C.S.-294418579 JAN.	\$186.62
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	1014070	036008	C.C.-294418579 JAN.	\$186.62
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	1014110	036008	P.S.-294418579 JAN.	\$277.22
86057	03/14/16	4849	U.S. BANK EQUIPMENT FINANCE, INC.	3004300	069113	MCD-294418579 JAN.	\$186.62
86058	03/14/16	5747	UNITED STAFFING	1014120	022000	64054	\$109.14
86058	03/14/16	5747	UNITED STAFFING	1014130	022000	64054	\$152.80
86058	03/14/16	5747	UNITED STAFFING	1014210	022000	64054	\$502.04
86058	03/14/16	5747	UNITED STAFFING	1014210	022000	63106	\$588.00
86058	03/14/16	5747	UNITED STAFFING	1014120	022000	63106	\$3.49
86058	03/14/16	5747	UNITED STAFFING	5524552	022000	64054	\$327.42
86058	03/14/16	5747	UNITED STAFFING	5534553	022000	64054	\$327.42
86058	03/14/16	5747	UNITED STAFFING	6004775	064002	64054	\$567.53

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86058	03/14/16	5747	UNITED STAFFING	8834883	022000	64054	\$43.66
86058	03/14/16	5747	UNITED STAFFING	8834883	022000	63106	\$21.00
86058	03/14/16	5747	UNITED STAFFING	8844884	022000	63106	\$21.00
86058	03/14/16	5747	UNITED STAFFING	8844884	022000	64054	\$21.83
86058	03/14/16	5747	UNITED STAFFING	8864886	022000	63106	\$10.50
86058	03/14/16	5747	UNITED STAFFING	8864886	022000	64054	\$32.74
86058	03/14/16	5747	UNITED STAFFING	8874887	022000	64054	\$32.74
86058	03/14/16	5747	UNITED STAFFING	8874887	022000	63106	\$17.50
86058	03/14/16	5747	UNITED STAFFING	8884888	022000	63106	\$21.00
86058	03/14/16	5747	UNITED STAFFING	8884888	022000	64054	\$43.66
86058	03/14/16	5747	UNITED STAFFING	8904890	022000	64054	\$21.83
86058	03/14/16	5747	UNITED STAFFING	8904890	022000	63106	\$3.50
86058	03/14/16	5747	UNITED STAFFING	8914891	022000	63106	\$14.00
86059	03/14/16	4240	VALLEY UNIFORM CENTER	1014110	024004	10461	\$4.00
86060	03/14/16	5942	VANESSA GUTIERREZ	3004300	055026	FEBRUARY 2016	\$906.50
86061	03/14/16	1010	VERIZON CALIFORNIA	3004300	069111	559-562-3326	\$375.24
86062	03/14/16	1041	VERIZON WIRELESS	5524552	033001	9759635924	\$26.66
86062	03/14/16	1041	VERIZON WIRELESS	5534553	033001	9759635924	\$26.67
86063	03/14/16	1604	VISA	1014050	037008	B.Z.-EL PATIO	\$46.97
86063	03/14/16	1604	VISA	1014110	037000	P.S.-UPS STORE	\$67.21
86063	03/14/16	1604	VISA	1014040	038002	C.O.L.-HR SEMINAR	\$79.00
86063	03/14/16	1604	VISA	1014110	037000	P.S.-CREDIT ON ACCOUNT	-\$70.47
86063	03/14/16	1604	VISA	1014050	036008	C.O.L.-AMAZON	\$3.82
86063	03/14/16	1604	VISA	1014110	037000	P.S.-UPS STORE	\$13.85
86063	03/14/16	1604	VISA	1014040	037004	C.O.L.-MARIA'S ADOBE	\$14.99
86063	03/14/16	1604	VISA	1014110	037004	C.O.L.-P/S'S ADOBE	\$14.99
86063	03/14/16	1604	VISA	1014050	037004	C.O.L.-CITY CLERK'S ADOBE	\$14.99
86063	03/14/16	1604	VISA	1014070	038002	C.O.L.-PLANNING'S PAYPAL	\$15.00
86063	03/14/16	1604	VISA	1014110	024004	P.S.-UNIFORM CONNECTION	\$15.46
86063	03/14/16	1604	VISA	1014120	038002	M.C.-WORLD AG EXPO.	\$20.00
86063	03/14/16	1604	VISA	1014050	036008	C.O.L.-AMAZON	\$29.13
86063	03/14/16	1604	VISA	1014090	037000	C.O.L.-1099 ENVELOPES	\$31.44
86064	03/14/16	5937	VISUAL 6 GRAPHICS	5524552	037000	40396	\$243.02
86065	03/14/16	3342	W S PALMER COMPANY	779	200351	ANDREA #993902536 6	\$575.00

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86066	03/14/16	4790	WHENTOWORK, INC.	3004300	069069	20986978-100-12-16	\$400.00
86067	03/14/16	4978	WILLIAM B. PETERSON	3004300	055019	FEBRUARY 2016	\$600.00
86068	03/14/16	5912	YVETTE DURAN	3004300	055006	FEBRUARY 2016	\$175.00
						TOTAL	\$101,162.69

CITY OF LINDSAY
STAFF REPORT
TEMPORARY USE PERMIT No. 11-09
(172 W. Honolulu Street)
T&A, 2011

GENERAL INFORMATION

1. Applicant: Michael Estrada
172 W. Honolulu St
Lindsay, CA 95374
2. Requested Action: Minute Order approval of Temporary Use Permit 11-09 to close alley behind the Orange Bar for an OBF Beer Garden from 11 am April 11 to 2:00 am, April 12, 2011.
3. Location: The alley directly behind the Orange Bar, located at 172 W. Honolulu Street (APN: 205271014).

PROJECT DESCRIPTION

Minute Order approval of Temporary Use Permit (TUP) No. 11-09 is a request by Michael Estrada to close the alley directly behind the Orange Bar for Beer Garden use for patrons attending the annual Orange Blossom Festival (OBF), for property located at 172 W. Honolulu Street. The project site is bordered by Honolulu Street to the north, an alley and the old jail to the south, a vacant lot to the east and a small parking lot and Friends' Liquor to the west.

The TUP would be from 11 am, Saturday, April 11 to 2 am, Sunday, April 12, 2011. This temporary use would require the closure of the alley behind the Orange Bar. The outdoor seating area would include:

- Four tables
- Four trash cans
- Two porta-potties
- Temporary fencing to control access, placed along the southern, eastern, and western extent of the seating area. The Orange Bar would control all access.
- Access would be taken through the rear of the Orange Bar. This area would be staffed with security personnel provided by the Orange Bar.
- A minimum of three security personnel would be provided.

Identification would be checked and strictly monitored by security personnel. All parking would be on-street and in public parking lots, per the Orange Bar's normal operating procedures.

SITE USE

The Orange Bar OBF Beer Garden activity areas would include the Orange Bar and that portion of the alley directly behind the Orange Bar. The alley behind the Orange Bar currently serves only the Orange Bar and Friends' Liquor Store. Friends' Liquor would retain alley access, as well as street access from both Honolulu Street and Sweet Brier Avenue. The site is surrounded primarily by central commercial and service commercial uses.

PERMIT REQUIREMENTS

The Orange Bar is zoned Central Commercial. The proposed use is permitted, subject to approval of a temporary use permit by the City Council. Requirements for temporary use permits are listed in Zoning Ordinance Section 18.17.180:

SECTION 18.17.180 TEMPORARY USE PERMITS

Temporary use permits may be approved by the City Council. Temporary uses are defined as non-permanent, special promotional or seasonal land uses which are similar in nature and intensity to land uses in the underlying zone. The city council may approve temporary use permits, subject to the following findings and guidelines:

- A. Temporary use permits shall be for a fixed period of time, not to exceed thirty calendar days per year for each outdoor temporary use, and six months for all other uses or structures.*
- B. Adequate and safe ingress and egress shall be provided to the project site. Directional signing, barricades, fences, and landscaping may be required as a condition of permit approval. Private security personnel may also be required for promotional events.*
- C. Adequate parking facilities shall be provided for each temporary use.*
- D. The proposed temporary use will not adversely impact traffic circulation or result in traffic congestion in the project area.*
- E. Upon termination of a temporary use, or abandonment of the site, the applicant shall remove materials and equipment, and restore the premises to its original condition.*
- F. Reasonable time limits for hours of operation may be set by the city council as a condition of permit approval.*
- G. Applicants for temporary use permits shall secure all other applicable licenses and permits prior to issuance of a temporary use permit.*
- H. Signing for temporary uses shall be subject to the approval of the community development department.*
- I. The city council may deny an application for a temporary use permit if conditions exist which would be injurious or detrimental to existing improvements, land uses, or surrounding areas.*

EVALUATION

Access: The project site provides controlled access via the Orange Bar where security personnel would be stationed. Screened temporary fencing would be placed to enclose the Beer Garden outdoor seating area, as is required per California Department of Alcohol Beverage Control standards. Staff believes that the site preparation, site control, and nature of use would meet the criteria for a temporary use permit.

Parking: Adequate city parking spaces are available throughout the downtown area for this temporary use.

Hours of Operation: Reasonable hours of operation are proposed for this type of use: 11 am April 15th to 2 am on April 16th.

Duration of Permit: Council may approve this temporary use permit request for a time period not exceeding a cumulative total of 6 months. The applicant is requesting this permit for a period of 20[^] hours. Staff recommends that the permit expire no later than 2 am April 16th, 2011.

Fire and Safety: Fire extinguishers are available within the bar. The close proximity of these extinguishers is considered adequate for this temporary use. The Fire Department would inspect and approve the beer garden site prior to the beer garden opening for business.

Security: Security would be provided by a minimum of three security guards, arranged by and paid for by the applicant. The City Public Safety Department would verify and monitor security and reserve the right to require an increase in security staffing as conditions require, or close the Beer Garden, if necessary.

Insurance: The applicant would provide a certificate of liability insurance listing the City of Lindsay as a certificate holder, with coverage amounts acceptable to the City prior to the commencement of operations.

Site Cleanup: The applicant would be required to maintain the site and surrounding area in a clean and neat condition, free of all trash and debris. The emptying of trash receptacles would be monitored by the applicant. Upon the conclusion of the party, the site would be cleaned up and returned to its original condition.

Council Options: Council may take one of the three following options:

- Approve the TUP request via Minute Order. This would allow for the closure of the alley behind the Orange Bar for Beer Garden use during OBF.
- Disapprove the TUP request.
- Direct staff to take some other related action.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA) Article 19 §15304 identifies the minor temporary use of land having negligible or no permanent effects on the environment as Categorical Exempt. A draft Notice of Exemption has been prepared.

RECOMMENDATION

The closure of the alley behind the Orange Bar for Beer Garden use during OBF has been an annual tradition since at least 2007. The city has received no complaints regarding this temporary closure.

Staff recommends that the City Council approve the temporary use permit application, subject to the following conditions:

- The Orange Bar OBF Beer Garden outdoor seating area layout would be generally consistent with the approved site plan, and would be limited to the area confined by the fencing, within the alley behind the Orange Bar.
- The placement of barricades and any visual warning devices identifying the alley closure would be coordinated with Public Safety and City Services.
- All California Department of Alcohol Beverage Control regulations would be met, including the screening of the outdoor Beer Garden seating area from public view.

- Temporary screened security fencing would be provided around the perimeter of the outdoor seating area in the alley.
- A controlled access point would be provided for the verification of identification cards. Security personnel would verify identification cards and monitor those patrons consuming alcohol.
- A minimum of two trash cans and two portable toilets would be provided within the outdoor seating area.
- The temporary use would be limited to the hours between 11 am, Saturday, April 1st to 2 am, Sunday, April 2nd, 2011 for operation.
- The applicant would seek the approval of the City of Lindsay Fire Department regarding the acceptance of any fire and safety related items. The applicant would not open the outdoor seating area until such approval has been obtained.
- Security would be provided by a minimum of three security guards, arranged and paid for by the applicant. The City of Lindsay Public Safety Department would verify and monitor security and reserve the right to require an increase in security staffing as conditions require. The City of Lindsay Public Safety Department would reserve the right to close the Beer Garden if it determines that conditions warrant such closure.
- Liability insurance would be provided by the applicant in a form and amount acceptable to the City. The City would be listed as certificate holder.
- The site and surrounding area would be maintained in a clean and neat condition, free of all trash and debris. The emptying of trash receptacles would be monitored by the applicant. Upon conclusion of the temporary use, the site would be returned to its original condition.

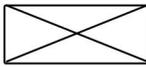
ATTACHMENTS

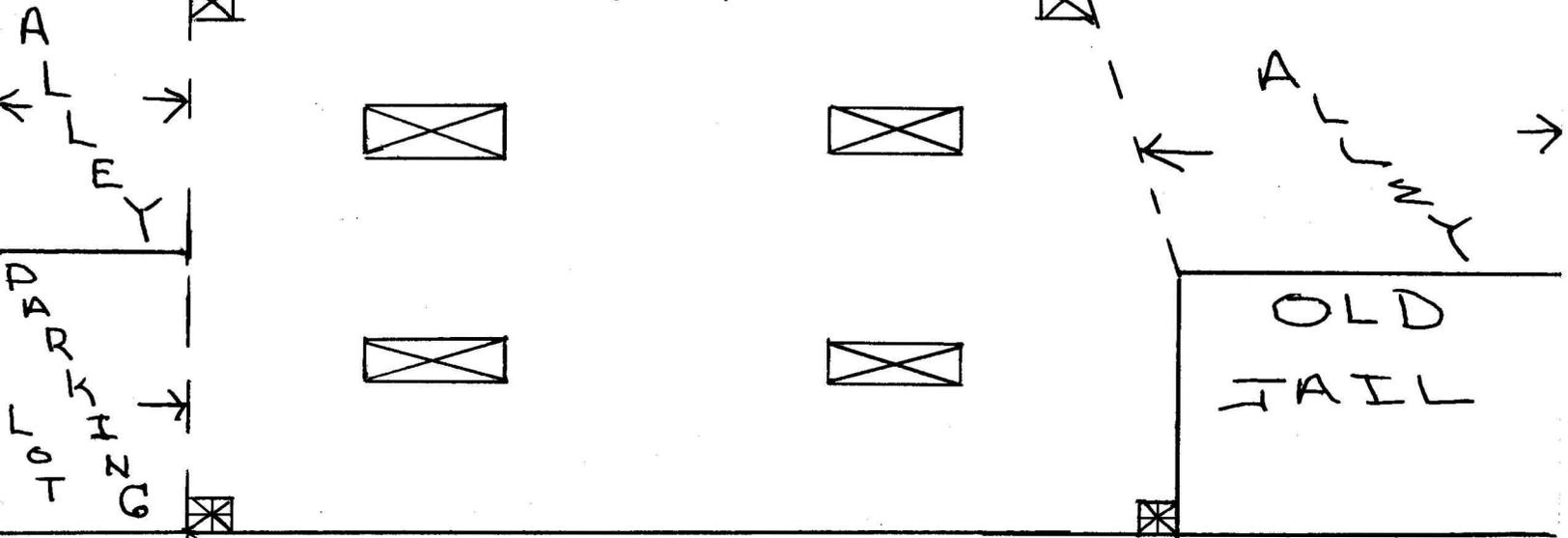
- Site Plan
- Zoning Map

HONOLULU STREET

THE
ORANGE
BAR

LEGEND

-  Table
-  Trash Can
-  Temporary Fencing
-  Portable Toilets



AUTO REPAIR GARAGE

CITY OF LINDSAY ZONING MAP



Legend

- City Limits
- Railroad
- State Highway
- Streets
- Parcels

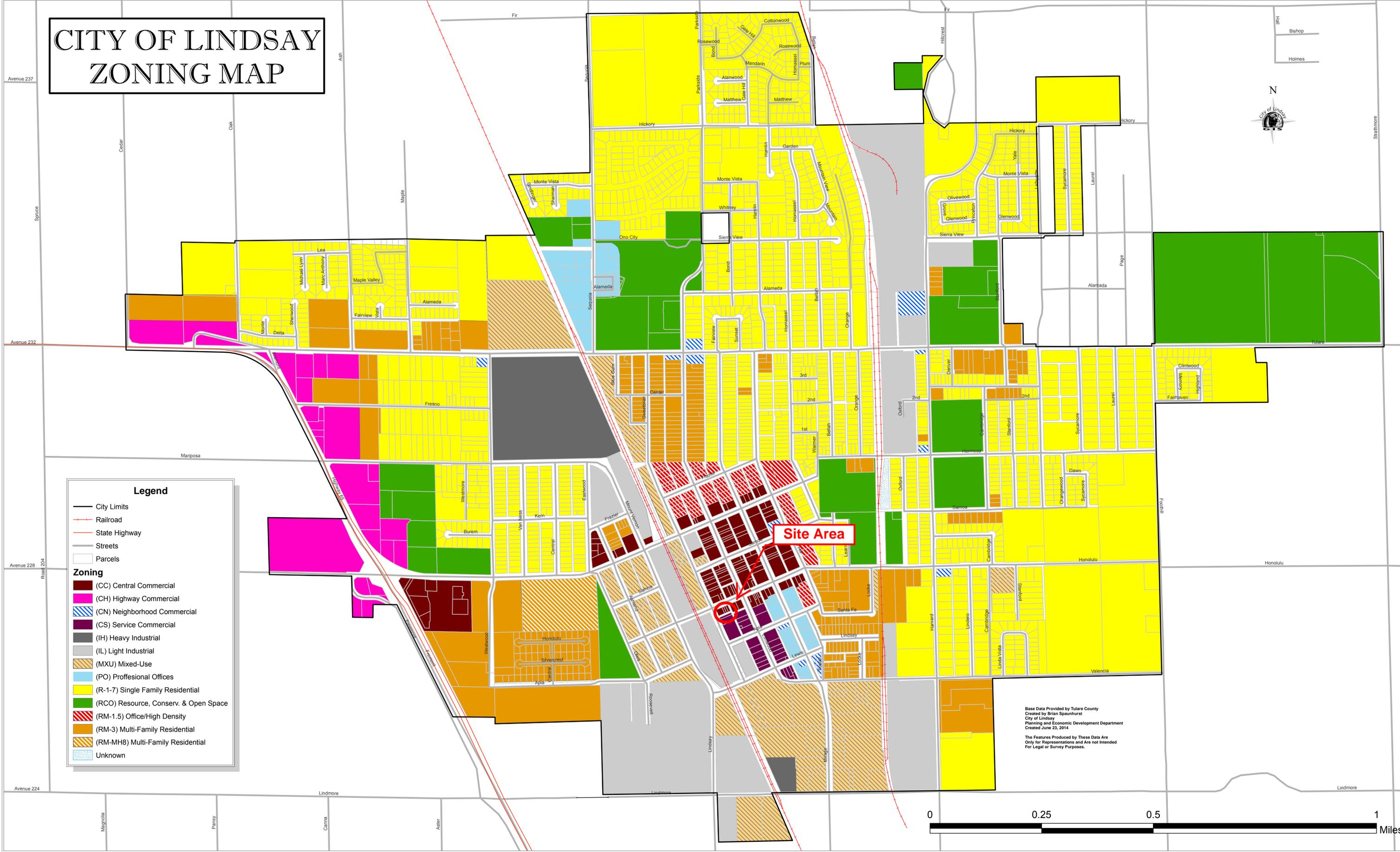
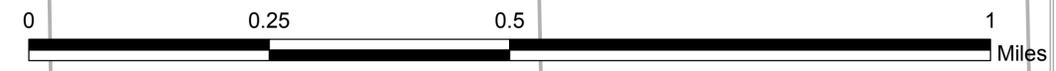
Zoning

- (CC) Central Commercial
- (CH) Highway Commercial
- (CN) Neighborhood Commercial
- (CS) Service Commercial
- (IH) Heavy Industrial
- (IL) Light Industrial
- (MXU) Mixed-Use
- (PO) Professional Offices
- (R-1-7) Single Family Residential
- (RCO) Resource, Conserv. & Open Space
- (RM-1.5) Office/High Density
- (RM-3) Multi-Family Residential
- (RM-MH8) Multi-Family Residential
- Unknown

Site Area

Base Data Provided by Tulare County
 Created by Brian Spaulhurst
 City of Lindsay
 Planning and Economic Development Department
 Created June 23, 2014

The Features Produced by These Data Are
 Only for Representations and Are not Intended
 For Legal or Survey Purposes.



MEMORANDUM

March 22, 2016

From: Assistant City Planner
To: City Manager and City Council

Subject: Follow Up Health and Safety Inspection Results – Development Extension Review 16-04 -Informational

STAFF NOTES: On February 9, 2016, Council approved Development Extension Review 16-04. Section 1 of Resolution 16-03 required the applicant, Alma Rocha, to complete a follow up Health and Safety Survey within 30 days of the approved extension.

On February 10th, the applicant was provided with a list of health and safety concerns to repair or remove prior to the follow up inspection. The applicant requested an inspection for the 19th of February indicating she had addressed the list of concerns.

FINDINGS: Upon inspection of the site, Staff found that all of the concerns identified had been addressed. The site overall was much cleaner and more presentable. All items that had posed threats to overall safety had been removed, or repaired. In addition to addressing the identified concerns, the applicant also re-applied red paint to the main driveway to update the faded fire lane.

While the applicant addressed all identified concerns, the Building Inspector noted that the arbor in the park area had not been properly cleared with a building permit. Currently the applicant is working with the Building Inspector to submit plans and obtain a proper building permit.

Conclusion: While an additional issue was found during the inspection, Staff is satisfied with the improvements made by the applicant. Staff does not find the issue that was found to have bearing upon the original goal to make the project site safer. The arbor would be properly addressed should the applicant decide to apply for an additional extension in 2017.

Staff finds the requirements of Section 1 of Resolution 16-03 to be satisfied.

Respectfully Submitted,


Brian Spaunhurst

DER 16-04
Follow Up Health and Safety Inspection Results - Informational

CITY OF LINDSAY
STAFF REPORT
TEMPORARY USE PERMIT No. 16-10
(419 W. HERMOSA ST)
March 22, 2016

GENERAL INFORMATION

1. Applicant: Faustino Mendoza
363 Homassel Ave.
Lindsay, CA 93247
2. Requested Action: **Minute Order** Approval of Temporary Use Permit to operate a shaved ice stand from March 25, 2016 – September 25, 2016
3. Location: 419 W. Hermosa Street, in the west parking area next to Central Valley Farm, Ranch, and Garden Supply (APN: 205-303-007).

PROJECT DESCRIPTION

Temporary Use Permit 16-10 is a request by Faustino Mendoza to operate a shaved ice stand in the west parking area next to Central Valley Farm, Ranch, and Garden Supply, for property located at 419 W. Hermosa Street. The project site is bordered by residential use to the north, W. Hermosa St. to the south, the building to the east and Eastwood Ave. to the west.

The duration of the temporary use would be from March 25, 2016 – September 25, 2016. Hours of operation would be between 8 am and 10 pm, daily.

SITE USE

The proposed use is part of the parking area for the supply store. It is fully paved with two ingress/egress points.

PERMIT REQUIREMENTS

The project site is zoned Central Commercial. The proposed use is permitted, subject to approval of a temporary use permit by the City Council. Requirements for temporary use permits are listed in Zoning Ordinance Section 18.17.180:

SECTION 18.17.180 TEMPORARY USE PERMITS

Temporary use permits may be approved by the City Council. Temporary uses are defined as non-permanent, special promotional or seasonal land uses which are similar

in nature and intensity to land uses in the underlying zone. The city council may approve temporary use permits, subject to the following findings and guidelines:

- A. Temporary use permits shall be for a fixed period of time, not to exceed thirty calendar days per year for each outdoor temporary use, and six months for all other uses or structures.*
- B. Adequate and safe ingress and egress shall be provided to the project site. Directional signing, barricades, fences, and landscaping may be required as a condition of permit approval. Private security personnel may also be required for promotional events.*
- C. Adequate parking facilities shall be provided for each temporary use.*
- D. The proposed temporary use will not adversely impact traffic circulation or result in traffic congestion in the project area.*
- E. Upon termination of a temporary use, or abandonment of the site, the applicant shall remove materials and equipment, and restore the premises to its original condition.*
- F. Reasonable time limits for hours of operation may be set by the city council as a condition of permit approval.*
- G. Applicants for temporary use permits shall secure all other applicable licenses and permits prior to issuance of a temporary use permit.*
- H. Signing for temporary uses shall be subject to the approval of the community development department.*
- I. The city council may deny an application for a temporary use permit if conditions exist which would be injurious or detrimental to existing improvements, land uses, or surrounding areas.*

EVALUATION

Access: The project site provides safe access via two parking lot entrances on Eastwood Avenue. Staff believes that these accesses meet the required criteria for a temporary use permit.

Parking: There is only one marked parking space and it is designated for handicap accessibility. The remainder of the paved parking area has no marked spaces; however planning staff is satisfied that there is adequate parking space for this requested use due to the size of the paved parking area and the available on-street parking availability.

Hours of Operation: Reasonable hours of operation are proposed for this type of use: 8 am to 10 pm, daily.

Duration of Permit: Council may approve this temporary use permit request for a time period not exceeding a cumulative total of 6 months. The applicant is allowed up to six months (March 25, 2016 – September 25, 2016).

Food Safety: The preparation and sale of food would be certified by the Tulare County Health Department, which would also be verified by the City Fire Department.

Site Cleanup: The applicant would be required to maintain the site and surrounding area in a clean and neat condition, free of all trash and debris. Upon the conclusion of operation the site would be returned to its original condition.

Restroom Facilities: Restroom access for employees is located within the existing structure at the site.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA) Article 19 §15304.e identifies the minor temporary use of land having negligible or no permanent effects on the environment as Categorically Exempt. A draft Notice of Exemption has been prepared and is available for public review.

RECOMMENDATION

After five consecutive years of permitting this seasonal temporary use with no issues, **staff recommends that the City Council grant Minute Order Approval of Temporary Use Permit No. 16-10**, based on the findings and subject to these conditions.

- The shaved ice stand would be located consistent with the proposed site plan.
- The shaved ice stand would not obstruct clear driveway accesses.
- All necessary licenses and permits would be secured prior to operation.
- Restroom access will be provided to employees on site.
- The use would be limited to the hours between 8 AM and 10:00 PM for operation.
- The temporary use permit would be effective upon March 25, 2016 – September 26, 2016.
- The preparation and sale of any food on site would be certified by the Tulare County Health Department. Food would not be sold without said certificate.
- The site and surrounding area would be maintained in a clean and neat condition, free of all trash and debris. Upon conclusion of the temporary use, the site would be returned to its original condition.
- The applicant would comply with all applicable city codes and ordinances.
- Letter of permission from property owner at 419 W. Hermosa to operate on premises to be provided to City Planner before March 25, 2016.

ATTACHMENTS

- Aerial photo of business location
- Zoning Map



Eastwood Ave.

Site Access Points

Shaved Ice Trailer
(Approx. 14'x 8')

W. Hermosa St.

95 ft

© 2013 Google

Google earth

Imagery Date: 8/27/2012 36°12'13.01" N 119°05'45.07" W elev 379 ft eye alt 788 ft

Tour Guide

CITY OF LINDSAY ZONING MAP



Legend

- City Limits
- Railroad
- State Highway
- Streets
- Parcels

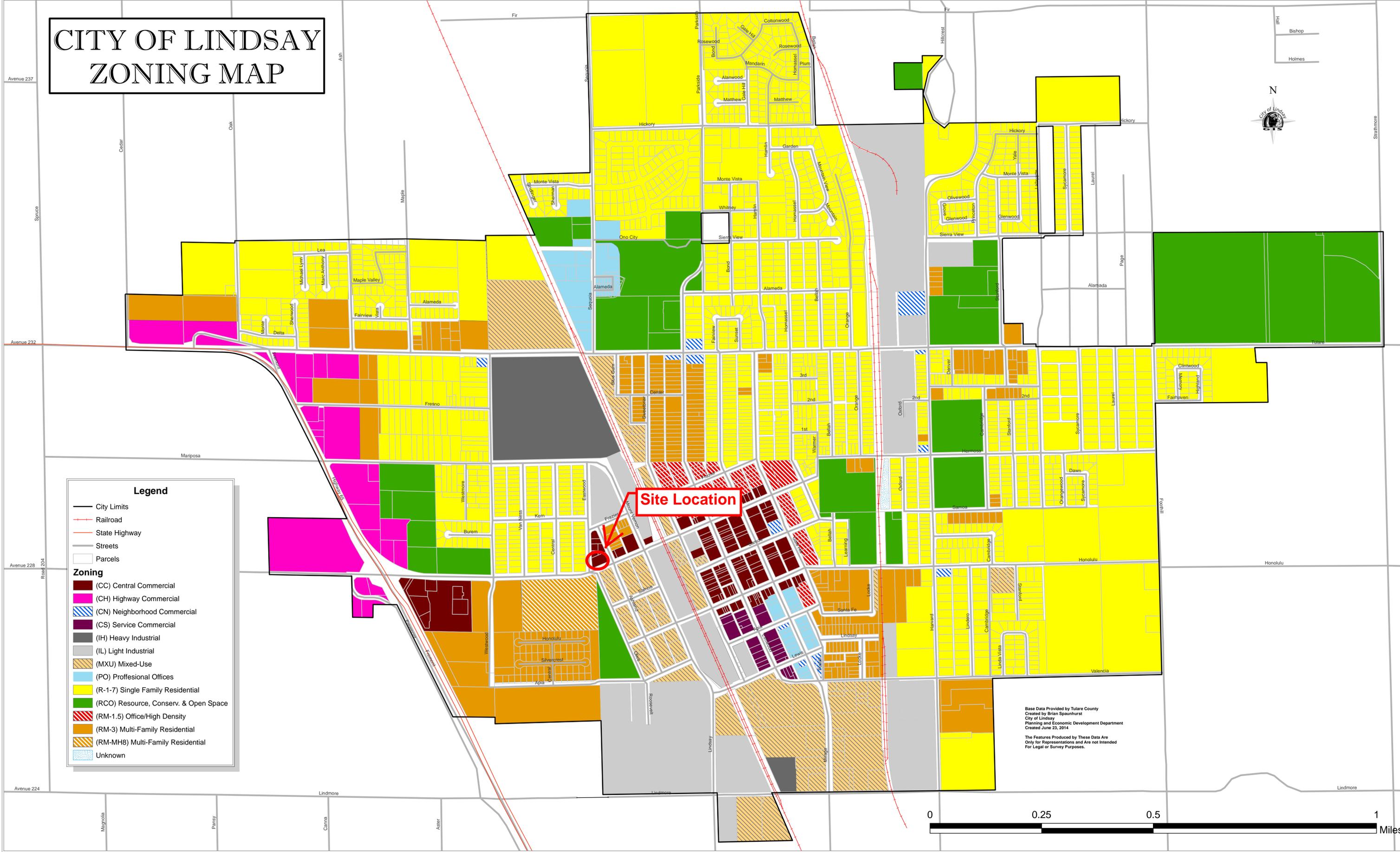
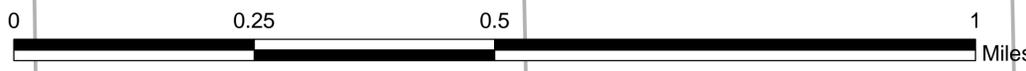
Zoning

- (CC) Central Commercial
- (CH) Highway Commercial
- (CN) Neighborhood Commercial
- (CS) Service Commercial
- (IH) Heavy Industrial
- (IL) Light Industrial
- (MXU) Mixed-Use
- (PO) Professional Offices
- (R-1-7) Single Family Residential
- (RCO) Resource, Conserv. & Open Space
- (RM-1.5) Office/High Density
- (RM-3) Multi-Family Residential
- (RM-MH8) Multi-Family Residential
- Unknown

Site Location

Base Data Provided by Tulare County
 Created by Brian Spaulhurst
 City of Lindsay
 Planning and Economic Development Department
 Created June 23, 2014

The Features Produced by These Data Are
 Only for Representations and Are not Intended
 For Legal or Survey Purposes.



MEMORANDUM

March 22, 2016

From: Assistant City Planner
To: City Manager and City Council

Subject: La Puerta Abierta Use of Lindsay Park Stage Area – Temporary Use
Permit 16-13 - Minute Order Approval

REQUEST: Nathaniel Lopez, a representative of La Puerta Abierta (LPA), has requested the use of the Lindsay Park Stage Area to hold an open air service on Friday, March 25, 2016, at 4:00 pm. To allow adequate time for set-up and tear down, LPA is asking the permit to last from 2:00 pm to 10:00 pm. This would be a free-to-the-public, non-denominational event that would consist of a church service, and live music.

BACKGROUND: The LPA has held a similar event before at the Sweet Brier Plaza in Lindsay and there were no complaints regarding their use of the site. The number of attendees is expected to be no more than one hundred.

The LPA will need access only to electrical power at the stage as well as access to the bathrooms. The LPA is aware of the city's noise ordinance (section 8.20 of the Lindsay Municipal Code) and will comply with the requirements provided therein. Furthermore, LPA understands their responsibility for ensuring the area is clean and free from any waste related to their event prior to their departure.

STAFF NOTES: The LPA would be charged for any staff time related to setup (if required), cleanup, and for any damage incurred during site use. Restroom and electrical access would be coordinated through City Services. As a free-to-the-public, non-denominational event, site rental fees would not be charged. No equipment has been requested. The stage is not reserved by any other group or person for the requested timeframe. Staff recommends Minute Order approval of the request.

Respectfully Submitted,



Brian Spaunhurst

TUP 16-13
La Puerta Abierta Use of Lindsay Park Stage

MEMORANDUM

March 22, 2016

From: Assistant City Planner
To: City Manager and City Council

Subject: Church of God of Prophecy Use of Lindsay Park Stage Area – Temporary Use Permit 16-12 - Minute Order Approval

REQUEST: Cristino Hernandez, a representative of the Church of God of Prophecy (CGP), has requested the use of the Lindsay Park Stage Area to hold an open air service on Saturday, March 26, 2016, at 4:00 pm. To allow adequate time for set-up and tear down, CGP is asking the permit to last from 2:00 pm to 10:00 pm. This would be a free-to-the-public, non-denominational event that would consist of a church service, and live music.

BACKGROUND: The CGP has held a similar event before at the Sweet Brier Plaza in Lindsay and there were no complaints regarding their use of the site. The number of attendees is expected to be no more than one hundred.

The CGP will need access only to electrical power at the stage as well as access to the bathrooms. The CGP is aware of the city's noise ordinance (section 8.20 of the Lindsay Municipal Code) and will comply with the requirements provided therein. Furthermore, CGP understands their responsibility for ensuring the area is clean and free from any waste related to their event prior to their departure.

STAFF NOTES: The CGP would be charged for any staff time related to setup (if required), cleanup, and for any damage incurred during site use. Restroom and electrical access would be coordinated through City Services. As a free-to-the-public, non-denominational event, site rental fees would not be charged. No equipment has been requested. The Plaza is not reserved by any other group or person for the requested timeframe. Staff recommends Minute Order approval of the request.

Respectfully Submitted,



Brian Spaunhurst

TUP 16-12
Church of God of Prophecy Use of Lindsay Park Stage

City of Lindsay Mayor's Proclamation

WHEREAS, child abuse and neglect is a complex and ongoing problem in our society, affecting many children throughout our nation and in Lindsay; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse and neglect; and

WHEREAS, it is the responsibility of every adult who comes in contact with the child to protect that child's inalienable right to a safe and nurturing childhood; and

WHEREAS, Lindsay has dedicated individuals and organizations who work daily to counter the problem of child maltreatment and to help parents obtain the assistance they need; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community.

NOW THEREFORE I, Ramona Villarreal-Padilla, Mayor of the City of Lindsay do hereby proclaim

APRIL 2016 CHILD ABUSE PREVENTION MONTH in the City of Lindsay

and on behalf of the City Council and all of our citizens urge all of our citizens, community agencies, faith organizations and businesses to work together to increase awareness.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Lindsay to be affixed this 22nd day of March, 2016.

City Council of the City of Lindsay

Ramona Villarreal-Padilla, Mayor



Date: March 22, 2016

To: City Manager and City Council

From: Director of Finance

Subject: Request to Continue Budget Study Session to April 12, 2016

Staff is requesting to continue the Budget Study Session to the April 12, 2016 Meeting.

Staff requires additional time to adequately prepare the 2016/17 Draft Budget for presentation.

Respectfully submitted,

Justin Poore