

**Lindsay City Council Agenda**  
Regular Meeting  
Council Chambers at City Hall  
251 E. Honolulu, Lindsay, California  
Tuesday, November 8, 2016 at 6:00PM

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

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  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.

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  3. **ACTIONS TO SELECT & APPOINT CITY COUNCIL MEMBER TO FILL VACANCY LEFT BY RAMONA PADILLA.**
    - a) Selection of new City Council Member.
    - b) Oath & Appointment of New City Council Member Conducted by City Clerk.

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  4. **COUNCIL REPORTS.**  
Presented by Council members.

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

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  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.1-34)
    - a) Meeting Minutes for Oct. 25<sup>th</sup>, 2016.
    - b) Warrant List for Oct. 21<sup>st</sup>, 2016.
    - c) Accept Treasurer's Report for October 31<sup>st</sup>, 2016.
    - d) Letter of Support for Upper Tule Association.
    - e) Salary Matrix Update for 12/01/16-12/31/16 & 1/01/17-6/30/17.

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  7. **PUBLIC HEARING: ACTIONS TO APPROVE GENERAL PLAN AMENDMENT AND CHANGE OF ZONE FOR THE OLIVE BOWL GRANT PROJECT.** (pg. 35-61)
    - A. Resolution 16-50
    - B. 1st Reading of Ordinance #557Presented by Bill Zigler, City Manager.

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  8. **CONSIDERATION OF RESOLUTION 16-47 AUTHORIZING & DIRECTING THE MAYOR TO EXECUTE THE JOINT POWERS AUTHORITY AGREEMENT THAT WILL PROVIDE CITY PARTICIPATION IN THE EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY.** (pg. 62-72)  
Presented by Mike Camarena, City Services Director.

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  9. **CONSIDERATION OF RESOLUTION 16-39 ACCEPTING THE CATEGORICAL EXEMPTION AS THE APPROPRIATE ENVIRONMENTAL DETERMINATION & CONDITIONALLY APPROVING SITE PLAN REVIEW FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF HERMOSA AND ELMWOOD.** (pg. 73-93)  
Presented by Bill Zigler, City Manager.

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  10. **COUNCILMEMBER FUTURE AGENDA ITEMS.**  
Presented by Mayor Pam KIMBALL.

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  11. **ADJOURN.** The next Regular meeting is scheduled for **TUESDAY, NOVEMBER 22, 2016 at 6:00 PM** in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, CA 93247.
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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](http://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. 8223

Regular Meeting  
251 East Honolulu, Lindsay, California  
Tuesday, October 25, 2016  
6:00 P.M.

## CALL TO ORDER.

Mayor Pro Tem SANCHEZ 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, California.

**COUNCIL PRESENT:** SALINAS, KIMBALL, WATSON, Mayor Pro Tem SANCHEZ.

**COUNCIL ABSENT:** None.

**FLAG SALUTE:** Council member SALINAS.

**INVOCATION:** By Dale Rains of the New beginning Church.

## PUBLIC COMMENT:

Tim Ward, representing the Office of the Tulare County District Attorney presented Officer Alcantar an award for outstanding service in gathering over 400 stuffed animals for CART to be presented to child victims, witnesses and in some cases, their siblings. The CART (Child Abuse Response Team) stuffed animal drive is a program that is sustained through community donations and no County funding. Laura Cortes commented on Red Ribbon Week activities throughout the school district. She also commented on the great interaction with Police Officers and learners at the district.

## COUNCIL REORGANIZATION

Mayor Pro Tem SANCHEZ stated the resignation of Mayor Padilla has created a vacancy on the City Council and has provided an opportunity to review/reorganize Council Leadership.

As explained in Section 3.12 and 3.13 of the Charter, the Mayor and Mayor Pro-Tem shall be elected from members of Council to serve at the pleasure of Council. That being said, I declare the nominations for the office of Mayor are now open and asked if there were any nominations for the position of Mayor.

Council member SALINAS nominated Pam Kimball.

Mayor Pro Tem SANCHEZ then called for any other nominations, seeing & hearing none, she closed the nomination period and asked that a Roll Call Vote on the nomination of Pam Kimball for Mayor be taken.

## **ACTION:**

On Motion by SALINAS and Second by WATSON, the Lindsay City Council approved Nomination and Appointment of Pam Kimball for the office of Mayor.

AYES: SALINAS, WATSON, KIMBALL, SANCHEZ.

NOES: None.

ABSENT: None.

Mayor Pro Tem SANCHEZ announced a 4-0 vote and declared Pam Kimball the apparent winner.

Mayor KIMBALL switched seats at the dais, thanked fellow Council members for the appointment and took over conducting the Council meeting.

Mayor KIMBALL then explained this Council has not run into a situation such as this where there was need to appoint a new Mayor before the end of their term. So there are questions about selecting a Mayor Pro Tem or not. Typically it would be done at the same time but it will be up to this Council to decide what to do here tonight. Sections 3.12 and 3.13 of the Charter state that the Mayor and Mayor Pro-Tem shall be elected from members of Council to serve at the pleasure of Council.

Mayor KIMBALL then declared the nomination period for the position of Mayor Pro-Tem is now open if Council members would like to offer nominations for the position of Mayor Pro Tem.

**COUNCIL REORGANIZATION continued**

Council member WATSON nominated Danny Salinas.  
Council member SANCHEZ seconded the motion.

Mayor KIMBALL asked if there were any other nominations, seeing none, she closed the nomination period and asked that a Roll Call Vote on the nomination of Danny Salinas for Mayor Pro Tem be taken.

**ACTION:**

On Motion by WATSON and Second by SANCHEZ, the Lindsay City Council approved Nomination and Appointment of Danny Salinas for the office of Mayor Pro Tem.

AYES: WATSON, SANCHEZ, SALINAS, KIMBALL.  
NOES: None.  
ABSENT: None.

Mayor KIMBALL announced a 4-0 vote and declared Danny Salinas the apparent winner.

Mayor Pro Tem SALINAS switched seats at the dais.

Mayor KIMBALL then continued with the following agenda items:

**COUNCIL REPORTS**

Council member WATSON – Nothing to report.

Council member SANCHEZ – Nothing to report.

Mayor Pro Tem SALINAS – Thanked Council members for appointment as Mayor Pro Tem & thanked Police Officers for apprehending persons responsible for ongoing tagging problem.

Mayor KIMBALL – Reported on recent TCAG meeting & Dia De Los Muertos Exhibit opens Oct. 28<sup>th</sup> with the usual Museum hours.

**STAFF REPORT**

City Manager Bill Zigler reported on the following:

Angel Tree for seniors, at the Chamber of Commerce

City is advertising for new Finance Director

Annual Rib cook-Off coming up on Nov. 5<sup>th</sup>

EDC Board Meeting scheduled for Oct. 26<sup>th</sup> at 7am

Cross Valley Corridor Meeting on Thursday Oct. 27<sup>th</sup>

DBCP- under State requirement again & no qtrly notice is required

Stop signs at Mirage & Lindmore have been installed

Autumn Hills Subdivision update

McDermont Field House Activities

Harvest Festival/Spirit & the Bride Halloween Activities 5pm at McDermont

HOW Dinner at the Wellness Center raised \$2700

**CONSENT CALENDAR:**

a) Meeting Minutes for Oct. 11<sup>th</sup>, 2016.

b) Warrant List for Oct. 7<sup>th</sup> & 13<sup>th</sup>, 2016.

c) Acceptance of Annual Streets & Roads Report FY16.

d) Temporary Use Permit for Alley Closure for Rib Cook-off Beer Garden on Nov. 5

e) Financial Update FY17 Qtr. -1 (July 1, 2016 to Sept. 30, 2016).

f) TCAG Quarterly Report FY2016-17 (Qtr. 1).

Mayor KIMBALL asked what action Council would like to take on the Consent Calendar.

**ACTION:**

On Motion by SALINAS and Second by WATSON, the Lindsay City Council approved the Consent Calendar, Via Minute Order. Mayor KIMBALL announced Motion passed 4-0.

AYES: SALINAS, WATSON, SANCHEZ, KIMBALL.  
NOES: None.  
ABSENT: None.

**PUBLIC HEARING: CONSIDERATION OF RESOLUTION 16-49 APPROVING SITE PLAN REVIEW & CONDITIONAL USE PERMIT TO DEVELOP A PARK, 3,760 SF OF ACCESSORY STRUCTURES AND PARKING SPACES ON THE SOUTHEAST CORNER OF APIA STREET AND OLIVE AVENUE.**

Assistant City Planner Brian Spaunhurst presented this item and staff report. The Assistant City Planner stated this is a request by the City of Lindsay Planning Department for Site Plan Review approval to develop 3,760 SF of accessory structures on a 6.43-acre parcel and develop a 1.42 acre parcel in the RCO and RM-3 zoning districts. The project would include development of property that is currently vacant. He explained the various phases of the proposed project in detail and asked for any questions from Council.

Council questions and discussion included the following: Accessibility to restrooms, clarification on parking, possible field configuration, partnership possibilities, fencing for the facility and hours of operation.

With no further questions, Mayor KIMBALL stated this is a Public Hearing item. She opened the Public Hearing at 6:50:00pm and asked if there was anyone wishing to speak in support of Res.16-49.

Eric Sinclair spoke in support of the project.

Esteban Velasquez spoke in support of the project and asked if existing trees would be relocated or at least repurposed and if the field would be artificial turf or grass.

Laura Cortes spoke in support of the project and asked for clarification on hours of operation.

Mayor KIMBALL asked if there was anyone else wishing to speak in support of the project. Seeing no one else, she asked if anyone would like to speak opposing the resolution. Seeing no one, she closed the Public Hearing at 6:54pm and asked if there were any further questions from Council.

Additional questions from Council included who will operate the concessions and maintenance of the fields & grounds. Comments included making the park available for a variety of uses and adjusting hours of operation through the temporary use permit process for a requested event.

Mayor KIMBALL asked if there were any further questions from Council. Hearing none she read Resolution 16-49 in its entirety and asked what if any action Council would like to take on the Resolution.

**ACTION:**

On Motion by SALINAS and Second by WATSON, the Lindsay City Council approved RESOLUTION 16-49, A RESOLUTION APPROVING SITE PLAN REVIEW & CONDITIONAL USE PERMIT TO DEVELOP A PARK, 3,760 SF OF ACCESSORY STRUCTURES AND PARKING SPACES ON THE SOUTHEAST CORNER OF APIA STREET AND OLIVE AVENUE. Mayor KIMBALL announced Motion passed 4-0.

AYES: SALINAS, WATSON, SANCHEZ, KIMBALL.  
NOES: None.  
ABSENT: None.

**DISCUSSION REGARDING SELECTION OF COUNCIL MEMBER TO FILL VACANCY LEFT BY RAMONA PADILLA.**

City Attorney Mario Zamora presented this item. He explained the procedures to fill a City Council vacancy as set by our City Charter. He described the time line for posting of public notice announcing the vacancy, deadline for turning in Letters of Interest and deadline for providing all applications to the City Council for review.

The Notice of Vacancy was posted on Oct. 16<sup>th</sup>

Last day to submit Letters of Interest to the City Clerk is Nov. 1<sup>st</sup> at 5pm

All applications should be provided to the City Council on Nov. 2<sup>nd</sup>

New Council members should be selected & seated within 30 days (Dec. 1<sup>st</sup>)

(The Charter states that Council must make a selection within this timeline).

City Attorney stated that in order to meet that deadline, the appointment could be made at the regular meetings of Nov. 8<sup>th</sup> or Nov. 22<sup>nd</sup> or at a special meeting prior to Dec. 1<sup>st</sup>. Keep in mind that the 2<sup>nd</sup> meeting of November has typically been cancelled due to prior holiday commitments.

Mayor KIMBALL asked if there were any questions from Council on this item. The decision on whether selection should be made on the 8<sup>th</sup>, the 22<sup>nd</sup> or holding a special meeting does not need to be made today, does it?

**DISCUSSION REGARDING SELECTION OF COUNCIL MEMBER TO FILL VACANCY LEFT BY RAMONA PADILLA continued**

City Attorney & City Manager commented that staff needs to be advised if Council wants this item included on the Nov. 8<sup>th</sup> City Council Agenda.

Following brief Council discussion, staff was directed to include appointment of Council member to fill the vacancy left by Ramona Padilla on the next regular meeting, November 8, 2016.

With no further business, Mayor KIMBALL asked for a motion to adjourn the meeting.

**ADJOURN.** Upon motion by SANCHEZ and Second by WATSON, Mayor KIMBALL adjourned the Meeting of the Lindsay City Council at 7:20 pm. The next Regular City Council Meeting is scheduled for **Tuesday, November 8, 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

\_\_\_\_\_  
Pamela Kimball, Mayor

**CITY OF LINDSAY ORGANIZATIONAL CHART FOR 2016-2017**

<b>FUND /DEPT</b>	<b>TITLE/DESCRIPTION</b>		
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		
<b>ASSESSMENT DISTRICTS:</b>			
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		
<b>HOUSING AND COMMUNITY DEVELOPMENT:</b>			
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**

## WARRANT LIST 11/08/2016

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87744	10/21/16	6076	1254 INDUSTRIES, LLC	2614160	032004	1254232	\$2,524.34
87745	10/21/16	2392	A & G TELEPHONE SERVICE	1014120	033001	2858	\$65.00
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	18910	\$6.00
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	19107	\$7.00
87746	10/21/16	007	AG IRRIGATION SALES	1014120	022000	19276	\$29.48
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	19148	\$38.21
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	19232	\$40.42
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	19271	\$60.98
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	19237	\$73.05
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	19149	\$4.08
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	19109	\$4.13
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	18878	\$118.93
87746	10/21/16	007	AG IRRIGATION SALES	1014210	022000	18978	\$224.87
87746	10/21/16	007	AG IRRIGATION SALES	5524552	022000	18992	\$21.42
87746	10/21/16	007	AG IRRIGATION SALES	5524552	022000	18845	\$75.89
87746	10/21/16	007	AG IRRIGATION SALES	5524552	022000	19123	\$78.32
87746	10/21/16	007	AG IRRIGATION SALES	5524552	022000	19029	\$103.11
87747	10/21/16	6048	ALL STAR ELITE SPORTS	3004300	055002	INV-1080	\$3,704.45
87747	10/21/16	6048	ALL STAR ELITE SPORTS	3004300	055002	INV-1083	\$211.90
87748	10/21/16	2393	ALL-PRO FIRE AND SAFETY	4004400	023000	6995	\$200.00
87749	10/21/16	3353	ANDREW ROBINSON	1014110	037008	MEAL STIPEND	\$51.00
87750	10/21/16	5812	ANITA SALINAS	101	309090	SENIOR REFUND	\$38.54
87751	10/21/16	4924	ASI ADMINISTRATIVE SOLUTIONS	1014090	015010	97987	\$60.60
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014120	022015	3329878638	\$6.79
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014120	022015	3329856019	\$8.08
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014120	022015	3329874659	\$12.20
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014120	022015	3329863856	\$19.44
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014130	022015	3329992519	\$75.13
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014130	022015	3329928443, 3329933521	\$75.14
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014120	022015	3329985084, 3329984920	\$100.17
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014120	022015	3329878667	-\$6.79
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	1014210	022015	3329972160, 3329979402	\$350.62
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	5524552	022015	3329994242	\$75.13
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	5524552	022015	3329935094, 3329955138	\$75.14

## WARRANT LIST 11/08/2016

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	5534553	022015	3329956587, 3329956581	\$200.35
87752	10/21/16	5457	AUTO ZONE COMMERCIAL	5544554	022015	3329968359, 3329971995	\$50.09
87753	10/21/16	3966	BEATWEAR INC.	3004300	055010	4367	\$292.27
87753	10/21/16	3966	BEATWEAR INC.	3004300	055019	4367	\$151.56
87755	10/21/16	4073	BRYAN RIOS	5524552	015018	BOOT ALLOWANCE	\$111.20
87755	10/21/16	4073	BRYAN RIOS	5534553	015018	BOOT ALLOWANCE	\$111.21
87756	10/21/16	051	BSK	5524552	022001	A621798	\$295.00
87756	10/21/16	051	BSK	5524552	022000	A623181	\$295.00
87756	10/21/16	051	BSK	5524552	022001	A622858	\$195.00
87756	10/21/16	051	BSK	5524552	022001	A622357	\$245.00
87756	10/21/16	051	BSK	5524552	022001	A621731	\$120.00
87756	10/21/16	051	BSK	5524552	022001	A620967	\$120.00
87756	10/21/16	051	BSK	5524552	022001	A622685	\$120.00
87757	10/21/16	6079	BUCKSTAFF PUBLIC SAFETY EQUIP.	1014110	023000	143192	\$170.48
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	1014210	022000	307876 & 308247	\$33.66
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8834883	022000	307876 & 308247	\$2.81
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8844884	022000	307876 & 308247	\$2.81
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8864886	022000	307876 & 308247	\$2.81
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8874887	022000	307876 & 308247	\$2.81
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8884888	022000	307876 & 308247	\$2.81
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8894889	022000	307876 & 308247	\$2.81
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8904890	022000	307876 & 308247	\$2.81
87758	10/21/16	3056	CALIFORNIA TURF EQUIP. & SUPPLY	8914891	022000	307876 & 308247	\$2.81
87760	10/21/16	2691	CBCINNOVIS, INC.	1014110	031000	6276505087	\$21.15
87762	10/21/16	5825	CHRIS DEMPSIE	1014110	024000	16-1646 PURCHASE REFUND	\$29.98
87763	10/21/16	5832	CINTAS CORPORATION	1014120	022000	621308715	\$124.15
87763	10/21/16	5832	CINTAS CORPORATION	1014130	022000	621310348	\$124.15
87763	10/21/16	5832	CINTAS CORPORATION	1014210	022000	621310349	\$124.15
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069091	621273818	\$500.78
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069091	621307081	\$481.05
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069091	621315241	\$584.71
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069091	621316875	\$669.16
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069102	621273819	\$16.48
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069102	621315242	\$11.29

## WARRANT LIST 11/08/2016

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069102	621316876	\$11.29
87763	10/21/16	5832	CINTAS CORPORATION	3004300	069102	621307082	\$11.29
87763	10/21/16	5832	CINTAS CORPORATION	5524552	022000	621311970	\$124.15
87763	10/21/16	5832	CINTAS CORPORATION	5534553	022000	621311971	\$124.15
87763	10/21/16	5832	CINTAS CORPORATION	5544554	022000	621313591	\$124.15
87763	10/21/16	5832	CINTAS CORPORATION	5564556	022000	621313592	\$124.16
87764	10/21/16	4887	CITY OF EXETER	1014120	022012	AUGUST CNG	\$51.86
87764	10/21/16	4887	CITY OF EXETER	1014130	022012	AUGUST CNG	\$51.87
87764	10/21/16	4887	CITY OF EXETER	1014210	022012	AUGUST CNG	\$51.87
87764	10/21/16	4887	CITY OF EXETER	2614160	022012	AUGUST CNG	\$51.86
87764	10/21/16	4887	CITY OF EXETER	5524552	022012	AUGUST CNG	\$51.87
87764	10/21/16	4887	CITY OF EXETER	5534553	022012	AUGUST CNG	\$51.87
87764	10/21/16	4887	CITY OF EXETER	5544554	022012	AUGUST CNG	\$51.86
87765	10/21/16	279	CITY OF PORTERVILLE	1014110	031010	7/1/16-6/17 REVISED	\$98.00
87765	10/21/16	279	CITY OF PORTERVILLE	1014110	031010	JULY ANML201608253114	\$623.00
87765	10/21/16	279	CITY OF PORTERVILLE	1014110	031010	JUNE ANML201607282416	\$791.00
87765	10/21/16	279	CITY OF PORTERVILLE	1014110	031010	AUG ANIML201609263766	\$476.00
87765	10/21/16	279	CITY OF PORTERVILLE	5534553	031000	AUG. LAB-201608303240	\$1,370.00
87767	10/21/16	2122	COLLEGE OF THE SEQUOIAS	1014110	037008	FIELD TRAINING ANDREW R.	\$108.00
87769	10/21/16	5664	COPWARE, INC.	1014110	037004	83538	\$615.00
87761	10/21/16	075	CSJVRMA	1014090	034000	LIABILITY/WORK COMP	\$63,000.00
87761	10/21/16	075	CSJVRMA	1014090	034000	2015 CJPRMA DISTRIBUTION	-\$2,364.00
87761	10/21/16	075	CSJVRMA	1014090	034000	BUSINESS TRAVEL ACCIDENT	\$110.00
87761	10/21/16	075	CSJVRMA	3004300	069082	LIABILITY/WORK COMP	\$12,500.00
87761	10/21/16	075	CSJVRMA	4004400	034000	LIABILITY/WORK COMP	\$4,000.00
87761	10/21/16	075	CSJVRMA	5524552	034000	LIABILITY/WORK COMP	\$12,500.00
87761	10/21/16	075	CSJVRMA	5534553	034000	LIABILITY/WORK COMP	\$10,000.00
87761	10/21/16	075	CSJVRMA	5544554	034000	LIABILITY/WORK COMP	\$377.00
87770	10/21/16	102	CULLIGAN	1014090	037018	3301-LATE FEE	\$0.94
87770	10/21/16	102	CULLIGAN	1014090	037018	154823-LATE FEE	\$0.99
87770	10/21/16	102	CULLIGAN	1014090	037018	154807-LATE FEE	\$1.46
87770	10/21/16	102	CULLIGAN	1014090	037018	154815-LATE FEE	\$2.29
87770	10/21/16	102	CULLIGAN	1014090	037018	154799-LATE FEE	\$4.17
87770	10/21/16	102	CULLIGAN	5534553	022000	3301	\$47.25

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CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87770	10/21/16	102	CULLIGAN	6004552	064002	154815	\$147.25
87770	10/21/16	102	CULLIGAN	6004552	064002	154799	\$217.00
87770	10/21/16	102	CULLIGAN	6004552	064002	154807	\$91.25
87770	10/21/16	102	CULLIGAN	6004552	064002	154823	\$38.75
87771	10/21/16	4683	DENNIS R. MEDDERS	101	309090	SENIOR REFUND	\$49.52
87772	10/21/16	5814	DIANE MENDIVIL	101	309090	SENIOR REFUND	\$53.34
87773	10/21/16	3733	DIRECTV	4004400	033001	059208625	\$185.97
87766	10/21/16	1529	DONALD CLIFTON	101	309090	SENIOR REFUND	\$39.65
87869	10/21/16	2074	DORIS WINTER	101	309090	SENIOR REFUND	\$39.81
87774	10/21/16	119	DOUG DELEO WELDING	5524552	022015	16-2236	\$3.23
87774	10/21/16	119	DOUG DELEO WELDING	5524552	022015	16-2237	\$4.55
87775	10/21/16	4687	EARNEST CASEY	101	309090	SENIOR REFUND	\$24.54
87776	10/21/16	5957	ELECTRIC MOTORSPORTS	1014120	022000	8907	\$37.60
87754	10/21/16	1071	ELLEN BLUMER	101	309090	SENIOR REFUND	\$60.68
87777	10/21/16	3583	EMBED/ HELIX USA LLC	3004300	069069	US58206	\$5,100.00
87778	10/21/16	4387	ESTELLA FLORES	101	309090	SENIOR REFUND	\$62.51
87779	10/21/16	4889	EVANGELINE SPECIALTIES	1014210	063000	10039	\$775.58
87780	10/21/16	3461	FERGUSON ENTERPRISES	5524552	023000	1212829	\$83.25
87781	10/21/16	4807	FITGUARD INC.	4004400	022000	118710	\$154.94
87782	10/21/16	3808	FOSTER FARMS DAIRY	3004300	069116	361957	\$232.55
87783	10/21/16	2091	FRANK BORBON	101	309090	SENIOR REFUND	\$54.87
87784	10/21/16	6052	FRANK JUAREZ	5524552	038002	MEAL STIPEND	\$34.00
87785	10/21/16	137	FRIANT WATER AUTHORY	1014090	037018	110153-FC	\$28.71
87785	10/21/16	137	FRIANT WATER AUTHORY	5524552	022010	110165	\$1,964.00
87785	10/21/16	137	FRIANT WATER AUTHORY	5524552	022010	110147	\$622.07
87786	10/21/16	6010	FRONTIER COMMUNICATIONS	1014120	033001	209-188-3200	\$51.89
87786	10/21/16	6010	FRONTIER COMMUNICATIONS	1014110	033001	209-188-3200	\$2,133.15
87786	10/21/16	6010	FRONTIER COMMUNICATIONS	1014210	033001	209-188-3200	\$1.99
87786	10/21/16	6010	FRONTIER COMMUNICATIONS	5524552	033001	209-188-3200	\$335.98
87786	10/21/16	6010	FRONTIER COMMUNICATIONS	5534553	033001	559-562-6317	\$67.48
87786	10/21/16	6010	FRONTIER COMMUNICATIONS	5534553	033001	209-188-3200	\$484.38
87787	10/21/16	1925	FRUIT GROWERS SUPPLY CO.	1014210	022000	91799342	\$47.35
87787	10/21/16	1925	FRUIT GROWERS SUPPLY CO.	1014210	025000	91799342	\$129.55
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014120	022015	1871	\$87.31

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CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014110	022015	1919	\$567.04
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014110	022015	1889	\$627.14
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014110	022015	1896	\$848.45
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014130	022015	1894, 1904	\$230.14
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014110	022015	1912	\$230.35
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014110	022015	1928	\$323.88
87788	10/21/16	148	GOMEZ AUTO & SMOG	1014210	022015	1862	\$381.69
87788	10/21/16	148	GOMEZ AUTO & SMOG	5524552	022015	1878, 1884, 1906	\$1,035.63
87788	10/21/16	148	GOMEZ AUTO & SMOG	5534553	022015	1863, 1860	\$1,035.63
87788	10/21/16	148	GOMEZ AUTO & SMOG	8834883	022015	1862	\$31.82
87788	10/21/16	148	GOMEZ AUTO & SMOG	8844884	022015	1862	\$31.81
87788	10/21/16	148	GOMEZ AUTO & SMOG	8864886	022015	1862	\$31.81
87788	10/21/16	148	GOMEZ AUTO & SMOG	8874887	022015	1862	\$31.81
87788	10/21/16	148	GOMEZ AUTO & SMOG	8884888	022015	1862	\$31.82
87788	10/21/16	148	GOMEZ AUTO & SMOG	8894889	022015	1862	\$31.81
87788	10/21/16	148	GOMEZ AUTO & SMOG	8904890	022015	1862	\$31.82
87788	10/21/16	148	GOMEZ AUTO & SMOG	8914891	022015	1862	\$31.81
87789	10/21/16	5647	GRISWOLD,LASSALLE,COBB,DOWD&GIN	1014060	031000	22752.003	\$585.00
87789	10/21/16	5647	GRISWOLD,LASSALLE,COBB,DOWD&GIN	1014060	031000	22752.007	\$146.25
87789	10/21/16	5647	GRISWOLD,LASSALLE,COBB,DOWD&GIN	1014060	031000	22752.009	\$184.35
87789	10/21/16	5647	GRISWOLD,LASSALLE,COBB,DOWD&GIN	1014060	031000	22752.002	\$393.15
87790	10/21/16	5680	GUTIERREZ SOCCER SHOP	3004300	055002	YOUTH SOCCER BALLS	\$420.00
87790	10/21/16	5680	GUTIERREZ SOCCER SHOP	3004300	055019	ADULT SOCCER UNIFORM	\$1,215.00
87791	10/21/16	6073	HECTOR MENCHACO	101	309090	SENIOR REFUND	\$9.44
87794	10/21/16	1391	HOME DEPOT	1014210	025000	2021321	\$65.29
87794	10/21/16	1391	HOME DEPOT	3004300	069093	1020893	\$178.63
87794	10/21/16	1391	HOME DEPOT	3004300	069093	8171699	\$114.70
87794	10/21/16	1391	HOME DEPOT	8834883	025000	2021321	\$32.64
87794	10/21/16	1391	HOME DEPOT	8844884	025000	2021321	\$32.64
87794	10/21/16	1391	HOME DEPOT	8864886	025000	2021321	\$32.65
87794	10/21/16	1391	HOME DEPOT	8874887	025000	2021321	\$32.65
87794	10/21/16	1391	HOME DEPOT	8884888	025000	2021321	\$32.64
87794	10/21/16	1391	HOME DEPOT	8894889	025000	2021321	\$32.65
87794	10/21/16	1391	HOME DEPOT	8904890	025000	2021321	\$32.65

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CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87794	10/21/16	1391	HOME DEPOT	8914891	025000	2021321	\$32.64
87795	10/21/16	3909	ID WHOLESALER	3004300	069101	1274006	\$280.00
87796	10/21/16	2369	IMOGENE HALL	101	309090	SENIOR REFUND	\$46.49
87798	10/21/16	192	JAMES WINTON & ASSOCIATES	1014070	031000	18523	\$125.00
87798	10/21/16	192	JAMES WINTON & ASSOCIATES	1014120	031000	18523	\$187.50
87798	10/21/16	192	JAMES WINTON & ASSOCIATES	1014070	031000	18523	\$250.00
87798	10/21/16	192	JAMES WINTON & ASSOCIATES	5534553	031000	18523	\$324.50
87799	10/21/16	2424	JESS SANCHEZ	101	309090	SENIOR REFUND	\$35.95
87768	10/21/16	1946	JOENA F. COLLINS	101	309090	SENIOR REFUND	\$53.72
87800	10/21/16	2601	JOHN HIBLER WEATHER	1014120	031000	INV-4223	\$50.00
87801	10/21/16	5598	JOSE OLMOS	5524552	038002	MEAL STIPEND	\$34.00
87802	10/21/16	4947	JOSEPH MONGE	101	309090	SENIOR REFUND	\$11.72
87803	10/21/16	6007	JT2 INC DBA TODD CO.	6004775	064002	16018	\$4,359.96
87804	10/21/16	3888	JUANITA YOUNG	101	309090	SENIOR REFUND	\$25.22
87853	10/21/16	1449	KATIE TAYLOR	101	309090	SENIOR REFUND	\$32.83
87805	10/21/16	5513	KING LUMINAIRE CO.	1014130	022000	20615	\$989.76
87806	10/21/16	3560	KNORR SYSTEMS, INC	4004400	022000	SI183970	\$476.20
87807	10/21/16	5945	LARRY OLIN SHAW	101	309090	SENIOR REFUND	\$78.77
87808	10/21/16	4176	LARSON'S MUFFLER SHOP	2614160	065001	0883	\$19.53
87809	10/21/16	5428	LEWIS, JOHN	101	309090	SENIOR REFUND	\$36.72
87810	10/21/16	5788	LINCOLN AQUATICS	4004400	069076	SI302518	\$283.74
87810	10/21/16	5788	LINCOLN AQUATICS	4004400	069076	SI300661	\$283.74
87810	10/21/16	5788	LINCOLN AQUATICS	4004400	069076	SI302369	\$633.11
87810	10/21/16	5788	LINCOLN AQUATICS	4004400	069076	SI300987	\$614.20
87810	10/21/16	5788	LINCOLN AQUATICS	4004400	069076	SI300885	\$793.71
87810	10/21/16	5788	LINCOLN AQUATICS	4004400	069076	SI301594	\$350.93
87811	10/21/16	4067	LINCOLN NAT'L INSURANCE	101	200260	OCTOBER 2016	\$372.83
87812	10/21/16	4808	LINDSAY DONUTS	3004300	069116	7/30/16	\$14.00
87812	10/21/16	4808	LINDSAY DONUTS	3004300	069116	10/8/16	\$14.00
87812	10/21/16	4808	LINDSAY DONUTS	3004300	069116	7/2/16	\$14.00
87812	10/21/16	4808	LINDSAY DONUTS	3004300	069116	7/23/16	\$7.00
87813	10/21/16	218	LINDSAY EQUIPMENT RENTALS	3004300	069093	348923	\$52.82
87813	10/21/16	218	LINDSAY EQUIPMENT RENTALS	5534553	022000	59075	\$475.00
87814	10/21/16	1422	LINDSAY TRUE VALUE	1014110	023000	P.S.-AUG. 2016	\$20.53

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CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87814	10/21/16	1422	LINDSAY TRUE VALUE	1014130	022000	C.S.-AUG. 2016	\$27.93
87814	10/21/16	1422	LINDSAY TRUE VALUE	1014120	022000	C.S.-AUG. 2016	\$138.48
87814	10/21/16	1422	LINDSAY TRUE VALUE	1014120	022000	C.S.-AUG. 2016	\$307.56
87814	10/21/16	1422	LINDSAY TRUE VALUE	3004300	069092	MCD-AUG. 2016	\$671.10
87814	10/21/16	1422	LINDSAY TRUE VALUE	4004400	023000	W.C.-AUG. 2016	\$82.22
87814	10/21/16	1422	LINDSAY TRUE VALUE	5524552	022000	C.S.-AUG. 2016	\$30.44
87814	10/21/16	1422	LINDSAY TRUE VALUE	5534553	019000	C.S.-AUG. 2016	\$31.93
87814	10/21/16	1422	LINDSAY TRUE VALUE	8834883	022000	C.S.-AUG. 2016	\$9.45
87814	10/21/16	1422	LINDSAY TRUE VALUE	8844884	022000	C.S.-AUG. 2016	\$9.45
87814	10/21/16	1422	LINDSAY TRUE VALUE	8864886	022000	C.S.-AUG. 2016	\$9.44
87814	10/21/16	1422	LINDSAY TRUE VALUE	8874887	022000	C.S.-AUG. 2016	\$9.44
87814	10/21/16	1422	LINDSAY TRUE VALUE	8884888	022000	C.S.-AUG. 2016	\$9.44
87814	10/21/16	1422	LINDSAY TRUE VALUE	8894889	022000	C.S.-AUG. 2016	\$9.44
87814	10/21/16	1422	LINDSAY TRUE VALUE	8904890	022000	C.S.-AUG. 2016	\$9.44
87814	10/21/16	1422	LINDSAY TRUE VALUE	8914891	022000	C.S.-AUG. 2016	\$9.44
87715	10/17/16	1442	LLOYD ANDERSON ELECTRICAL	2614160	032004	93956	\$3,333.48
87715	10/17/16	1442	LLOYD ANDERSON ELECTRICAL	2614160	032004	94112	\$1,823.40
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	1014210	036007	93590	\$72.00
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	1014210	036007	93623	\$108.00
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	1014210	036007	93589	\$132.66
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	1014210	036007	93959	\$139.35
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	1014210	036007	93618	\$519.69
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	2614160	032004	94067	\$2,332.32
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	2614160	032004	94113	\$2,086.21
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	4004400	023000	93627	\$131.25
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	4004400	023000	93625	\$216.00
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	4004400	023000	93624	\$72.00
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	5524552	036000	93622	\$175.02
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	5534553	022008	93619	\$144.00
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	5534553	036000	93621	\$252.00
87815	10/21/16	1442	LLOYD ANDERSON ELECTRICAL	5534553	036000	93620	\$72.00
87816	10/21/16	5751	MAC GENERAL ENGINEERING	6004130	064020	2-16214301	\$14,650.00
87817	10/21/16	5751	MAC GENERAL ENGINEERING	6004775	064001	162041PW03	\$126,829.26
87818	10/21/16	5399	MARCOS LOYA	1014120	022009	CLEAN-UP & WEED ABATEMENT	\$5,225.00

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CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87759	10/21/16	1084	MARIA CARTAGENA	101	309090	SENIOR REFUND	\$34.57
87819	10/21/16	234	MARTIN'S TIRE & AUTO	1014110	022015	11003302	\$26.50
87819	10/21/16	234	MARTIN'S TIRE & AUTO	1014110	022015	11003556	\$26.50
87819	10/21/16	234	MARTIN'S TIRE & AUTO	1014120	022015	11003471	\$33.00
87819	10/21/16	234	MARTIN'S TIRE & AUTO	1014120	022015	11003484	\$37.50
87819	10/21/16	234	MARTIN'S TIRE & AUTO	1014110	022015	11003559	\$79.50
87819	10/21/16	234	MARTIN'S TIRE & AUTO	5534553	022015	11003484	\$37.50
87820	10/21/16	4685	MARY FLORES	101	309090	SENIOR REFUND	\$32.96
87792	10/21/16	1855	MARY HELEN HERRERA	101	309090	SENIOR REFUND	\$36.40
87821	10/21/16	5595	MG'S AIR CONDITIONING	3004300	069092	2973	\$150.00
87822	10/21/16	3345	MICAELA CORREA	101	309090	SENIOR REFUND	\$29.85
87823	10/21/16	2313	MIDTOWN SPORTS, INC	3004300	055010	32222	\$392.83
87823	10/21/16	2313	MIDTOWN SPORTS, INC	3004300	055002	32145	\$71.50
87824	10/21/16	1820	NANCY MILLAN	101	309090	SENIOR REFUND	\$43.90
87826	10/21/16	5831	PANADERIA LA FORTUNA	3004300	055025	10/13/16	\$18.00
87826	10/21/16	5831	PANADERIA LA FORTUNA	3004300	055025	10/11/16	\$24.00
87827	10/21/16	5351	PARTYWORKS	3004300	069103	152146	\$75.75
87828	10/21/16	3750	PEPSI-COLA	3004300	069116	05111806	\$482.77
87828	10/21/16	3750	PEPSI-COLA	3004300	069116	72156656	\$930.42
87829	10/21/16	4949	PETER SALCEDO	101	309090	SENIOR REFUND	\$61.74
87830	10/21/16	276	PORTERVILLE RECORDER	8834883	022000	626142	\$44.75
87830	10/21/16	276	PORTERVILLE RECORDER	8844884	022000	626142	\$44.75
87830	10/21/16	276	PORTERVILLE RECORDER	8864886	022000	626142	\$44.75
87830	10/21/16	276	PORTERVILLE RECORDER	8874887	022000	626142	\$44.75
87830	10/21/16	276	PORTERVILLE RECORDER	8884888	022000	626142	\$44.75
87830	10/21/16	276	PORTERVILLE RECORDER	8894889	022000	626142	\$44.74
87830	10/21/16	276	PORTERVILLE RECORDER	8904890	022000	626142	\$44.74
87830	10/21/16	276	PORTERVILLE RECORDER	8914891	022000	626142	\$44.75
87831	10/21/16	2869	PORTERVILLE SHELTERED WORKSHOP	1014130	022000	20462	\$54.50
87831	10/21/16	2869	PORTERVILLE SHELTERED WORKSHOP	1014210	022000	20462	\$138.72
87832	10/21/16	285	QUILL CORPORATION	1014120	022000	8870520	\$15.11
87832	10/21/16	285	QUILL CORPORATION	1014120	022000	8865649	\$15.11
87832	10/21/16	285	QUILL CORPORATION	1014120	021000	9436089	\$23.74
87832	10/21/16	285	QUILL CORPORATION	1014050	021000	9796427	\$32.69

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CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87832	10/21/16	285	QUILL CORPORATION	1014210	022000	8865649	\$129.57
87832	10/21/16	285	QUILL CORPORATION	1014110	022000	9600442	\$139.30
87832	10/21/16	285	QUILL CORPORATION	1014110	022000	9646872	\$198.58
87832	10/21/16	285	QUILL CORPORATION	1014210	022000	9435486	\$496.69
87832	10/21/16	285	QUILL CORPORATION	4004400	022000	9796424	\$144.03
87832	10/21/16	285	QUILL CORPORATION	4004400	022000	8783601	\$50.19
87832	10/21/16	285	QUILL CORPORATION	4004400	022000	8880322	\$40.46
87832	10/21/16	285	QUILL CORPORATION	4004400	022000	8730645	\$613.74
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5524552	010008	R20224260	\$346.00
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5524552	010008	R20226353	\$41.51
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5524552	010008	R20224260	\$69.19
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5524552	010008	R20226353	\$207.60
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5534553	010008	R20226353	\$103.80
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5534553	010008	R20224260	\$173.00
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5544554	010008	R20226353	\$62.28
87833	10/21/16	5717	RANDSTAD/PLACEMENT PROS	5544554	010008	R20224260	\$103.80
87834	10/21/16	5537	ROBERT MARKS PLUMBING	4004400	023000	81700	\$1,728.27
87835	10/21/16	5813	ROBERT SALCEDO	101	309090	SENIOR REFUND	\$61.60
87836	10/21/16	298	SAVE MART SUPERMARKETS	3004300	069103	9/30/16	\$222.03
87836	10/21/16	298	SAVE MART SUPERMARKETS	3004300	055025	10/11/16	\$9.02
87836	10/21/16	298	SAVE MART SUPERMARKETS	3004300	069116	9/24/16	\$7.56
87836	10/21/16	298	SAVE MART SUPERMARKETS	3004300	055025	10/11/16	\$5.52
87836	10/21/16	298	SAVE MART SUPERMARKETS	3004300	069103	10/7/16	\$96.17
87836	10/21/16	298	SAVE MART SUPERMARKETS	3004300	069103	9/23/16	\$234.21
87836	10/21/16	298	SAVE MART SUPERMARKETS	4004400	069115	7/18/16	\$5.37
87837	10/21/16	6078	SCCA ATHLETICS	3004300	055010	VOLLEYBALL LEAGUE	\$50.00
87838	10/21/16	2168	SELF-HELP ENTERPRISES	7004700	031000	AUG. 2016 GENERAL ADMIN.	\$2,200.00
87839	10/21/16	2168	SELF-HELP ENTERPRISES	7004700	031000	SEPT 2016 GENERAL ADMIN.	\$2,200.00
87838	10/21/16	2168	SELF-HELP ENTERPRISES	7204720	031000	AUG. 2016 GENERAL ADMIN.	\$2,200.00
87839	10/21/16	2168	SELF-HELP ENTERPRISES	7204720	031000	SEPT 2016 GENERAL ADMIN.	\$2,200.00
87839	10/21/16	2168	SELF-HELP ENTERPRISES	7504750	096013	HB ACT DEL-ZARAGOZA	\$32,422.00
87839	10/21/16	2168	SELF-HELP ENTERPRISES	7814781	096013	HB ACT DEL-ZARAGOZA	\$22,189.66
87839	10/21/16	2168	SELF-HELP ENTERPRISES	7814781	096013	HB ACT DEL-ZARAGOZA	\$3,400.00
87840	10/21/16	3004	SEQUOIA EQUIPMENT CO.	1014210	025000	1094210	\$114.18

## WARRANT LIST 11/08/2016

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87840	10/21/16	3004	SEQUOIA EQUIPMENT CO.	5524552	025000	1094210	\$114.16
87840	10/21/16	3004	SEQUOIA EQUIPMENT CO.	5534553	025000	1094210	\$114.16
87842	10/21/16	3313	SERVICEMASTER BY BENEVENTO	1014090	034000	32273	\$22.89
87843	10/21/16	4555	SIERRA CHEMICAL CO.	5524552	022007	SLS 10039274	\$4,351.80
87843	10/21/16	4555	SIERRA CHEMICAL CO.	5524552	022007	SLC 10012753	-\$1,800.00
87843	10/21/16	4555	SIERRA CHEMICAL CO.	5524552	022007	SLC 10012419	-\$1,800.00
87844	10/21/16	5624	SIERRA SANITATION, INC.	1014210	022000	82309	\$174.00
87845	10/21/16	307	SILVAS OIL COMPANY	1014210	022012	460335	\$103.81
87845	10/21/16	307	SILVAS OIL COMPANY	1014120	022012	460335	\$207.61
87845	10/21/16	307	SILVAS OIL COMPANY	1014130	022012	460335	\$207.61
87845	10/21/16	307	SILVAS OIL COMPANY	2614160	022012	460335	\$207.61
87845	10/21/16	307	SILVAS OIL COMPANY	5524552	022012	460335	\$207.61
87845	10/21/16	307	SILVAS OIL COMPANY	5534553	022012	460335	\$207.61
87845	10/21/16	307	SILVAS OIL COMPANY	8834883	022012	460335	\$36.27
87845	10/21/16	307	SILVAS OIL COMPANY	8844884	022012	460335	\$10.13
87845	10/21/16	307	SILVAS OIL COMPANY	8864886	022012	460335	\$4.30
87845	10/21/16	307	SILVAS OIL COMPANY	8874887	022012	460335	\$6.58
87845	10/21/16	307	SILVAS OIL COMPANY	8884888	022012	460335	\$24.10
87845	10/21/16	307	SILVAS OIL COMPANY	8894889	022012	460335	\$2.78
87845	10/21/16	307	SILVAS OIL COMPANY	8904890	022012	460335	\$1.51
87845	10/21/16	307	SILVAS OIL COMPANY	8914891	022012	460335	\$18.15
87846	10/21/16	1776	SMART & FINAL	3004300	069116	10/6/16	\$50.44
87846	10/21/16	1776	SMART & FINAL	3004300	069115	9/29/16	\$65.67
87846	10/21/16	1776	SMART & FINAL	3004300	069116	10/12/16	\$64.95
87846	10/21/16	1776	SMART & FINAL	3004300	069116	9/29/16	\$162.53
87846	10/21/16	1776	SMART & FINAL	3004300	055025	10/12/16	\$211.75
87846	10/21/16	1776	SMART & FINAL	3004300	055025	10/6/16	\$216.26
87846	10/21/16	1776	SMART & FINAL	3004300	069116	9/23/16	\$130.77
87846	10/21/16	1776	SMART & FINAL	4004400	069115	10/19/16	\$193.10
87846	10/21/16	1776	SMART & FINAL	4004400	022000	10/19/16	\$81.52
87847	10/21/16	5978	SOLARCITY	3004300	069108	9325694-00 AUG. 2016	\$3,384.86
87847	10/21/16	5978	SOLARCITY	5534553	032001	9325693-00 AUG. 2016	\$3,354.22
87848	10/21/16	310	SOUTHERN CA. EDISON	1014210	032001	3-033-5943-68	\$25.09
87848	10/21/16	310	SOUTHERN CA. EDISON	1014210	032001	3-042-0004-61	\$44.00

## WARRANT LIST 11/08/2016

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-031-5675-04-LATE FEE	\$47.09
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-5943-68-LATE FEE	\$0.18
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-9504-85-LATE FEE	\$0.24
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-035-4725-72-LATE FEE	\$0.25
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-023-0081-92-LATE FEE	\$0.34
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-042-0004-61-LATE FEE	\$0.34
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	2-32-032-1755-LATE FEE	\$0.37
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-9421-46-LATE FEE	\$0.48
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-1133-77-LATE FEE	\$0.55
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-1133-94-LATE FEE	\$0.72
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	2-31-363-1293-LATE FEE	\$1.31
87848	10/21/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-9591-42-LATE FEE	\$1.36
87848	10/21/16	310	SOUTHERN CA. EDISON	2614160	032004	2-31-363-1293	\$188.09
87848	10/21/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-9591-42	\$190.68
87848	10/21/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-1133-94	\$101.14
87848	10/21/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-1133-77	\$72.72
87848	10/21/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-9421-46	\$65.16
87848	10/21/16	310	SOUTHERN CA. EDISON	2614160	032004	3-023-0081-92	\$45.87
87848	10/21/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-9504-85	\$33.52
87848	10/21/16	310	SOUTHERN CA. EDISON	4004400	032006	3-031-5675-04	\$5,088.63
87848	10/21/16	310	SOUTHERN CA. EDISON	5534553	032001	3-035-4725-72	\$32.71
87848	10/21/16	310	SOUTHERN CA. EDISON	8914891	032001	2-32-032-1755	\$52.30
87850	10/21/16	5267	SUNGARD PUBLIC SECTOR	1014050	037000	127349-ADDITIONL USER	\$32.00
87850	10/21/16	5267	SUNGARD PUBLIC SECTOR	1014120	037000	127349	\$605.00
87850	10/21/16	5267	SUNGARD PUBLIC SECTOR	1014050	037000	127349	\$605.00
87850	10/21/16	5267	SUNGARD PUBLIC SECTOR	3004300	037000	127349	\$605.00
87850	10/21/16	5267	SUNGARD PUBLIC SECTOR	5524552	037000	127349	\$605.00
87850	10/21/16	5267	SUNGARD PUBLIC SECTOR	5534553	019000	127349	\$605.00
87851	10/21/16	5899	SUPPLYWORKS	4004400	022000	377311840	\$579.79
87851	10/21/16	5899	SUPPLYWORKS	4004400	069091	381131853	\$421.07
87852	10/21/16	3682	SYSCO OF CENTRAL CA	3004300	069116	610061145	\$293.51
87854	10/21/16	518	TCAG	2634180	037006	1ST HALF 16/17 MEMBERSHIP	\$2,660.99
87855	10/21/16	5755	TELEPACIFIC COMMUNICATIONS	1014130	033001	83250009-0	\$372.59
87855	10/21/16	5755	TELEPACIFIC COMMUNICATIONS	1014210	033001	83250009-0	\$372.59

## WARRANT LIST 11/08/2016

CHECK#	DATE	VENDOR#	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87855	10/21/16	5755	TELEPACIFIC COMMUNICATIONS	1014120	033001	83250009-0	\$372.58
87855	10/21/16	5755	TELEPACIFIC COMMUNICATIONS	5524552	033001	83250009-0	\$372.59
87855	10/21/16	5755	TELEPACIFIC COMMUNICATIONS	5534553	033001	83250009-0	\$372.58
87855	10/21/16	5755	TELEPACIFIC COMMUNICATIONS	5544554	033001	83250009-0	\$372.59
87856	10/21/16	1921	TELSTAR INSTRUMENTS	4004400	023000	86568	\$1,222.00
87841	10/21/16	1089	TERESA SERNA	101	309090	SENIOR REFUND	\$32.03
87857	10/21/16	144	THE GAS COMPANY	3004300	069109	094-461-1294-9	\$96.32
87857	10/21/16	144	THE GAS COMPANY	3004300	069109	102-887-8712-9	\$80.01
87858	10/21/16	5792	THOMSON REUTERS - WEST	1014110	037004	834833635-SEPT 2016	\$153.15
87849	10/21/16	1066	TOM SPURLOCK	101	309090	SENIOR REFUND	\$59.23
87825	10/21/16	1118	TRINIDAD MORALES	101	309090	SENIOR REFUND	\$32.91
87859	10/21/16	6077	TRK PLAYGROUND SAFE, LLC	1014210	036007	101	\$525.00
87860	10/21/16	4265	TROPICALE FOODS, INC	3004300	069116	30221165	\$34.56
87797	10/21/16	2073	TRUITT JACKSON	101	309090	SENIOR REFUND	\$48.17
87861	10/21/16	5432	TULARE COUNTY TRANSPORTATION	101	200204	QTR ENDING 9/30/16	\$13,105.54
87862	10/21/16	3839	U.S. LOCK CORPORATION	1014110	023000	14614661	\$55.96
87863	10/21/16	1513	UNITED RENTALS, INC	5524552	022000	140290537-001	\$55.05
87863	10/21/16	1513	UNITED RENTALS, INC	5534553	022000	140290537-001	\$55.05
87864	10/21/16	2960	U.S. BUREAU OF RECLAMATION	5524552	022010	5-07-20 W428L	\$6,414.24
87865	10/21/16	356	USA BLUEBOOK	5534553	022000	062753	\$980.08
87868	10/21/16	1853	VIOLET WHITE	101	309090	SENIOR REFUND	\$14.68
87866	10/21/16	2719	VIRGINIA EPPERSON	101	309090	SENIOR REFUND	\$72.59
87793	10/21/16	928	VIRGINIA HERRERA	101	309090	SENIOR REFUND	\$28.11
87867	10/21/16	612	WEISENBERGERS ACE HARDWARE	2614160	065001	B741246	\$305.89
87867	10/21/16	612	WEISENBERGERS ACE HARDWARE	3004300	069093	A486236	\$689.70
87870	10/21/16	5482	ZONE AIR CONDITIONING	1014110	023000	5734	\$120.00
87870	10/21/16	5482	ZONE AIR CONDITIONING	1014120	023000	5577	\$155.95
						<b>TOTAL</b>	<b>\$437,919.29</b>



## Treasurer's Report

**OCTOBER 2016**

### Cash Balances Classified by Depository

	GL ACT#	TYPE	<u>Balance</u>	Current Annual Yield	Interest Earned This Period
Petty Cash/Cash Register Funds	100-102	RES	\$2,628.00	N/A	
Bank Of Sierra - Payroll	100-106	GEN	\$71,294.86	N/A	
Bank Of Sierra - AP/Operating	100-100	GEN	\$284,061.92	N/A	
Bank Of Sierra - McDermont	100-500	GEN	\$53,206.25	N/A	
Arbitrage Management Savings	100-200	INV-RES	\$500,000.00	N/A	
Bank Of Sierra - Impound Account	100-120	RES	\$28,149.50	0.05	1.00
Bank Of Sierra - WWTP Project	100-553	RES	\$20,176.69	0.02	0.49
Bank Of Sierra - Water Project	100-552	RES	\$60,003.21	0.05	2.07
LAIF Savings: City & Successor Agency	100-103	INV-RES	\$211,459.52	0.35	
Bank Of Sierra- Depository Account	100-114	GEN	\$740,854.98		
<b>Total Cash Balances @ October 31, 2016</b>			<b>\$1,971,834.93</b>		<b>3.56</b>

OCTOBER 2016 Accounts Payable	\$471,143
OCTOBER Payroll & Benefits 10/14/16	\$226,574
OCTOBER Payroll & Benefits 10/28/16	\$225,965

<b>OCTOBER DEBT SERVICE:</b>	<b>0.00</b>
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<b>OCTOBER 2016 Total Expenditures</b>	<b>\$923,682</b>
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#### Compliance with Investment Policy

As of October 31, 2016, the investments were in compliance with the requirements of the City's investment policy. This report reflects all cash and investments of the City of Lindsay (*O/S checks not reflected in End Cash Balance*).

Invested Funds  
\$711,459.52

Respectfully submitted,

Nicole Bolaños  
Account Clerk

GEN=GENERAL UNRESTRICTED  
RES=RESTRICTED ACTIVITY  
INV=INVESTMENT

Date: November 8, 2016  
To: Lindsay City Council  
From: William Zigler, City Manager

**Subject:** Minute Order Approval Authorizing the Mayor to Sign Letter of Support

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A member of the Upper Tule Association met with the Mayor and Mayor Pro Tem requesting a letter of support from the City of Lindsay to the County Board of Supervisors to investigate alternative solution to closing Mountain M90 during winter months. Possible benefits for keeping M90 open include regional increased sales tax revenue, higher property values and enhanced emergency safety. No cost would be incurred by the City with this letter of support. This is no downside to supporting this request and a possibility of experiencing increased tourism and its related sales tax revenue for the City of Lindsay.

Respectfully Submitted,



William Zigler  
City Manager



# City of Lindsay



P.O. Box 369 — Lindsay, California 93247 — 251 Honolulu Street

November 8, 2016

The Honorable Board of Supervisors  
County of Tulare  
2800 W. Burrel Avenue  
Visalia, California 93291

Re: Alternative Solutions to the Winter Closure of M90

Dear Members of the Board of Supervisors:

On behalf of the Lindsay City Council, please accept this letter in support of the efforts begun by the Upper Tule Association in requesting the County investigate alternative solutions to the road closure of M90 during the winter months. Each year beginning with the first snow, the County closes the road from Ponderosa to the Johnsondale turnoff, resulting in the closure of an important 13.6 miles of roadway that connects travelers from around the world to Tulare County.

Tulare County is the only county with the ability to boast of a direct connection between Death Valley National Park, the Sequoia National Forest and Giant Sequoia National Monument. Unfortunately, each winter's road closure broadcasts to the world via the internet and social media that visitors must plan an alternate route around this important link through Tulare County and spend their valuable tourism dollars elsewhere.

Due to visitor accommodations being very limited within the Sequoia National Forest the approximate 50% drop in visitor spending experienced by businesses along the Upper Tule is magnified in the surrounding communities where visitors would spend their dollars on food, gas and hotels; which is a certainty because these visitors could not make it to the airports in San Francisco or Los Angeles without a stop in our local communities to refuel, eat or rest.

Finding an alternative to the road closure would bring in greatly needed tourism dollars from the approximate 1.1 million visitors to the Parks. The National Forest Service is an enthusiastic supporter of keeping M90 open, given the wide variety of winter activities the Sequoia National Forest could provide (e.g. cross-country skiing, snowshoeing and snowmobiling), as well as continued access to the majestic Trail of 100 Giants and the Long Meadow Giant Sequoia Grove.



Nov. 8, 2016  
Pg. 2 of 2

Alternative solutions to the winter closure of M90 suggested to be investigated to access a larger piece of the estimated \$112.5 billion tourism dollars spent annually in California include:

- Toll roads
- Federal and/or State partnership
- Plow sharing
- Plowing limitations
- Road privatization
- Privatization of plowing contracts
- Partnership with the Tule River Indian Reservation
- Tourism grant dollars

Thank you for your time and consideration of this letter. We urge you to sincerely investigate this valuable proposal. Our reward will be seen in increased sales tax revenue, higher property values and enhanced emergency safety.

Sincerely,

Pamela Kimball  
Mayor  
Lindsay City Council



AGENDA ITEM

Date: November 8, 2016  
To: Honorable Mayor Pam Kimball and Members of Council  
From: Tamara Laken, Finance Director Consultant  
Re: Salary Matrix Update for 12/01/16 – 12/31/16 and 1/01/17 – 6/30/17

**ACTION:**

- Public Hearing
- Ordinance
- Consent Calendar**
- Action Item
- Report Only

**Background:**

Attached are the Salary Matrix for the Period of December 1, 2016 thru December 31, 2016 which is required to be updated to be in compliance with the US Department of Labor, Wage and Hour Division, relative to the Final Rule to Update Regulations defining and delimiting the exemption for Executive, Administrative, and Professional Employees (Fact Sheet attached). This affects two of the City position classifications – Maintenance III and Administrative Supervisors, both of which fall into the exempt category. An Exempt employee is not eligible for overtime. The salary rates have been adjusted for those two classifications to bring the city into compliance with the U.S. Department of Labor mandate.

In addition to this mandatory change which takes effect in December, the City manager is recommending eliminating the Director of Planning from the matrix, due to those duties being performed by the City manager per section 1 of his contract.

The City manager is also requesting to eliminate two other Director Positions from the matrix - McDermont and Wellness Center – and create a new Director position that combines those two functions with that of Recreation Director. This new Director Position would reflect a ten percent increase in pay over that of the McDermont Director alone. Clint Ashcraft has served in this combined position for over a year without any additional compensation. The fiscal impact is duly noted on the Annual page of the Matrix and constitutes a substantial savings to the City with the elimination of the Wellness Director. No budget amendment would be required for combining these responsibilities.

The top step classification of Director of City Services is increased by 3.1% per CPI to conform with that Director’s contract with the City. This is the only CPI increase paid to any director, despite this condition being reflected for over five years in his 2011 contract. This action brings the city into compliance with contract provisions.

Also attached is the Salary Matrix detail for the period January 1, 2017 thru June 30, 2017 which incorporates both the State of California mandated increase in the minimum wage from

\$10.00/hour to \$10.50 per hour as well as the negotiated COLA for the Miscellaneous unit of 2.5% effective January 1, 2017. Neither of these updates is discretionary, but the matrix must be formally reviewed and approved by Council to be in compliance with the California Public Employment Retirement System that requires every salary matrix go before council and subsequently be publicly posted on the City's website. There are no other changes for that period and no budget amendment is needed as this information was known and considered when preparing the FY2016-17 budget.

The following reports are attached for your information, discussion, input and direction:

- ❖ U.S. Department of Labor Fact Sheet regarding Exempt Employees
- ❖ State of California Fact Sheet regarding increase to minimum wage
- ❖ Misc MOU, page 9, relative to Negotiated 2.5% COLA
- ❖ Camarena contract page regarding CPI and applicable CPI schedule
- ❖ Salary Matrix for period December 1, 2016 thru December 31, 2016
- ❖ Salary Matrix for period January 1, 2017 thru January 31, 2017

**Action Required:**

Matrix will be acknowledged via consent calendar

## Fact Sheet: Final Rule to Update the Regulations Defining and Delimiting the Exemption for Executive, Administrative, and Professional Employees

In 2014, President Obama directed the Department of Labor to update and modernize the regulations governing the exemption of executive, administrative, and professional (“EAP”) employees from the minimum wage and overtime pay protections of the Fair Labor Standards Act (“FLSA” or “Act”). The Department published a notice of proposed rulemaking on July 6, 2015, and received more than 270,000 comments. On May 18, 2016, the Department announced that it will publish a Final Rule to update the regulations. The full text of the Final Rule will be available at the Federal Register Site.

Although the FLSA ensures minimum wage and overtime pay protections for most employees covered by the Act, some workers, including bona fide EAP employees, are exempt from those protections. Since 1940, the Department’s regulations have generally required each of three tests to be met for the FLSA’s EAP exemption to apply: (1) the employee must be paid a predetermined and fixed salary that is not subject to reduction because of variations in the quality or quantity of work performed (“salary basis test”); (2) the amount of salary paid must meet a minimum specified amount (“salary level test”); and (3) the employee’s job duties must primarily involve executive, administrative, or professional duties as defined by the regulations (“duties test”). The Department last updated these regulations in 2004, when it set the weekly salary level at \$455 (\$23,660 annually) and made other changes to the regulations, including collapsing the short and long duties tests into a single standard duties test and introducing a new exemption for highly compensated employees.

This Final Rule updates the salary level required for exemption to ensure that the FLSA’s intended overtime protections are fully implemented, and to simplify the identification of overtime-protected employees, thus making the EAP exemption easier for employers and workers to understand and apply. Without intervening action by their employers, it extends the right to overtime pay to an estimated 4.2 million workers who are currently exempt. It also strengthens existing overtime protections for 5.7 million additional white collar salaried workers and 3.2 million salaried blue collar workers whose entitlement to overtime pay will no longer rely on the application of the duties test.

### **\* Key Provisions of the Final Rule \***

The Final Rule focuses primarily on updating the salary and compensation levels needed for EAP workers to be exempt. Specifically, the Final Rule:

1. Sets the standard salary level at the 40th percentile of earnings of full-time salaried workers in the lowest-wage Census Region, currently the South, which is \$913 per week or \$47,476 annually for a full-year worker;
2. Sets the total annual compensation requirement for highly compensated employees (HCE) subject to a minimal duties test to the annual equivalent of the 90th percentile of full-time salaried workers nationally, which is \$134,004; and

3. Establishes a mechanism for automatically updating the salary and compensation levels every three years to maintain the levels at the above percentiles and to ensure that they continue to provide useful and effective tests for exemption.

Additionally, the Final Rule amends the salary basis test to allow employers to use nondiscretionary bonuses and incentive payments (including commissions) to satisfy up to 10 percent of the new standard salary level. The Final Rule makes no changes to the duties tests.

### **Effective Date**

The effective date of the Final Rule is December 1, 2016. The initial increases to the standard salary level (from \$455 to \$913 per week) and HCE total annual compensation requirement (from \$100,000 to \$134,004 per year) will be effective on that date. Future automatic updates to those thresholds will occur every three years, beginning on January 1, 2020.

### **Standard Salary Level**

The Final Rule sets the standard salary level at the 40th percentile of weekly earnings of full-time salaried workers in the lowest-wage Census Region, currently the South (\$913 per week, equivalent to \$47,476 per year for a full-year worker).

The standard salary level set in this Final Rule addresses our conclusion that the salary level set in 2004 was too low given the Department's elimination of the more rigorous long duties test. For many decades the long duties test—which limited the amount of time an exempt employee could spend on nonexempt duties and was paired with a lower salary level—existed in tandem with a short duties test—which did not contain a specific limit on the amount of nonexempt work and was paired with a salary level that was approximately 130 to 180 percent of the long test salary level. In 2004, the long and short duties tests were eliminated and the new standard duties test was created based on the short duties test and was paired with a salary test based on the long test.

The effect of the 2004 Final Rule's pairing of a standard duties test based on the short duties test (for higher paid employees) with a salary test based on the long test (for lower paid employees) was to exempt from overtime many lower paid workers who performed few EAP duties and whose work was otherwise indistinguishable from their overtime-eligible colleagues. This has resulted in the inappropriate classification of employees as EAP exempt who pass the standard duties test but would have failed the long duties test.

The Final Rule's salary level represents the most appropriate line of demarcation between overtime-protected employees and employees who may be EAP exempt and works appropriately with the current duties test, which does not limit non-EAP work.

The Department also is updating the special salary level for employees in American Samoa (to \$767 per week) and the special "base rate" for employees in the motion picture industry (to \$1,397 per week).

### **HCE Total Annual Compensation Requirement**

The Final Rule sets the HCE total annual compensation level equal to the 90th percentile of earnings of full-time salaried workers nationally (\$134,004 annually). To be exempt as an HCE, an employee must also receive at least the new standard salary amount of \$913 per week on a salary or fee basis and pass a minimal duties test. The HCE annual compensation level set in this Final Rule brings this threshold more in line with the level established in 2004 and will avoid the unintended exemption of large numbers of employees in high-wage areas who are clearly not performing EAP duties.

## **Automatic Updating**

The Final Rule includes a mechanism to automatically update the standard salary level requirement every three years to ensure that it remains a meaningful test for distinguishing between overtime-protected white collar workers and bona fide EAP workers who may not be entitled to overtime pay and to provide predictability and more graduated salary changes for employers. Specifically, the standard salary level will be updated to maintain a threshold equal to the 40th percentile of weekly earnings of full-time salaried workers in the lowest-wage Census Region. Similarly, the Final Rule includes a mechanism for automatically updating the HCE compensation level to maintain the threshold equal to the 90th percentile of annual earnings of full-time salaried workers nationally. The Final Rule will also automatically update the special salary level test for employees in American Samoa and the base rate test for motion picture industry employees. The Department will publish all updated rates in the Federal Register at least 150 days before their effective date, and also post them on the Wage and Hour Division's website.

Regularly updating the salary and compensation levels is the best method to ensure that these tests continue to provide an effective means of distinguishing between overtime-eligible white collar employees and those who may be bona fide EAP employees. Experience has shown that these earning thresholds are only effective measures of exempt status if they are kept up to date.

## **Inclusion of Nondiscretionary Bonuses and Incentive Payments**

For the first time, employers will be able to use nondiscretionary bonuses and incentive payments (including commissions) to satisfy up to 10 percent of the standard salary level. Such payments may include, for example, nondiscretionary incentive bonuses tied to productivity and profitability. For employers to credit nondiscretionary bonuses and incentive payments toward a portion of the standard salary level test, the Final Rule requires such payments to be paid on a quarterly or more frequent basis and permits the employer to make a "catch-up" payment. The Department recognizes that some businesses pay significantly larger bonuses; where larger bonuses are paid, however, the amount attributable toward the standard salary level is capped at 10 percent of the required salary amount.

The Final Rule continues the requirement that HCEs must receive at least the full standard salary amount each pay period on a salary or fee basis without regard to the payment of nondiscretionary bonuses and incentive payments, and continues to permit nondiscretionary bonuses and incentive payments (including commissions) to count toward the total annual compensation requirement. The Department concludes that permitting employers to use nondiscretionary bonuses and incentive payments to satisfy the standard salary amount for HCEs is not appropriate because employers are already permitted to fulfill almost two-thirds of the total annual compensation requirement with commissions, nondiscretionary bonuses, and other forms of nondiscretionary deferred compensation.

## **Duties Tests**

The Final Rule is not changing any of the existing job duty requirements to qualify for exemption. The Department expects that the standard salary level set in this Final Rule and automatic updating will work effectively with the duties test to distinguish between overtime-eligible workers and those who may be exempt. As a result of the change to the salary level, the number of workers for whom employers must apply the duties test to determine exempt status is reduced, thus simplifying the exemption. Both the standard duties test and the HCE duties test remain unchanged.

**For additional information, visit our Wage and Hour Division Website: [www.wagehour.dol.gov](http://www.wagehour.dol.gov) and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4-USWAGE (1-866-487-9243).**

This publication is for general information and is not to be considered in the same light as official statements of position contained in the regulations.

**U.S. Department of Labor**  
Frances Perkins Building  
200 Constitution Avenue, NW  
Washington, DC 20210

**1-866-4-USWAGE**  
TTY: 1-866-487-9243  
**Contact Us**

## Fact Sheet: Boosting California's Minimum Wage to \$15/Hour

### Scheduled Wage Increases (If No Increases Are Paused)

	<u>26 Employees or More</u>	<u>25 Employees or Less</u>
\$10.50/hour	January 1, 2017	January 1, 2018
\$11/hour	January 1, 2018	January 1, 2019
\$12/hour	January 1, 2019	January 1, 2020
\$13/hour	January 1, 2020	January 1, 2021
\$14/hour	January 1, 2021	January 1, 2022
\$15/hour	January 1, 2022	January 1, 2023

### Off-Ramp Provisions

Governor can choose to pause any scheduled increase for one year if either economy or budget conditions are met. The increase to \$10.50/hour is not subject to off-ramps. Initial determination of Governor by August 1 of each year prior to a January increase. The Governor makes the final determination by September 1.

#### **1. Economy**

Governor has the ability to pause an increase if seasonally adjusted statewide job growth for either the prior 3 or 6 months is negative and retail sales receipts for the prior 12 months is negative.

#### **2. Budget**

Governor has the ability to pause an increase if any year from the current budget year to two additional years is forecasted to be in deficit when including the next scheduled increase. Pursuant to Proposition 2, a multiyear forecast is adopted as part of the annual Budget Act. A deficit is if the operating reserve is projected to be negative by more than 1 percent of annual revenues, currently about \$1.2 billion. The budget off-ramp can only be used twice.

### Indexing

Index annually for inflation (national CPI) beginning the first January 1 after small businesses are at \$15/hour. Floor of 0 percent (no decreases) and a ceiling of 3.5 percent. Off-ramps do not apply once the state gets to \$15/hour.

### IHSS Sick Days

Implementation of one sick day in July 2018. Second day added in the first July following \$13/hour implementation for larger businesses, and third day added following \$15/hour implementation.

### Effect on Workers

There are approximately 7 million hourly workers in California. Almost 2.2 million workers are currently paid minimum wage.

Annual income of full-time work at minimum wage:

2016 at \$10 per hour:	\$20,800
2022 at \$15 per hour:	\$31,200

For comparison, the Federal Poverty Level for 2016 is \$24,300 for a family of 4.

**ARTICLE 31  
PAY RELATED ITEMS**

The Steps for Miscellaneous Employees shall increase by the following amounts:

- Year 1 (1/1/2014) — 0%
- Year 2 (1/1/2015) — 2.5%
- Year 3 (1/1/2016) — 0%
- Year 4 (1/1/2017) — 2.5%

**ARTICLE 32  
VEHICLE TAKE HOME**

Take home vehicles will be provided by the City for on-call employees only.

**ARTICLE 33  
WORK EQUIPMENT**

The CITY will provide 2-way radios to all employees in the City Service Department.

**ARTICLE 34  
SUCCESSION**

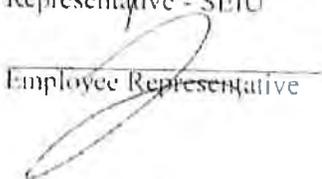
In the event either party hereto desire to negotiate the provisions of a successor Memorandum of Understanding, such party shall serve upon the other it's written request to commence negotiations, 120 to 90 days before the expiration date of this agreement. Failure to provide such notice shall indicate satisfaction with the existing terms and conditions and the desire for such terms and conditions to remain in force an additional twelve (12) months beyond it's expiration date.

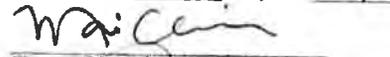
**ARTICLE 35  
TERM**

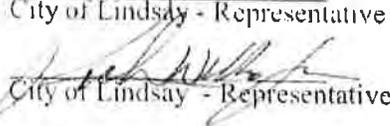
The provisions of this Memorandum of Understanding shall commence on date of signing below and remain in effect through December 31, 2017, unless notice, as provided in Article 34 of this MOU, is not given in the required time.

This Memorandum of Understanding entered into and signed this 26 day of September, 2014.

  
Representative - SEIU

  
Employee Representative

  
City of Lindsay - Representative

  
City of Lindsay - Representative

**EMPLOYMENT AGREEMENT**

**EMPLOYMENT AGREEMENT BETWEEN  
THE CITY OF LINDSAY AND MICHAEL CAMARENA**

**WHEREAS**, the City of Lindsay hereafter referred to as "City," desires to hire Michael Camarena, as its City Services Director/Director of Public Works;

**WHEREAS**, Michael Camarena, desires to be employed as the City Services Director/Director of Public Works of the City of Lindsay;

**WHEREAS**, it is the desire and intent of the parties to create an employment agreement;

**WHEREAS**, Lindsay City Charter Section 7.02, and Municipal Code Section 2.22 provides for the appointment by the City Manager, and service of Employees, specifically the Director of Public Works, by means under the terms of an Employment Agreement executed by the City Manager; and

**WHEREAS**, it is the desire of the City to provide certain benefits, establish certain conditions of employment and to set working conditions of the City Services Director/Director of Public Works; and

**WHEREAS**, it is the desire of the City to:

- (1) Secure and retain the services of the City Services Director/Director of Public Works and provide inducement for him to remain in such employment;
- (2) To make possible full work productivity by assuring the City Services Director/Director of Public Works morale and peace of mind with respect to future security; and
- (3) To provide a just means for terminating the City Services Director/ Director of Public Works services at such time as he may be unable to discharge his duties or when the City may desire to otherwise terminate his employ.

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained, the parties agree to enter into this Employment Agreement, as follows:

**Section 1. Compensation**

Commencing May 16, 2011, and thereafter, City agrees to employ and pay the City Services Director/Director of Public Works at the rate of the sum of \$7,996.92 per month as compensation for the retention of

the above mentioned services, and such compensation thereafter as the City Manager may, from time to time, determine; provided that, the City Services Director/Director of Public Works shall receive, pending budget approval, an approved cost of living adjustment in accordance with the San Francisco Consumers Price Index COLA recommendation, every other year commencing July 2013. Said compensation shall be paid at the same times and in the same manner as other employees of the City are paid.

**Section 2. Term of Service**

The City Services Director/Director of Public Works' term of employment shall be at the pleasure of the City Manager as set forth in Section 2.22.020. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City Manager to terminate the services of the City Services Director/Director of Public Works at any time, provided that such termination shall be subject to the provisions of Section 3 herein below. It is specifically noted and agreed that City Services Director/Director of Public Works' employment with the City is in an "at will" capacity and as such, he may be terminated at any time, with or without cause. Terms and conditions of employment, including compensation and benefits, are subject to annual review and adjustment by the City Manager.

**Section 3. Severance Pay**

In the event of involuntary separation of the City Services Director/Director of Public Works, he shall be entitled to receive a lump sum payment as and for severance pay in an amount equal to one (1) month salary. In addition to any such salary, the City Services Director/Director of Public Works shall be paid any this amounts that would be due to a City employee upon termination of employment with the City.

Notwithstanding the above provisions of this Section, in the event the City Services Director/Director of Public Works is terminated for cause, as defined in the City's personnel rules and regulations and as determined by the City Manager, or he is terminated and a court of competent jurisdiction finds and determines that he is guilty of an illegal act involving moral turpitude or personal gain, then, in that event, the City shall have no obligation to pay the aggregate severance sum designated hereinabove in this Section.

**Section 4. Dues, Travel and Conferences**

The City agrees to consider budgeting and paying for the travel, subsistence, registration and incidental expenses of Employee for professional development and official travel meetings and occasions adequate to continue

**Table A. San Francisco-Oakland-San Jose CPI-U bi-monthly and annual percent changes (not seasonally adjusted)**

Month	2011		2012		2013		2014		2015		2016	
	Bi-monthly	Annual										
February	1.0	1.7	1.1	3.0	1.3	2.4	1.2	2.4	1.0	2.5	0.9	3.0
April	1.8	2.8	0.9	2.1	0.8	2.4	1.2	2.8	1.1	2.4	0.7	2.7
June	-0.2	2.4	0.3	2.6	0.5	2.8	0.7	3.0	0.6	2.3	0.6	2.7
August	0.4	2.9	0.6	2.8	0.1	2.0	0.0	3.0	0.3	2.6	0.7	3.1
October	0.3	3.2	0.7	3.2	0.2	1.6	0.5	3.2	0.4	2.6		
December	-0.4	2.9	-1.4	2.2	-0.4	2.6	-0.9	2.7	-0.3	3.2		

The October 2016 Consumer Price Index for the San Francisco-Oakland-San Jose is scheduled to be released on November 17, 2016.

**Classification & Salary Schedule - ANNUAL**

12/01/2016 - 12/31/2016

<u>Classification</u>	<u>Range</u>						
	1	2	3	4	5	6	7
Team Member I	20,800	21,840	22,932	24,079	25,283	26,547	27,874
Finance Clerk	21,924	23,020	24,171	25,380	26,649	27,981	29,380
Team Member II	24,612	25,843	27,135	28,491	29,916	31,412	32,982
Secretary 1	24,768	26,006	27,307	28,672	30,106	31,611	33,191
Maintenance	25,908	27,203	28,564	29,992	31,491	33,066	34,719
Account Clerk I	25,908	27,203	28,564	29,992	31,491	33,066	34,719
Account Clerk II	27,180	28,539	29,966	31,464	33,037	34,689	36,424
City Services Specialist	27,180	28,539	29,966	31,464	33,037	34,689	36,424
Recreation Coordinator	27,972	29,371	30,839	32,381	34,000	35,700	37,485
Administrative Secretary	31,009	32,559	34,187	35,896	37,691	39,576	41,554
Dispatcher	28,692	30,127	31,633	33,215	34,875	36,619	38,450
Com. Dev. Specialist I	28,692	30,127	31,633	33,215	34,875	36,619	38,450
Maintenance, Senior I	28,692	30,127	31,633	33,215	34,875	36,619	38,450
Wastewater Treat. Plant Oper. II	29,472	30,946	32,493	34,118	35,823	37,615	39,495
Com. Dev. Specialist II	30,996	32,546	34,173	35,882	37,676	39,560	41,538
Team Member III	34,620	36,351	38,168	40,077	42,081	44,185	46,394
Senior Mechanic	35,004	36,754	38,592	40,521	42,547	44,675	46,908
Maintenance Senior II	36,612	38,442	40,365	42,383	44,502	46,727	49,063
Foreman/Crew Foreman	30,120	31,626	33,207	34,868	36,611	38,442	40,364
Management Analyst	30,853	32,396	34,015	35,716	37,502	39,377	41,346
Account Clerk III	36,804	38,644	40,576	42,605	44,735	46,972	49,321
Code Enf/Evidence/Animal Control	43,080	45,234	47,496	49,870	52,364	54,982	57,731
Public Safety Officer	43,410	45,580	47,859	50,252	52,765	55,403	58,173
City Planner Assistant	46,056	48,359	50,777	53,315	55,981	58,780	61,719
Associate Engineer	53,292	55,957	58,754	61,692	64,777	68,016	71,416
Public Safety Sergeant	52,944	55,591	58,371	61,289	64,354	67,571	70,950

**Exempt & Supervisorial Staff: Not eligible for Overtime, Eligible for all other provisions of applicable MOU**

*Administrative Supervisor	47,476	49,850	52,342	54,959	57,707	60,593	63,622
*Maintenance Senior III	47,476	49,850	52,342	54,959	57,707	60,593	63,622
Public Safety Lieutenant	68,682	72,116	75,721	79,508	83,483	87,657	92,040

**Department Heads**

	<u>MINIMUM</u>		<u>MAXIMUM</u>
City Manager	92,000	to	123,289
Director of Public Safety	82,080	to	109,995
City Services Director	71,616	to	98,947
Finance Director	68,232	to	91,437
*McDermont/Wellness/Recreation Director	64,020	to	85,793

**Changes EFFECTIVE: 12.01.16:**

*Add McDermont/Wellness/Rec Director	64,020	to	85,793	(Increase)
*US Dept of Labor Exempt Employee Increase	10,868		14,563	(Net Increase 2 affected positions)
*CPI Increase per Contract 3.1%	0		2,975	(Affects only top step - first CPI since 2011)
*Eliminate Wellness Center Director	(39,492)		(52,923)	(Decrease)
*Eliminate McDermont Director	(58,200)		(77,994)	(Decrease)
*Eliminate Planning Community SRVS Dir.	(53,700)		(71,963)	(Decrease)

**Net Annual Fiscal Impact of Changes (76,504) (99,549) (Decrease)**

*Eliminate Steps in this category per Council directive*

*All Department Heads shall have a MINIMUM*

*and MAXIMUM Range and are considered "At-Will"*

**EFFECTIVE 12.1.2016**

**Classification & Salary Schedule - ANNUAL**

1/01/2017 - 06/30/2017

<u>Classification</u>	<u>Range</u>						
	1	2	3	4	5	6	7
Team Member I	21,840	22,932	24,079	25,283	26,547	27,874	29,268
Finance Clerk	22,472	23,596	24,775	26,014	27,315	28,681	30,115
Team Member II	25,227	26,488	27,813	29,203	30,664	32,197	33,807
Secretary 1	25,387	26,656	27,989	29,389	30,858	32,401	34,021
Maintenance	26,556	27,883	29,278	30,742	32,279	33,893	35,587
Account Clerk I	27,860	29,252	30,715	32,251	33,863	35,557	37,334
Account Clerk II	27,860	29,252	30,715	32,251	33,863	35,557	37,334
City Services Specialist	28,671	30,105	31,610	33,191	34,850	36,593	38,422
Recreation Coordinator	28,671	30,105	31,610	33,191	34,850	36,593	38,422
Administrative Secretary	31,784	33,373	35,042	36,794	38,634	40,566	42,594
Dispatcher	29,409	30,880	32,424	34,045	35,747	37,535	39,411
Com. Dev. Specialist I	29,409	30,880	32,424	34,045	35,747	37,535	39,411
Maintenance, Senior I	29,409	30,880	32,424	34,045	35,747	37,535	39,411
Wastewater Treat. Plant Oper. II	30,209	31,719	33,305	34,970	36,719	38,555	40,483
Com. Dev. Specialist II	31,771	33,359	35,027	36,779	38,618	40,549	42,576
Team Member III	35,486	37,260	39,123	41,079	43,133	45,289	47,554
Senior Mechanic	35,879	37,673	39,557	41,535	43,611	45,792	48,081
Maintenance Senior II	37,527	39,404	41,374	43,443	45,615	47,895	50,290
Foreman/Crew Foreman	30,873	32,417	34,037	35,739	37,526	39,403	41,373
Management Analyst	31,624	33,206	34,866	36,609	38,440	40,362	42,380
Account Clerk III	37,724	39,610	41,591	43,670	45,854	48,147	50,554
Code Enf/Evidence/Animal Control	44,157	46,365	48,683	51,117	53,673	56,357	59,175
Public Safety Officer	43,410	45,580	47,859	50,252	52,765	55,403	58,173
City Planner Assistant	47,207	49,568	52,046	54,648	57,381	60,250	63,262
Associate Engineer	54,624	57,355	60,223	63,234	66,396	69,716	73,201
Public Safety Sergeant	52,944	55,591	58,371	61,289	64,354	67,571	70,950

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**Department Heads**

	<u>MINIMUM</u>		<u>MAXIMUM</u>
City Manager	92,000	to	123,289
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*Eliminate McDermont Director	(58,200)		(77,994)	(Decrease)
*Eliminate Planning Community SRVS Dir.	(53,700)		(71,963)	(Decrease)

**Net Annual Fiscal Impact of Changes (76,504) (99,549) (Decrease)**

*Eliminate Steps in this category per Council directive*

*All Department Heads shall have a MINIMUM*

*and MAXIMUM Range and are considered "At-Will"*

**EFFECTIVE I.I.17**

2.5% COLA for MISC Classifications (excludes Admin/Safety/Exempt ) eff 1.1.2017

## PUBLIC HEARING PROCEDURES

The following rules shall apply:

1. OPEN the public hearing.
2. PROPOSERS (those in favor). The Council may ask questions of the proponents and they may respond.
3. OPPOSERS (those against). The Council may ask questions of the opponents and they may respond.
4. REBUTTAL each side.
5. FURTHER QUESTIONS from Council, but the parties may not engage in further debate.
6. CLOSE the public hearing.
7. COUNCIL DISCUSSION.
8. MOTION ( if necessary).
9. COUNCIL VOTE.

**CITY OF LINDSAY  
CITY COUNCIL  
PROJECT SUMMARY**

<b>Project Number:</b> General Plan Amendment and Change of Zone No. 16-38	<b>Agenda Date:</b> 11/8/16	
<b>Applicant:</b> City of Lindsay Planning Department, 251 E. Honolulu Street, Lindsay, CA 93247	<b>Agenda Item Number:</b>	
<b>Agent:</b> N/A	<b>Agenda Item Type</b>	
<b>Subject:</b> Mitigated Negative Declaration, General Plan Amendment and Change of Zone No. 16-38 to amend the General Plan designation from Mobile Home to Park and Recreation and change the Zoning designation from Multi-Family Residential (RM-3) to Resource Conservation and Open Space (RCO), on property located west of the northwest corner of Apia Street and Olive Avenue. (APN: 205-030-044)	Presentation	<b>X</b>
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	<b>X</b>
	Continued Public Hearing	
<b>Environmental Review:</b> Mitigated Negative Declaration	<b>Action Requested</b>	
	Approval	
<b>Motion(s):</b> One Motion	Direction	
<b>Contact Persons:</b> Brian Spaunhurst	Resolution – City Council	<b>X</b>

**RECOMMENDATIONS:**

That the City Council:

Approve an Initial Study/Mitigated Negative Declaration completed to the standards of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for the Implementation of the California Environmental Quality Act of 1970, as amended; **and** approve General Plan Amendment and Change of Zone No. 16-38.

**CITY COUNCIL ALTERNATIVES**

Alternative No. 1: Move to approve, subject to modifications as discussed by City Council.

Alternative No. 2: Move to deny.

Alternative No. 3: Refer back to Staff for further study and report.

**PROJECT OVERVIEW**

Approval of Mitigated Negative Declaration, General Plan Amendment, and Change of Zone No. 16-38 (Support for Olive Bowl Grant Project) is a request by the City of Lindsay Planning Department to amend the General Plan designation from Mobile Home to Park and Recreation and change the Zoning designation from Multi-Family Residential (RM-3) to Resource Conservation, and Open Space (RCO). The project site is located west of the northwest corner of Apia Street and Olive Avenue. (APN: 205-030-044).

This request is in support of an approved Site Plan the encompasses this parcel as well as the adjacent Olive Bowl Park. The proposed General Plan Amendment and Change of Zone is appropriate as the approved site plan would transition this parcel into recreational use. In its present state the parcel in question would not be suitable for residential development due to its size and shape.

### **ENVIRONMENTAL SUMMARY**

An Initial Study has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA). The Initial Study concluded that the project would not result in significant impacts to the environment, based on the adoption of several “mitigation measures” which would reduce potential environmental impacts to a less than significant level. These mitigation measures include:

1. **Lighting:** The project will incorporate standard light shielding measures for exterior light fixtures to mitigate any potential adverse glare impacts and site control measures so that all sources of light shall not be operated past 10:00 pm with the exception of parking, pedestrian and street safety lighting.
2. **Seismic Hazards:** Construction is subject to UBC construction requirements to mitigate any potential significant seismic hazards.

### **ENTITLEMENT(S):**

General Plan Amendment:

California Government Code 65358 provides the City of Lindsay the right to amend all or part of an adopted general plan with a limitation of no more than four amendments per calendar year. If approved, the proposed amendment would be the first amendment to the General Plan Land Use Element this calendar year.

Change of Zone:

Zoning Ordinance Section 18.22.010 provides the City of Lindsay the right to amend zoning district boundaries and other regulations of the zoning ordinance. Section 18.22.050.A provides the criteria for the review of zone changes.

### **GENERAL PLAN CONSISTENCY:**

The proposed land use designation for the project site is Park and Recreation. This designation is intended for neighborhood and community recreation parks, school site recreation areas, regional and state parks, recreation corridors and trails, unspoiled natural areas, and scenic and recreation travel corridors. The following General Plan Policies are relevant to the project: (a) RP-1 Recreation Investment; (b) RP-2 Active and Passive Recreation; (c) RP-3 General and Specialized Facilities; (d) RP-4 Coordinating with Community Organizations; (e) RP-5 Recreation Areas within Residential Areas. The proposed project is consistent with the City of Lindsay General Plan as it will support conformance with the land use policies applicable within the Plan. See the Staff Report for the full consistency analysis.

## **SITE HISTORY**

The project site includes parcel APN: 205-030-044 (1.36 acres) which is a remainder parcel from the adjacent Silvercrest subdivision. This site was previously under the State Redevelopment Agency program, however after this agency was dissolved the City of Lindsay was granted ownership with the requirement that it be utilized for park and recreational purposes. The site has been vacant since the development of the Silvercrest subdivision and is generally flat with no notable natural features. The site is routinely disked or sprayed for weed control.

## **PROJECT SUMMARY**

The General Plan Amendment and Zone Change is proposed in support of the Olive Bowl Grant Project, as required by Resolution 16-49 pertaining to the Olive Bowl Grant Project, and as required by the State of California in order to retain this property under City of Lindsay ownership.

The project site is a 61,775 sq. ft. parcel located between the Silvercrest subdivision and Olive Bowl Park. Due to the size and shape of the project site it is not suitable for residential development under the current General Plan and Zoning designations. It is logical to incorporate this site into the adjacent park area for community recreational use.

This project is a request to change the General Plan and Zoning designations and proposes no development changes. The sections below review the development standards that would be required should this project be approved.

**Parking:** One space for each employee of the maximum working shift, plus the number of additional spaces prescribed by the city council.

**Trash Enclosure:** Number, size, and location to the satisfaction of the Director of City Services.

**Landscaping:** Must comply with the California Model Landscape Ordinance. Parking lots must be landscaped with a minimum of 10% of the total parking area.

**Lighting:** All lighting would be hooded, down shielded, and will be appropriate for the location.

**Fencing:** No limitation except as determined by Conditional Use Permit or Site Plan Review Process.

**Building Height:** Maximum of 35 feet.

**Yard Setbacks:** No limitation except as determined by Conditional Use Permit or Site Plan Review process.

**Site Area:** Minimum of one-half acre.

**Site Signage:** Subject to separate sign permit review process.

## ATTACHMENTS

- Attachment No. 1 – Draft Resolution Conditionally Approving GPA/ZC 16-38
- Attachment No. 2 – Draft Ordinance #557
- Attachment No. 3 – Staff Research and Background Report
- Attachment No. 4 – General Plan Map
- Attachment No. 5 – Zoning Map
- Attachment No. 6 – Environmental Documents



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Brian Spaunhurst, Assistant City Planner  
Planning and Economic Development

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William O. Zigler, Director  
Planning and Economic Development

**RESOLUTION NO. 16-50**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING GENERAL PLAN AMENDMENT NO. 16-38, A REQUEST BY THE CITY OF LINDSAY PLANNING DEPARTMENT TO CHANGE THE LAND USE DESIGNATION FROM MOBILE HOME TO PARK AND RECREATION, FOR PROPERTY LOCATED WEST OF THE NORTHWEST CORNER OF OLIVE AVENUE AND APIA STREET (APN: 205-030-044)**

At a regularly scheduled meeting of the City Council of the City of Lindsay, held November 8, 2016, at the hour of 6:00 p.m. in the Council Chambers at City Hall, Lindsay, California 93247, the following resolution was adopted:

**THAT WHEREAS**, General Plan Amendment Application No. 16-38 was filed by the City of Lindsay Planning Department (251 E. Honolulu Street, Lindsay, CA 93247); and

**WHEREAS**, the City Council, after twenty (20) days published notice, did hold a public hearing before said Council on November 8, 2016; and

**WHEREAS**, Planning staff has prepared necessary investigations and prepared a staff report of information bearing upon the General Plan Amendment application; and

**WHEREAS**, an Initial Study was prepared consistent with the provisions of the California Environmental Quality Act. On the basis of the Initial Study, the City of Lindsay has determined that the project would not result in significant impacts to the environment with mitigation measures and has prepared a Mitigated Negative Declaration.

**NOW, THEREFORE, BE IT RESOLVED**, that the project would not result in significant impacts to the environment with mitigation measures and the City Council hereby accepts the Mitigated Negative Declaration with the following required mitigation measures:

1. Development of the site shall incorporate standard light shielding measures for exterior light fixtures to mitigate any potential adverse glare impacts and site control measures so that all sources of light shall not be operated past 10:00 pm with the exception of parking, pedestrian and street safety lighting.
2. Development of the site shall be subject to the Uniform Building Code construction requirements to mitigate any potential significant seismic hazards.

**BE IT FURTHER RESOLVED**, that the City Council finds that the proposed General Plan Amendment would be consistent with the policies and intent of the General Plan.

**BE IT FURTHER RESOLVED**, that City Council considered public testimony and a staff report and analysis pertaining to this request, and makes the following specific findings in support of this project:

1. The request would promote harmonious land uses in the project area, and appropriate land use transitions between adjacent park and recreation designated properties and the project site.

2. The request would promote an appropriate and balanced land use distribution citywide and provide for a hard boundary between dissimilar residential and park and recreation land uses at the project site.

**BE IT FURTHER RESOLVED**, that that the City Council of the City of Lindsay hereby approves General Plan Amendment No. 16-38.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Lindsay this 8th day of November, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

\_\_\_\_\_  
Carmela Wilson, City Clerk

\_\_\_\_\_  
Pamela Kimball, Mayor

**ORDINANCE NO. 557**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY AMENDING THE ZONING DESIGNATION FOR PROPERTY LOCATED WEST OF THE NORTHWEST CORNER OF OLIVE AVENUE AND APIA STREET (APN: 205-030-044), AND THE LINDSAY ZONING MAP AS ADOPTED BY ORDINANCE 437 OF THE CITY OF LINDSAY.**

**THE CITY COUNCIL OF THE CITY OF LINDSAY DOES ORDAIN AS FOLLOWS:**

**ARTICLE 1:** The real property located in the City of Lindsay and described as follows: That South half of Northwest quarter of Southwest quarter of Section 7, Township 20 South, Range 27 East, Mount Diablo Base and Meridian in the City of Lindsay, County of Tulare, State of California, as per map recorded in Book 42, Page 15 of Maps, Tulare County Records, labeled as follows: "Outlot A"; said area containing approximately 1.36 acres in area, more or less, shall be and is hereby designated as RCO (Resource Conservation, and Open Space).

**ARTICLE 2:** The City Planner of the City of Lindsay is hereby authorized, instructed and directed to make the changes to the official Zoning Map of the City of Lindsay made by Article One of this Ordinance, by outlining the boundaries of the described parcel of the Zoning Map adopted by Ordinance 437 of the City of Lindsay.

**ARTICLE 3:** This Ordinance shall be in full force and effect on and after the 30th day after its adoption by the City Council. Within 15 days after its adoption by the City Council, this Ordinance shall be published in full text or in summary in a newspaper of general circulation in the City of Lindsay.

The foregoing ordinance, read by title only with waiving of the reading in full, was introduced at a regularly scheduled meeting on the 8th day of November, 2016.

**APPROVED** at a regular meeting of the City Council held on the 8th day of November, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

\_\_\_\_\_  
Carmela Wilson, City Clerk

\_\_\_\_\_  
Pamela Kimball, Mayor



# CITY OF LINDSAY ZONING MAP



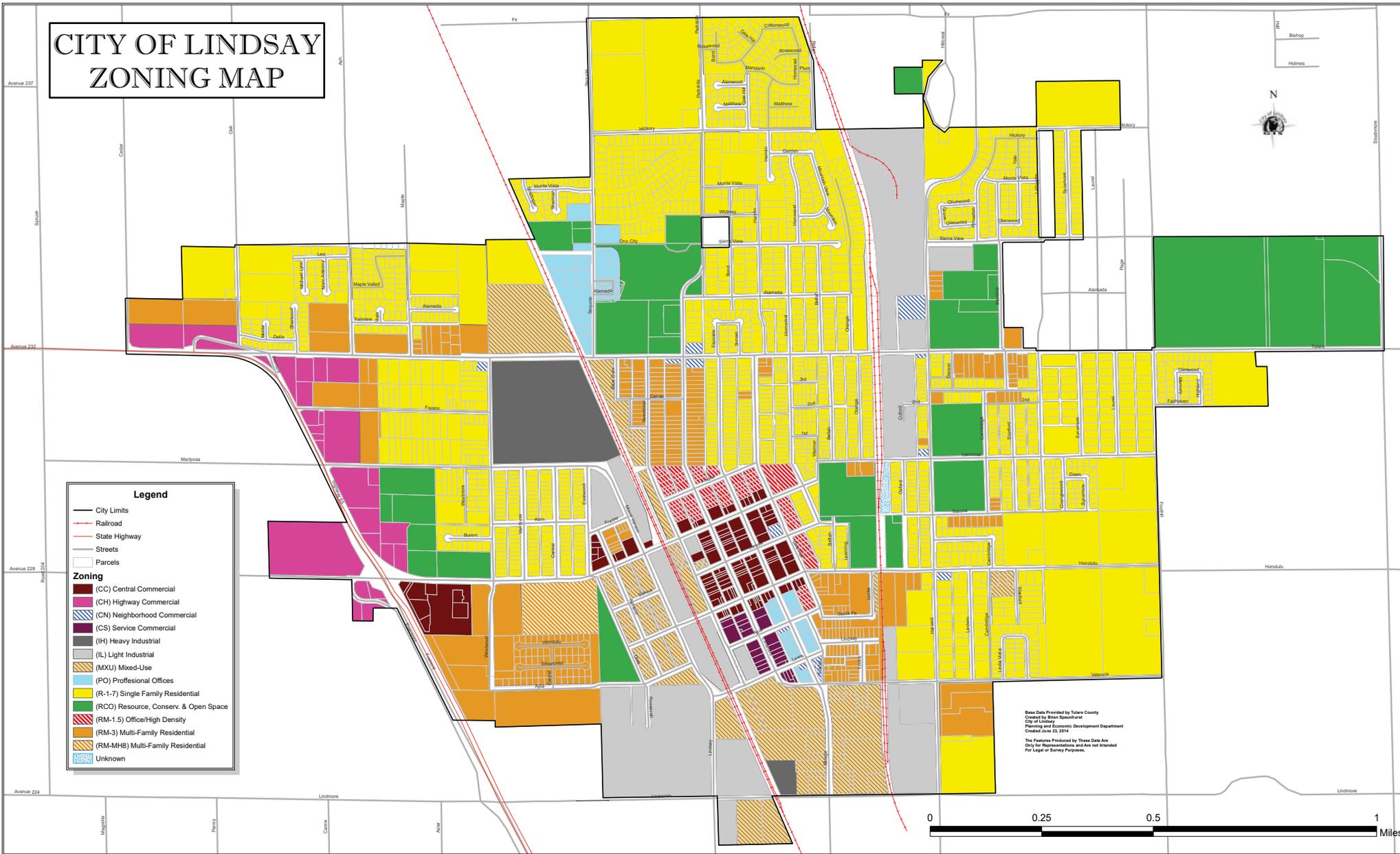
**Legend**

- 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

Base Data Provided by Tulare County  
 Created by Brian Spawthrust  
 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.



**CITY OF LINDSAY  
STAFF RESEARCH AND BACKGROUND REPORT  
GENERAL PLAN AMENDMENT / ZONE CHANGE No. 16-38  
(Support for Olive Bowl Grant Project)**

**GENERAL INFORMATION**

1. Applicant: City of Lindsay Planning Department  
251 E. Honolulu St.  
Lindsay, CA 93247
2. Requested Action: Request to amend the General Plan designation from Mobile Home to Park and Recreation and change the Zoning designation from Multi-Family Residential (RM-3) to Resource Conservation, and Open Space (RCO) on a property 1.36 acres in size.
3. Location: West of the northwest corner of Apia Street and Olive Avenue. (APN: 205-030-044).

**PROJECT DESCRIPTION**

General Plan Amendment, and Change of Zone No. 16-38 (Support for Olive Bowl Grant Project) is a request by the City of Lindsay Planning Department to amend the General Plan designation from Mobile Home to Park and Recreation and change the Zoning designation from Multi-Family Residential (RM-3) to Resource Conservation, and Open Space (RCO). The project site is located west of the northwest corner of Apia Street and Olive Avenue. (APN: 205-030-044).

This request is in support of an approved Site Plan the encompasses this parcel as well as the adjacent Olive Bowl Park. The proposed General Plan Amendment and Change of Zone is appropriate as the approved site plan would transition this parcel into recreational use. In its present state the parcel in question would not be suitable for residential development due to its size and shape.

**COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES**

The proposed project is consistent with the policies, objectives, and standards of the Lindsay General Plan and Zoning Ordinance. Specifically, the site would have a General Plan land use designation of Park and Recreation and Zoning designation of RCO (Resource Conservation, and Open Space).

**Zoning:**

The proposed General Plan Amendment is requested under California Government Code

65358 and if approved would be the first of four available amendments for the 2016 calendar year.

The proposed Zone Change is requested under the Lindsay Zoning Ordinance, Section 18.22.010. Zoning Ordinance Section 18.22.050.A provides criteria or review of zone changes:

*“At the public hearing, the city council shall review the application or the proposal and may receive pertinent evidence and testimony as to why and how the proposed change is necessary to achieve the objectives of the zoning code prescribed in Section 18.01.020, how or why the proposed change is consistent with the general plan, and the stated purposes and application intended for the zone classification proposed.”*

Section 18.01.020 discusses the purposes of the Zoning Ordinance:

*“The Zoning Code is adopted to preserve, protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare. More specifically, the code is adopted to achieve the following objectives:*

- A. To provide a zone plan to guide the physical development of the City in such a manner as to achieve progressively the general arrangement of land uses described and depicted in the General Plan.*
- B. To foster a wholesome, serviceable and attractive living environment, the beneficial development of areas which exhibit...patterns of use, and the stability of existing land uses which conform with objectives, policies, principles and standards of the General Plan.*
- C. To prevent excessive population densities and overcrowding of land with structures.*
- D. To promote a safe, effective traffic circulation system, the provision of adequate off-street parking and truck loading facilities, and the appropriate location of community facilities.*
- E. To protect and promote appropriately located commercial and industrial activities in order to preserve and strengthen the City's economic base.*
- F. To protect and enhance real property values and the City's natural assets.*
- G. To ensure unimpeded development of such new urban expansion that is logical, desirable and in conformance with objectives and policies of the General Plan.*
- H. To provide and protect open space in accordance with policies of the Open Space Element of the General Plan, including avoiding the premature development of prime agricultural lands.”*

The purpose of the current Multi-Family Residential (RM-3) zoning district is contained in Section 18.08.010. In summary, the purpose of this district is to develop multi-family residential structures at a medium density of 3,000 square feet of site area per housing unit.

The purpose of the proposed Resource Conservation, an Open Space (RCO) zoning district is contained in Section 18.04.010. In summary, the purpose of this district is to

provide permanent open spaces which exhibit:

- Significant vegetation
- Scenic Qualities
- Wildlife potential
- Recreation potential

In addition, the General Plan must designate these sites as open space or school and college sites.

### **General Plan Policies:**

Should this request be approved, the following General Plan Policies will be relevant to the project site:

#### **Resource Management – Recreation Policies:**

**RP-1 Recreation Investment:** Recreation services should continue to be given a high priority as an investment in the growth and well-being of the individual, the family and the community.

*Staff Comment: The project is consistent with this policy because it will increase the physical space for which recreation services can be expanded and provided for use by the community.*

**RP-2 Active and Passive Recreation:** The City's recreation program should encompass the needs of all age groups, concentrating on activities and experiences which people are largely unable to provide for themselves, and embracing a full range of active and passive recreation needs.

*Staff Comment: The project is consistent with this policy because the increased physical space will allow a greater variety of active and passive recreation to operate concurrently with one another.*

**RP-3 General and Specialized Facilities:** The range of public recreation needs should be met through the development of general and specialized areas and facilities at the neighborhood and community level throughout the urban area. These should include play lots in non-elderly apartment complexes, and neighborhood school/parks which maximize the potential for design and joint use with elementary and junior high schools, community parks for both active and passive recreation activities of a community-wide character (e.g. areas for picnicking, walking, resting, swimming, court games, golf and spectator sports, and specialized centers for the recreation needs of the elderly and teen-age youth.

*Staff Comment: The project is consistent with this policy because the project location is adjacent to residential uses and within walkable distance of additional senior and family residential developments and a school site.*

**RP-4 Coordinating with Community Organizations:** The fulfillment of recreation needs should be accomplished through a coordination of effort and programming on the part of the City and Unified School District, and working together with charitable, service, religious and civic organizations. Such effort should take maximum advantage of fiscal and physical resources and of individual and group leadership and talent within the community, both public and private.

*Staff Comment: The project is consistent with this policy because the increased physical space will provide adequate space for the development of recreational facilities that in turn provide opportunities for fiscal and physical resources to be made readily available to public and private community organizations.*

**RP-5 Recreation Areas within Residential Areas:** The City will encourage and where appropriate require (e.g. multi-family housing developments) the provision of recreation areas and facilities within residential areas. Where privately sponsored recreation facilities are provided, credit shall be given against recreation impact fees levied by the City in accordance with criteria provided in this Recreation Element component of the RME. Such fees shall also be in accordance with provisions of the State Quimby Act for determining land dedication and fees required of private residential projects for the development of park and recreation areas and facilities.

*Staff Comment: The project is consistent with this policy because the project location is a result of remainder land left over from a residential development project that otherwise would not be suitable for residential development due to its shape and location. In addition, the project location is adjacent and within close proximity to both single family residential and multi-family residential developments.*

## **SITE BACKGROUND**

The project site includes a single parcel. APN: 205-030-044 has been vacant since grading for the Silvercrest subdivision occurred in 2006. The site is generally flat and has no notable natural features. The vacant areas are routinely disked or sprayed for weed control.

## **PROJECT EVALUATION**

### **General Plan**

Since the 1989 Plan does not dictate specific procedures in this circumstance, this report focuses on land use compatibility and the distribution and balance of land uses.

*Land Use Compatibility:* The project site is a remainder parcel from the Silvercrest subdivision that is not suitable for residential development due to its shape. In this regard, the site has historically been vacant and underutilized. The redesignation of the project site would allow the existing, adjacent Olive Bowl Park to expand by utilizing this space for recreational purposes. The proposed amendment and zone change would provide a more logical land use configuration and provide additional space for the community to enjoy recreational activities at a location that is walkable and easily accessible. While the project would change the long-range planning and zoning of the project site the proposed project will be beneficial to land use compatibility of the recently approved development proposal for the adjacent Olive Bowl Park.

*Land Use Distribution:* The project site is relatively small in size compared to existing mobile home and park and recreation land uses. The effect on land use distribution for these land uses is negligible, however if approved, this conversion will be taken into account in the determination of accumulative impacts on land use distribution.

*Land Use Impact:* Similar to the distribution of land use, the small size of the site will have little to no impacts on land use. Furthermore, the historical use of this site has been vacant in nature. This proposal is meant to support the recently approved development proposal for the adjacent Olive Bowl Park.

### **Change of Zone**

The proposed zone change would be consistent with the purposes of the Zoning Ordinance, as provided in Section 18.010.020. Specifically, the project would:

- Provide a zone plan to guide the physical development of the City in such a manner as to achieve progressively the general arrangement of land uses described and depicted in the General Plan. The proposed zoning and General Plan designations are consistent.
- Promote appropriately located residential and recreational activities in order to preserve and strengthen the city's economic base.
- Ensure unimpeded development of such new urban expansion that is logical, desirable, and in conformance with objectives and policies of the general plan.

***Circulation:*** Circulation would be provided by Olive Avenue, and Apia Street.

- Olive Avenue and Apia Street have General Plan designations as "collector" roads, with a typical right-of-way requirement of 60 feet (to ultimately provide two twelve-foot travel lanes, two eight-foot parking lanes, and two ten-foot planting strips for the accommodation of sidewalks and street trees).
  - Olive Avenue has the desired 60 feet of right-of-way for a collector road. No additional dedication is needed.
  - Apia Street does not have the desired 60 feet of right-of-way for a collector road. An additional dedication of approximately ten feet on the southern half of Apia Street is needed. This dedication will be appropriate at such time when the property located on the southern half of Apia Street is developed.

***Public Services:*** The site is within a convenient response time of public safety services. Existing and proposed water supply and conveyance facilities would provide adequate fire suppression capabilities. The project would require the installation and extension of utilities to serve the site, as follows:

- Sewer: City sewer service is available to the project site, by an 8" line in Apia Street, south of the project site. The project would not require extensions of sewer lines and laterals to serve the project since no physical changes are proposed to the site.
- Water: City water lines are available to serve the project site. An 8" line runs in Apia Street south of the project site. The project would not include extensions of necessary lines to serve the project since no physical changes are proposed to the site.
- Storm Drainage: An 18" city storm drain line is available in Apia Street, east of the project site, however it is approximately 640 feet from the project site. Site development would require engineering to ensure the site drains properly and that the size of the storm drain line is adequate for service.

## ENVIRONMENTAL REVIEW

An Initial Study has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA). The Initial Study concluded that the project would not result in significant impacts to the environment, based on the adoption of several “mitigation measures” which would reduce potential environmental impacts to a less than significant level. These mitigation measures include:

- 1) **Light:** The project will incorporate standard light shielding measures for exterior light fixtures to mitigate any potential adverse glare impacts and site control measures so that all sources of light shall not be operated past 10:00 pm with the exception of parking, pedestrian and street safety lighting.
- 2) **Seismic Hazards:** Any construction would be subject to UBC construction requirements to mitigate any potential significant seismic hazards.

The above mitigation measures will be monitored by the City of Lindsay through the improvement and construction plan check process.

These mitigation measures would be adopted as part of the conditions of approval outlined in the attached resolution. On the basis of the Initial Study and proposed mitigation measures, a Negative Declaration (a statement that the project would not result in significant environmental impacts) has been prepared and has been available for public review. Council may adopt the Negative Declaration with the project approval in the attached resolution.

## SUBSEQUENT ACTIONS

### 1. Appeals:

Following the denial of an application for a change in district boundary, no application for the same or substantially the same change shall be filed within six months of the date of denial of the application

### 2. Air Impact Assessment:

The San Joaquin Air Pollution Control District has adopted the Indirect Source Review (District Rule 9510). Your project may require filing of an application for an Air Impact Assessment. Application forms and a copy of the rule that includes specific applicability criteria are available on the District Website under “Land Use/Development” and then under “Indirect Source Review”, or at any District Office. Assistance with applications and advice as to the applicability of the rule can be obtained from the District’s ISR Group at 559-230-6000.

### 3. Water Impact Assessment:

If your activities or discharges from your property or business affect California’s surface, coastal, or ground waters, you will need to apply for a permit from the Regional Water Quality Control Board (RWQCB). If you are discharging pollutants (or proposing to) into surface water, you must file a complete National Pollutant

Discharge Elimination System (NPDES) with the RWQCB. Other types of discharges, such as those affecting groundwater or from diffused sources (e.g., erosion from soil disturbance or waste discharges to land) are handled by filing a Report of Waste Discharge with the RWQCB. For specified situations, some permits may be waived and some discharge activities can be handled through enrollment in an existing general permit. For assistance in determining whether or not your project requires a discharge permit call the Fresno Branch Office at 559-445-5116 or visit [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley).

## NEGATIVE DECLARATION

*Note: The City of Lindsay has incorporated the content of the suggested format contained in CEQA Appendix G "Environmental Checklist Form – Final Text, October 26, 1998." Portions of the suggested format have been changed and consolidated to avoid repetition.*

### Lead Agency

City of Lindsay, 251 E. Honolulu, P.O. Box 369, Lindsay, CA 93247.

### Project Description

The proposed project, known as "Support for Olive Bowl Grant Project," (SOBGP) is a request by the City of Lindsay consisting of two interrelated parts: 1) General Plan Amendment to change the General Plan land use designation from Mobile Homes to Parks and Recreation; and 2) change the zoning map designation from RM-3 (Multi-Family Residential) to RCO (Resource, Conservation, and Open Space). The project site consists of one parcel (APN 205-030-044) totaling approximately 61,775 square feet, located midblock between Central Avenue and Olive Avenue on Apia Street.

The SOBGP project site consists of one parcel (APN 205-030-044) totaling approximately 1.36 acres (61,775 sq. ft.). This parcel is located west of the north-west corner of Olive Avenue and Apia Street. Two steps are required to facilitate the proposed recreational use:

- 1) A General Plan Amendment to change the land use designation on the vacant 61,775 square foot parcel from Mobile Homes to Parks and Recreation;
- 2) And a Change of Zone on this same parcel from Residential Multi-Family (RM-3) to Resource Conservation, and Open Space (RCO).

### Environmental Finding

On the basis of the attached Initial Study, the City of Lindsay finds that the proposed project would not have a significant effect on the environment with the proposed mitigation measures.

### Initial Study

(Attached)

### Mitigation Measures

The proposed project incorporates the following mitigation measures:

1. **Lighting:** The project will incorporate standard light shielding measures for exterior light fixtures to mitigate any potential adverse glare impacts and site control measures so that all sources of light shall not be operated past 10:00 pm with the exception of parking, pedestrian and street safety lighting.
2. **Seismic Hazards:** Construction is subject to UBC construction requirements to mitigate any potential significant seismic hazards.

**Additional Information**

Project application materials and proposed plans are available for public review at the City of Lindsay Planning and Economic Development Department, 251 E. Honolulu Street, Lindsay, California. The project planner may be contacted at (559) 562-7102 (phone), (559) 562-7139 (fax), or [bspaunhurst@lindsay.ca.us](mailto:bspaunhurst@lindsay.ca.us) (e-mail).

October 11, 2016

Date Prepared:



Negative Declaration and Initial Study

Prepared By: Brian Spaunhurst

## INITIAL STUDY

*Note: the following initial study provides content as required by CEQA Guidelines section 15063(d). Items previously discussed in the negative declaration may not be repeated, to avoid repetition.*

**Environmental Setting:** The Support for Olive Bowl Grant Project (SOBGP) project site consists of one parcel (APN 205-030-044) totaling approximately 1.36 acres (61,775 sq. ft.). This parcel is located west of the north-west corner of S. Olive Avenue and W. Apia Street.

Surrounding land uses for the project site include:

- North: Mobile Home Park
- South: Apia Street, a collector road; with vacant, residential RM-3 zoned property south of the road.
- East: Olive Bowl and Kaku Park.
- West: Residential Subdivision consisting of 65 parcels (64 homes currently built).

**Consistency with Existing Zoning, Plans, and Other Land Use Controls:** *(See following checklist Section IX for discussion).*

**Environmental Effects:** This analysis includes the following levels of potential environmental impact: *Potentially Significant Impact; Less Than Significant with Mitigation; Less Than Significant Impact; and No Impact.* All following potential impact areas are “no impact” unless specified otherwise. Mitigation measures are provided in underlined text. Explanations of impact areas follow each checklist section. The following analysis focuses on new impacts that may result due to proposed project, and generally does not address impacts previously assumed, discussed, or considered in the 1989 General Plan EIR (which assumed mobile home use on this parcel).

### **I. AESTHETICS -- Would the project:**

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ***(Less than significant impact with Mitigation)***

### ***Discussion:***

**General Plan Amendment-** The designation of parks and recreation in the General Plan will likely result in less of a scenic impact on the site than the existing planned mobile home designation, since mobile home uses typically consist of residential structures that create greater site coverage than parks and recreation uses. Taking into consideration the existing developments surrounding the project site, the parks and recreation designation will have little to no impact on the possible scenic views and will increase the visual character and quality of the site and its surroundings.

**Change of Zone-** Similar to the designation change in the General Plan from mobile home to parks and recreation, the change of zoning from Residential Multi-Family (RM-3) to Resource Conservation, and Open Space (RCO) will have little to no impact on the possible scenic views and will increase the visual character and quality of the site and its surroundings.

The proposed designation of parks and recreation will create a new source of substantial light or glare such as parking, pedestrian, or street safety lighting as well as sports field lighting which would adversely affect day or nighttime views without proper mitigation measures. As a result, all new sources of light on this site will be down shielded and oriented away from surrounding properties. In addition, all sources of light shall not be operated past 10:00 pm with the exception of parking, pedestrian and street safety lighting.

## **II. AGRICULTURE RESOURCES -- Would the project:**

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

### ***Discussion:***

General Plan Amendment- The proposed amendment will not conflict with agricultural resources under the checklist above, as addressed in the current General Plan.

Change of Zone- The proposed zone change will not impact any agricultural resources under the checklist above as no such resources are identified in this project and neither the existing or proposed zoning is agriculturally related.

## **III. AIR QUALITY -- Would the project:**

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

### ***Discussion:***

General Plan Amendment- The proposed amendment will allow a designation of parks and recreation, which generally have significantly smaller impacts than the current designation of mobile home. Since the proposed use will not create any air pollutants, no impacts are anticipated.

Change of Zone- Similar to the General Plan Amendment, the conditions of a residential multi-family project have the potential to have more of an impact than a Resource Conservation and Open Space project. The proposed project is shown to have anticipated levels of emissions that don't exceed planned levels already anticipated through the existing General Plan. The proposed change in zoning will not have a significant impact under the checklist above.

## **IV. BIOLOGICAL RESOURCES -- Would the project:**

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

***Discussion:***

General Plan Amendment- As there are no biological resources identified, no impacts under the checklist above can be identified for the General Plan Amendment portion of this project.

Change of Zone- Similar to the General Plan Amendment, no impacts under the checklist above can be identified for the Change of Zoning portion of this project.

**V. CULTURAL RESOURCES -- Would the project:**

- a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

***Discussion:***

General Plan Amendment- The proposed amendment will have no impacts under the checklist above as no cultural resources are identified for this site.

Change of Zone- The proposed zone change will have no impacts under the checklist above as no cultural resources are identified for this site.

**VI. GEOLOGY AND SOILS -- Would the project:**

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
  - ii) Strong seismic ground shaking?
  - iii) Seismic-related ground failure, including liquefaction?
  - iv) Landslides?
- b) Result in substantial soil erosion or loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

***Discussion:***

General Plan Amendment- The proposed amendment will have no impacts under the checklist above as this section pertains towards the physical geology and soils of the site and an amendment to the General Plan will not alter the geology or soils.

Change of Zone- Similar to the General Plan Amendment, a change of zoning will have no impacts under the checklist above as this section pertains to the physical geology and soils of the site and a zone change will not alter existing geology and soils.

**VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:**

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

***Discussion:***

General Plan Amendment- The proposed amendment will not have any impacts pertaining to the checklist above, as no hazards or hazardous materials can be identified within this portion of the project.

Change of Zone- The proposed zone change will not have any impacts pertaining to the checklist above, as no hazards or hazardous materials can be identified within this portion of the project.

**VIII. HYDROLOGY AND WATER QUALITY -- Would the project:**

- a) Violate any water quality standards or waste discharge requirements?
- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f) Otherwise substantially degrade water quality?
- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j) Inundation by seiche, tsunami, or mudflow?

***Discussion:***

General Plan Amendment- The proposed amendment will not have any impacts pertaining to the checklist above. The site is currently vacant and when developed to accommodate the proposed use, it will not affect the hydrology or water quality as no pollution drainage pattern changes are proposed. There are no natural sources of water nearby and the site is not within a floodzone.

Change of Zone- Similar to the General Plan Amendment, a zone change of this parcel will have no impact on hydrology or water quality as proposed. There are no natural sources of water nearby and the site is not within a floodzone.

**IX. LAND USE AND PLANNING - Would the project:**

- a) Physically divide an established community?
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

***Discussion:***

General Plan Amendment- The proposed amendment from mobile home to parks and recreation will help repair a disconnection between the developed subdivision and recreational areas. Being the first of four allowable General Plan Amendments, this portion of the project does not conflict with any City of Lindsay policies, codes, or ordinances.

Change of Zone- In order to maintain consistency between Zoning and the General Plan, the proposed zone change from Residential Multi-Family (RM-3) to Resource Conservation, and Open Space (RCO) would be in alignment with City of Lindsay Municipal Codes and the proposed amendment to the General Plan.

**X. MINERAL RESOURCES -- Would the project:**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

***Discussion:***

General Plan Amendment-The proposed amendment will have no impacts on the items under the checklist above, as no such resources are identified.

Change of Zone- The proposed zone change will have no impacts on the items under the checklist above, as no such resources are identified.

**XI. NOISE -- Would the project result in:**

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

***Discussion:***

General Plan Amendment- The proposed amendment does not present the opportunity for significant impacts. While excessive noise that parks and recreation uses generally emit compared to mobile uses may be greater, the parks and recreation uses will be subject to the current City noise ordinance. This will ensure that any opportunity for significant noise impacts are properly mitigated.

Change of Zone- Similar to the amendment, the change of zoning from Residential Multi-Family (RM-3) to Resource Conservation, and Open Space (RCO) does not have the potential for impacts to occur that are in excess of what is already accounted for under the current zoning and municipal code regulations.

The project will not result in additional ground-borne vibration or ground-borne noise levels. There are no existing uses near the project area that create ground-borne vibration or noise.

The project is not located within an airport land use plan area or within two miles of a public or public use airport, nor is it located in the vicinity of a private airstrip. The project would therefore not expose persons to excessive airport/airplane noise levels.

## **XII. POPULATION AND HOUSING -- Would the project:**

- a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

### ***Discussion:***

General Plan Amendment- The proposed amendment will change this parcel from mobile home to parks and recreation. The amendment will reduce the number of potential housing units within Lindsay, thus not inducing a substantial population growth. As there is no housing on the site, there is no potential for displacement.

Change of Zone- The proposed zone change from residential multi-family (RM-3) to resource conservation, and open space (RCO) will reduce the number of potential housing units, and similar to the proposed amendment, will not cause displacement or induce substantial population growth.

## **XIII. PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

- Fire protection?
- Police protection?
- Schools?
- Parks?
- Other public facilities?

### ***Discussion:***

General Plan Amendment- The proposed amendment will not impact response times or other performance objectives that have not already been addressed under the existing General Plan. While the project does include park facilities, it is not anticipated to have a substantial impact as additional resources are not required to maintain acceptable service ratios.

Change of Zone- The proposed zone change will not impact response times or other performance objectives that have not already been addressed under the existing General Plan. While the project does include park facilities, it is not anticipated to have a substantial impact as additional resources are not required to maintain acceptable service ratios.

## **XIV. RECREATION --**

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (***Less than significant impact***)
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (***Less than significant impact***)

### ***Discussion:***

General Plan Amendment- The proposed amendment will increase recreational uses, however this increase is not considered substantial as the adjacent, existing park deteriorates at a rate that is well manageable. The majority of these recreational uses will be open field areas that require minimal maintenance. A very small amount will be utilized through physical structures, the maintenance of which would not have any adverse impacts on the environment.

Change of Zone- The proposed zone change will increase recreational uses, however this increase is not considered substantial as the adjacent, existing park deteriorates at a rate that is well manageable. The

majority of these recreational uses will be open field areas that require minimal maintenance. A very small amount will be utilized through physical structures, the maintenance of which would not have any adverse impacts on the environment.

**XV. TRANSPORTATION/TRAFFIC -- Would the project:**

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (***Less than significant impact***)
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?
- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

***Discussion:***

**General Plan Amendment-** The proposed amendment from mobile home to parks and recreation is proposed so that the City can legitimize the future use of the site. In the recent past, the site has been vacant as a result of remainder land left over from a residential subdivision. The site is not adequate to serve for parking purposes and any traffic generated will be negligible as parking standards for park and recreational uses are not determined by square footage of recreational space. Because of this, traffic impacts will not exceed that of which it already experiences.

**Change of Zone-** Similar to the proposed amendment, the zone change to resource conservation, and open space for this specific project will not create greater traffic impacts that what already exists.

The project would not involve or affect any airport and therefore will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The project will not involve design changes that could substantially increase hazards or incompatible uses.

The project will not result in inadequate emergency access – the project site is well-integrated to the urban road system. The project will have on-site paved parking consistent with City development standards and therefore will not result in inadequate parking capacity. The project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

**XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:**

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

***Discussion:***

General Plan Amendment- The proposed amendment will not have any impacts as amending the General Plan does not require utilities or service systems.

Change of Zone- Similar to the proposed amendment, no utilities or service systems are required for a change of zoning.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

General Plan Amendment- The proposed amendment will not degrade the quality of the environment, or have any environmental effects that will cause adverse effects on human beings; and the impacts for this portion of the project are not cumulatively considerable.

Change of Zone- The proposed zone change will not degrade the quality of the environment, or have any environmental effects that will cause adverse effects on human beings; and the impacts for this portion of the project are not cumulatively considerable.

DATE : November 8, 2016  
TO : Honorable Mayor Kimball and City Council Members  
FROM : Michael Camarena, City Services Director  
RE : Request Approval of Resolution 16-47, A Resolution Authorizing and Directing the Mayor to Execute the Joint Powers Authority Agreement that will provide for City Participation in the East Kaweah Groundwater Sustainability Agency

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## **BACKGROUND**

Council approved Resolution 16-42, A Resolution Authorizing and Directing the City Manager to Execute the Joint Powers Authority Agreement that will provide for City Participation in the East Kaweah Groundwater Sustainability Agency on September 13, 2016. The JPA document and Resolution have been updated to reflect comments received after this date.

The minor edits are highlighted in the JPA agreement; the revised Resolution is requesting that Council appoint the primary and alternate representatives at this time.

## **Requested Action:**

1. Approve Resolution 16-47, to supersede previously approved Resolution 16-42 and direct the City Manager to execute the Joint Powers Agreement;
2. Appoint a Council member to the proposed East Kaweah Groundwater Sustainable Agency Board of Directors;
3. Appoint an alternate member (Council member or staff) as the alternate member to the proposed East Kaweah Groundwater Sustainable Agency Board of Directors

## **Attachments:**

1. Resolution 16-47, A Resolution authorizing and directing the City Manager to execute the Joint Powers Authority Agreement that will provide for City participation in the Groundwater Sustainability Agency;
2. Agreement to Form Joint Powers Authority, East Kaweah Groundwater Sustainable Agency

**AGREEMENT TO FORM A JOINT POWERS AUTHORITY  
EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY**

THIS AGREEMENT (“Agreement”) is made \_\_\_\_\_, 2016, by and between LINDMORE IRRIGATION DISTRICT (“LID”), LINDSAY-STRATHMORE IRRIGATION DISTRICT (“LSID”), EXETER IRRIGATION DISTRICT (“EID”), IVANHOE IRRIGATION DISTRICT (“IID”), STONE CORRAL IRRIGATION DISTRICT (“SCID”), the CITY OF LINDSAY (“City of Lindsay”), and the COUNTY OF TULARE (“County”), (hereinafter referred to individually as “Member” and collectively as “Members”), in light of the following:

**RECITALS**

A. During September 2014, Governor Brown signed three bills (SB 1168, SB 1319, and AB 1739) into law creating the Sustainable Groundwater Management Act (“SGMA”).

B. SGMA authorizes the formation of an entity called a Groundwater Sustainability Agency (“GSA”), one or more of which are authorized to be responsible for implementing provisions of SGMA as to each groundwater basin and subbasin falling within the provisions of SGMA.

C. The Members overlie the Kaweah Subbasin (5-22.11 of the Department of Water Resources Bulletin 118 classifications) (“Subbasin”) of the San Joaquin Valley Basin, an unadjudicated groundwater basin, portions of which underlie the jurisdictional boundaries of each Member.

D. Each of the Members to this Agreement is a local government entity with either water supply, water management, or land use responsibilities within the Subbasin and is qualified individually to serve as a GSA under the provisions of SGMA.

E. Under SGMA, a combination of local agencies may elect to form a GSA through a joint powers agreement.

F. The Members intend by this Agreement to create a joint powers authority that will elect to become a GSA for their jurisdictional areas covering a portion of the Subbasin.

G. Under SGMA, each GSA will be responsible for assuming its regulatory role by June 30, 2017, and for submitting a Groundwater Sustainability Plan (“GSP”) to the Department of Water Resources by January 31, 2020.

H. The Members intend to work cooperatively with other GSAs in the Subbasin for purposes of developing a GSP and entering into a Coordination Agreement if necessary.

I. The Members desire, once successfully electing to be a GSA, to begin collecting and organizing data, engaging and retaining experts and consultants, and soliciting feedback from beneficial users, users of groundwater and interested parties within the portion of the Subbasin subject to their jurisdiction, for the purpose of preparing a GSP and for the purpose of negotiating Coordination Agreements with the other GSAs in the Subbasin.

J. The Members intend by this Agreement to provide for the management and funding commitments reasonably anticipated to be necessary for the above purposes.

K. The Members intend by this Agreement to provide a framework for cooperative efforts for all entities and individuals within the Authority's jurisdictional area and to implement SGMA in the most effective, efficient, and fair way reasonably possible, and at the lowest reasonable cost.

NOW THEREFORE, in consideration of the promises, terms, conditions, and covenants contained herein, the Members hereby agree as follows:

## ARTICLE I

### GENERAL PROVISIONS

Section 1.01. Creation of Authority. Pursuant to California Government Code Section 6500 *et seq.*, there is hereby created a public entity to be known as the "East Kaweah Groundwater Sustainability Agency" (hereinafter referred to as the "Authority"), which shall be a public entity separate and apart from the Members, and shall administer this Agreement.

Section 1.02. Purpose. The purposes of this Agreement are:

- (a) To create a Joint Powers Authority separate from its Members that will elect to be the GSA for a portion of the Subbasin;
- (b) To develop, adopt, and implement a GSP in order to implement SGMA's requirements and achieve sustainability goals outlined in SGMA; and
- (c) To enter into a Coordination Agreement or similar agreement with other GSAs in order to meet the sustainability requirements outlined in SGMA.

## ARTICLE II

### POWERS

Section 2.01. Powers. The Authority is hereby authorized, in its own name, to do all acts necessary for the exercise of all powers authorized under SGMA and necessary to satisfy the requirements of SGMA.

Section 2.02. Restrictions on the Exercise of Powers. Pursuant to Government Code Section 6509 *et seq.*, the powers of the Authority shall be exercised and restricted in the same manner as those imposed upon the County.

Section 2.03. Obligations of the Authority. No debt, liability or obligation of the Authority shall constitute a debt, liability or obligation of any of the Members, appointed members of the Board of Directors, or committee members.

Section 2.04. Water Right. As provided in Water Code Section 10720.5 of SGMA, the Authority and all of its Members confirm that groundwater management under this Authority shall be consistent with Section 2 of Article X of the California Constitution and that any groundwater sustainability plan adopted by the Authority shall not determine or alter surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights.

### ARTICLE III

#### GOVERNING BODY

Section 3.01. Governing Board. The Authority shall be administered by a Board of Directors (“Board”), composed of Directors and alternate Directors as described herein, to serve at the pleasure of their appointive governing body. All voting power of the Authority shall reside in the Board.

(a) The Board shall consist of Directors who shall be appointed as follows:

- (1) One elected member of the governing body of each Member entity.
- (2) Two representatives of a mutual water company or water corporation regulated by the Public Utilities Commission as defined in Water Code Section 10723.6(b), servicing an area within the Authority’s jurisdiction, nominated by their respective governing body, and appointed by the Board of Directors.
- (3) One representative from a landowner and groundwater user in a “white area,” appointed by the County. A “white area” shall be defined as such area where the County of Tulare is the only public agency with jurisdiction **as defined by SGMA.**
- (4) One At Large representative nominated and appointed by the Board of Directors.

(b) Each Member shall appoint one person, who is either an elected member of the governing body of the Member entity or on the staff of such Member entity, to serve as an alternate Director of the Board in the same manner as the Director is appointed by the Member. In addition mutual water companies or water corporations regulated by the Public Utilities Commission, shall nominate and the Board of Directors shall appoint an alternate for the seats described in Section 3.01(a)(2). The County shall in addition to appointing one

representative as described in Section 3.01(a)(3), appoint an alternate for said seat. Lastly, the Board of Directors in addition to nominating and appointing an At Large representative, shall appoint an alternate for said seat. Any such alternates shall be empowered to cast votes in the absence of the regular Directors or, in the event of a conflict of interest preventing the regular Director from voting, to vote because of such conflict of interest.

(c) Directors and alternate Directors may be removed or replaced as follows:

- (1) Directors appointed by Members as described in Section 3.01(a)(1) may be removed or replaced at any time by their governing board; and
- (2) Appointees of the Board as described in Section 3.01(a)(2) may be removed or replaced by their governing body at any time.
- (3) Appointees of the Board as described in Section 3.01(a)(3) may be removed or replaced by the County at any time.
- (4) Appointees of the Board as described in Section 3.01(a)(4) may be removed or replaced by the Board of Directors at any time.
- (3) A Director who is no longer either an elected member of the governing body of the entity or on the staff of such entity that qualified such director to serve on the Board shall be deemed automatically removed from the Board.

Section 3.02. Meetings of the Board. The Board shall provide for calling and conducting its regular meetings and special meetings, in accordance with Government Code Section 54950 *et seq.*

Section 3.03. Minutes. The Secretary shall cause to be kept summary minutes of the meetings of the Board and shall, as soon as possible after each meeting, cause a copy of the summary minutes to be forwarded to each Director and to each of the Members.

Section 3.04. Voting. Each Director shall have one vote.

Section 3.05. Quorum; Required Votes; Approval. A quorum of the Board for convening of any meeting shall consist of a majority of all Member Directors, or in the absence of a Member Director, such Director's designated alternate. A quorum of the Board must be present at the time of any vote on any matter before the Board. An affirmative vote of at least a majority of all Directors, or designated alternate Director, present in a quorum of the Board, shall be required for any action of the Board. Notwithstanding the foregoing, approval of certain types of matters shall require the approval of a Super Majority defined as seven (7) Directors of the Board and a majority of all Member Directors. The items requiring approval of a Super Majority are budget approval, assessments, the initiation of litigation, the hiring or termination of the chief executive

officer, the adoption of the GSP, the adoption of an intra-basin coordination agreement, the addition of new Members, and the termination of Members. At the discretion of the majority of the Board of Directors, directors representing a Member who is delinquent in any past or present monetary contributions shall abstain from voting on all matters until the delinquency is brought current.

Section 3.06. Bylaws. The Board may adopt bylaws and governing regulations consistent with this Agreement, which may be amended from time to time, for the conduct of its meetings as are necessary for the purposes hereof. Approval of bylaws, governing regulations, and any amendments thereof shall require approval of the Super Majority as defined in Section 3.05.

Section 3.07. Terms of Office. The term of office for LID, LSID, EID, and the City of Lindsay, representatives serving on the Board, and the appointed representatives as described in Section 3.01(a)(2), is four (4) years. For the purpose of providing staggered terms of office, the initial term of the Directors appointed by the County, IID, and SCID, the appointed representatives as described in Section 3.01(a)(3) and Section 3.01(a)(4), shall be for a period of two (2) years. Thereafter, the term of office for each representative appointed by the County, IID, SCID, and Sections 3.01(a)(3),(4), shall be for a period of four (4) years.

#### ARTICLE IV

#### COMMITTEES

Section 4.01. Committee Formation. Committees shall be formed by the Board in order to advise the Board on matters that fall within the scope of the particular committee's assignment. Committees may be standing committees or *ad hoc* committees. Committees shall meet as often as directed by the Board or, if no such direction is given, as often as necessary, as determined by the Chair of the committee. Two standing committees shall be formed as soon as reasonably practical, but in no event later than one hundred and twenty (120) days of formation of the Authority. They are as follows:

- (a) Advisory Committee. Committee members shall fall within categories of interested persons or representatives of interested entities as described in SGMA. Committee members shall be appointed by the Board from among applicants. The Advisory Committee shall make recommendations to the Board.
- (b) Technical Advisory Committee. Each Director shall be entitled to appoint one technical person to be a member of the Technical Advisory Committee.

## ARTICLE V

### OFFICERS AND EMPLOYEES

Section 5.01. Chair and Vice-Chair. The Board shall elect a Chair and a Vice-Chair from among the Directors to serve for two years. The Chair and the Vice-Chair shall serve at the pleasure of the Board and shall perform the duties normally required of said offices.

- (a) The Chair shall (1) preside at and conduct each meeting of the Board, (2) represent the Board as directed by the Board, (3) be an ex-officio member of each committee established by the Board, and (4) perform such other duties as may be imposed by said Board;
- (b) The Vice-Chair shall act and perform all of the Chair's duties in the absence of the Chair; and
- (c) The Chair or Vice-Chair may sign all contracts and agreements as approved by the Board.

Section 5.02. Secretary. The Board shall appoint a Secretary from among the employees of the Authority, or if no such employees exist, a consultant. The Secretary shall serve at the pleasure of the Board. The Secretary shall act on behalf of the Authority and perform such other duties as may be imposed by the Board. The Secretary may sign agreements for the Authority when authorized by the Board.

Section 5.03. Treasurer and Auditor.

- (a) LID shall be the depositary, shall have custody of all the money of the Authority from whatever source, and shall have the duties and obligations of the Treasurer as set forth in Government Code Sections 6505 and 6505.5. LID shall be responsible for receiving quarterly reports from the Secretary and verifying the balance of this report with respect to the balance as maintained by the records.
- (b) LID shall assure strict accountability of all receipts and disbursements of the Authority and shall make arrangements with a certified public accountant or firm of certified public accountants for the annual audit of accounts and records of the Authority.

Section 5.03. Officers in Charge of Records; Funds; and Accounts. Pursuant to Government Code Section 6505.1, LID shall have charge of, handle and have access to all accounts, funds and money of the Authority and all records of the Authority relating thereto; and the Secretary shall have charge of, handle and have access to all other records of the Authority.

Section 5.04. Employees and Consultants. The Board may hire employees and consultants, including engineers, accountants and attorneys, to provide services and leadership to the Authority to accomplish the purposes of the Authority.

## ARTICLE VI

### ACCOUNTS AND REPORTS; FUNDS

Section 6.01. Accounts and Reports. LID shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the Authority shall be open to inspection at all reasonable times by the public and representatives of the Members. LID, within 120 days after the close of each Fiscal Year, shall give a complete written report of all financial activities for such Fiscal Year to the Members.

Section 6.02. Annual Budget. The Board shall adopt a budget for the Authority. Members shall make contributions which shall be included in the budget adopted by the Board. A Director's affirmative vote to approve a budget does not constitute consent to finance or otherwise participate in any project or projects within that budget.

Section 6.03. Intention for Reimbursement for Expenditures from Grant Proceeds. It is the intention of the Members that the advancement of monies by any Members for expenses of the operational needs of the Authority shall be reimbursed from the proceeds of grants, if grant funds are obtained and such reimbursement is allowable under the terms of any grant agreement.

Section 6.04. Assessment of Members. The Board may vote to assess Members and/or entities within its jurisdiction for a share of costs incurred by the Authority or which are anticipated to be incurred by the Authority. The Board shall comply with all State requirements for the imposition of such assessments. At the discretion of a majority of the Board of Directors, any Member or entity failing to timely pay an assessment shall lose its privilege to vote on any item presented to the Board, until such assessment is paid.

## ARTICLE VII

### MEMBERSHIP

Section 7.01. Other Members. The Board may vote to approve other entities to be a Member of the Authority with representatives serving as Director and alternate Director on the Board. The Board may vote to remove any Member as a member of the Authority.

## ARTICLE VIII

### TERM; WITHDRAWAL; TERMINATION

Section 8.01. Term. The Members hereby agree to establish the Authority to last in perpetuity. This Agreement may be rescinded and the Authority terminated by unanimous written consent of all Members.

Section 8.02. Withdrawal of Member. A Member may terminate its membership in the Authority at any time upon giving written notice of the withdrawal to the Authority. The effective date shall be the conclusion of the first board meeting date following the written notice. Any Member who withdraws shall remain obligated to pay its share of all debts, liabilities, and obligations incurred or accrued through the effective date.

Section 8.03. Disposition of Assets. Upon termination of the Authority, any assets shall be returned to the Members in the same proportion said Members have funded such reserves or surplus, in accordance with California Government Code Section 6512. The disposition of assets shall be calculated by quantifying the total contributions made by the Members since the inception of the Authority, and not based on contributions received in the last calendar year prior to termination.

## ARTICLE IX

### MISCELLANEOUS PROVISIONS

Section 9.01. Amendments. This Agreement may be amended at any time by the written agreement of all parties to it.

Section 9.02. Indemnification. The Authority shall indemnify, defend, and save harmless the Members, their officers, agents, and employees, and appointed members of the Board of Directors, their officers, agents, and employees, and committee members, their officers, agents, and employees, from and against any and all claims and losses whatsoever, occurring or resulting to persons, firms, or corporations furnishing or supplying work, services, materials or supplies to the Authority in connection with the performance of this Agreement, and, except as expressly provided by law, from any and all claims and losses accruing or resulting to any persons, firm or corporation, for damage, injury, or death arising out of or connected with the Authority's performance of its obligations under this Agreement. Nothing herein shall limit the right of the Authority to purchase insurance or to create a self-insurance mechanism to provide coverage for the foregoing indemnity.

Section 9.03. Insurance. The Authority shall obtain insurance for all Members, appointed members, and committee members, including but not limited to directors and officers liability insurance and general liability insurance containing policy limits in such amounts as the Board of Directors shall determine will be necessary to adequately insure against the risks of liability that may be incurred by the Authority.

Section 9.04. Severability. If any provision of this Agreement is determined to be invalid or unenforceable, the remaining provisions will remain in force and unaffected to the fullest extent permitted by law and regulation.

Section 9.05. Secretary of State Filing Requirements. The Chairman of the Board of Directors of the Authority shall file a Notice of this Agreement with the Office of the California Secretary of State within thirty (30) days of its effective date, as required by Government Code Section 6503.5 and within seventy (70) days of its effective date as required by Government Code Section 53051.

Section 9.06. Legal Counsel. The Board shall appoint legal counsel as it deems appropriate.

IN WITNESS WHEREOF, the Members hereto execute this Agreement to be effective on the date first written above.

County:  COUNTY OF TULARE  By: _____ Mike Ennis, Chairman Board of Supervisors	LID:  LINDMORE IRRIGATION DISTRICT  By: _____ John Arnold, President
LSID:  LINDSAY-STRATHMORE IRRIGATION DISTRICT  By: _____ , President	EID:  EXETER IRRIGATION DISTRICT  By: _____ , President
IID:  IVANHOE IRRIGATION DISTRICT  By: _____ , President	SCID:  STONE CORRAL IRRIGATION DISTRICT  By: _____ , President
CITY OF LINDSAY  By: _____ Pamela Kimball, Mayor	

**RESOLUTION NO. 16-47**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE JOINT POWERS AGREEMENT THAT WILL PROVIDE FOR CITY PARTICIPATION IN THE GROUNDWATER SUSTAINABILITY AGENCY.**

At a regularly scheduled meeting of the City Council of the City of Lindsay, held on the 8th day of November 2016, at 6:00 p.m. in the Council Chambers of City Hall, Lindsay California 93247, the following resolution was adopted:

**WHEREAS**, on September 16, 2014, Governor Jerry Brown signed into law the Sustainable Groundwater Management Act of 2014 (“SGMA”), which authorized local agencies to manage groundwater in a sustainable fashion. SGMA requires all high- and medium-priority groundwater basins, as designated by the California Department of Water Resources (“DWR”), to be managed by a Groundwater Sustainability Agency (“GSA”). The Kaweah Subbasin (5-22.11) has been characterized by DWR as high-priority and critically overdrafted basin; and

**WHEREAS**, in order to exercise the authority granted in SGMA, a local agency or combination of local agencies may elect to become a GSA. A GSA may be formed through a joint powers authority pursuant to Water Code Section 10723.6; and

**WHEREAS**, several local agencies, including Lindmore Irrigation District, Lindsay-Strathmore Irrigation District, Exeter Irrigation District, Ivanhoe Irrigation District, Stone Corral Irrigation District, the City of Lindsay, and the County of Tulare, desire to form a joint powers authority, titled the East Kaweah Groundwater Sustainability Agency, to eventually elect to become a GSA.

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

1. The Lindsay City Council hereby approves a joint powers agreement, attached hereto and incorporated by reference, with Lindmore Irrigation District, Lindsay-Strathmore Irrigation District, Exeter Irrigation District, Ivanhoe Irrigation District, Stone Corral Irrigation District, the City of Lindsay, and the County of Tulare.
2. The Lindsay City Council appoints \_\_\_\_\_ as Representative to the JPA Board.
3. The Lindsay City Council appoints \_\_\_\_\_ as Alternate Representative to the JPA Board.

**PASSED AND ADOPTED** by the City Council of the City of Lindsay this 8th day of November, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

\_\_\_\_\_  
Carmela Wilson, City Clerk

\_\_\_\_\_  
Pamela Kimball, Mayor

**CITY OF LINDSAY  
CITY COUNCIL  
PROJECT SUMMARY**

<b>Project Number:</b> Site Plan Review No. 16-28	<b>Agenda Date:</b> 11/8/16	
<b>Applicant:</b> Serna 2006 Family Trust, Attn: Arthur J. Serna, 897 E. Tulare Rd., Lindsay, CA 93247	<b>Agenda Item Number:</b>	
<b>Agent:</b> N/A	<b>Agenda Item Type</b>	
<b>Subject:</b> Categorical Exemption and Site Plan Review No. 16-28 to approve a 7,500 sq. ft. Dollar General Store on four parcels totaling 30,355 sq. ft. in the CC (Central Commercial) Zoning District, on property located at the southeast corner of Hermosa Street and Elmwood Avenue. (APNs: 205-264-014, -015, -018, and -022)	Presentation	<b>X</b>
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	
	Continued Public Hearing	
	Discussion	
<b>Environmental Review:</b> Categorical Exemption from CEQA pursuant to Section 15332, Class 32, pertaining to Infill Development.	<b>Action Requested</b>	
	Approval	
<b>Motion(s):</b> One Motion	Direction	
<b>Contact Persons:</b> Brian Spaunhurst	Resolution – City Council	<b>X</b>

**RECOMMENDATIONS:**

That the City Council:

1. Approve a Categorical Exemption from the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for the Implementation of the California Environmental Quality Act of 1970, as amended, pursuant to Section 15332, Class 32, pertaining to Infill Development; **and** conditionally approve Site Plan Review No. 16-28.

**CITY COUNCIL ALTERNATIVES**

Alternative No. 1: Move to approve, subject to modifications as discussed by City Council.

Alternative No. 2: Move to deny.

Alternative No. 3: Refer back to Staff for further study and report.

**PROJECT OVERVIEW**

Categorical Exemption and conditional approval of Site Plan Review No. 16-28 (Dollar General) is a request by Serna 2006 Family Trust (Serna) for site plan review approval to develop a 7,500 SF retail building and an adjacent parking lot in the CC (central commercial) zoning district. The project would include development of four properties that are currently vacant. The project site is located on the southeast corner of E. Hermosa St. and N. Elmwood Ave. (APNs: 205-264-014, 205-264-015, 205-264-018 and 205-264-022).

The area north of the parking lot, which is approximately 24 feet by 150 feet, would be dedicated to the City for transit stop or other public use.

### **ENVIRONMENTAL SUMMARY**

Categorical exemption from the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for the implementation of the California Environmental Quality Act of 1970, as amended, pursuant to Section 15332, Class 32, pertaining to Infill Development. The use of Section 15332, Class 32 is applicable and appropriate as the project is compatible with this exemption because the project:

- Is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- As proposed occurs within the city limits on a project site of no more than five acres substantially surrounded by urban uses.
- Site has no value as habitat for endangered, rare or threatened species.
- Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

In addition to categorical exemption, a traffic engineer's letter is attached to serve as further evidence that the proposed project will not pose negative impacts for traffic generated or circulation.

### **ENTITLEMENT(S):**

Entitlement is found in Section 18.10.030.B, which allows, by-right, office, retail stores, and service establishments which supply commodities or provide services primarily to meet the convenience needs of residents of one or more residential neighborhoods, specifically Variety stores, less than ten thousand square feet in area.

### **GENERAL PLAN CONSISTENCY:**

The land use designation for the project site is Central Commercial, specifically this site is within the Central Business District (CBD). The CBD is intended for retail commercial, business and financial services, dining and entertainment, and government uses. Such facilities may range from a single use to a cluster of uses such as a shopping center. The following General Plan Policies are relevant to the project: (a) LU-3 Outdoor Storage Areas; (b) LU-4 Street Trees and Frontage Landscaping; (c) Seismic Safety SS-2 Building Construction; (d) SS-3 Building Height; (e) SS-4 Soil Compaction; (f) N-3 New Development. The proposed project is consistent with the City of Lindsay General Plan as it conforms to the land use policies applicable within the Plan. See the Staff Report for the full consistency analysis.

## **SITE HISTORY**

The project site includes four parcels. APNs: 205-264-014 (258 N. Elmwood Avenue) and 015 (268 N. Elmwood Avenue) have been vacant during recent memory. APN: 205-264-018 (120 E. Hermosa Street) was a non-conforming auto repair facility that has recently been deconstructed and relocated to a private residential property in Round Valley. APN: 205-264-022 (286 N. Elmwood Avenue) contained a non-conforming structure that was vacant for over fifteen years before also being recently demolished. The site is generally flat and has no notable natural features. The vacant areas are routinely disked or sprayed for weed control.

## **PROJECT SUMMARY**

The project is a 7,500 sq. ft. Dollar General retail store on four properties totaling 30,355 square feet. Dollar General is a retail store that sells general merchandise. Lindsay building standards do not permit structures to cross or “straddle” property lines. With project approval a lot merger would be required prior to the issuance of building permits.

**Employees:** 8-12 employees in two shifts

**Days and Hours of Operation:** 8:00 a.m. to 11:00 p.m., 7 days per week.

**Parking:** Proposed light-duty asphalt surface for parking spaces; proposed heavy-duty asphalt concrete for the drive aisles. Thirty (30) spaces will be provided, two of which will be Americans with Disabilities Act (ADA) compliant. A truck unloading area will also be provided on the northeast corner of the project site.

**Trash Enclosure:** Located near the southeast corner of the project site, adjacent to the alley and near the truck unloading area. Enclosure will meet City Standards and be screened from public view.

**Landscaping:** Substantial landscaping would be provided along the Hermosa Street and Elmwood Avenue frontages, including trees, drought-tolerant shrubs and grasses as appropriate. All landscaping would be harmonious with existing city-installed landscaping themes and would comply with the California Model Landscape Ordinance. A detailed landscape and irrigation plan, providing for automatic irrigation, would be submitted to the city planner for approval.

**Lighting:** All lighting would be hooded, down shielded, and will be appropriate for the location.

**Fencing:** A proposed 6-foot tall wooden fence along the south property line to provide separation between properties and screen rear yards of adjacent properties from view.

**Development Standards in the CC Zone:** Height = 75 feet; Front, Side, and Rear Yards = 0 feet; Lot Area = No Limitation; Parking and Loading = off street parking spaces shall be provided; Outdoor Advertising Display Sign = Subject to separate sign permit review process; Fences, Walls and Screening = May be required when site adjoins “RCO”, “UR”,

“R”, “RM”, or “PO” Zoning District.

## ATTACHMENTS

- Attachment No. 1 – Draft Resolution Conditionally Approving SPR 16-28  
Exhibit “A” – Site Plan
- Attachment No. 2 – Staff Research and Background Report
- Attachment No. 3 – Traffic Engineer’s Letter
- Attachment No. 4 – Maps and Graphics
- Attachment No. 5 – Notice of Exemption



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Brian Spauhurst, Assistant City Planner

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William O. Zigler, Planning Director

**RESOLUTION NO. 16-39**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY ACCEPTING THE CATEGORICAL EXEMPTION AS THE APPROPRIATE ENVIRONMENTAL DETERMINATION AND CONDITIONALLY APPROVING SITE PLAN REVIEW NO. 16-28, A REQUEST BY THE SERNA 2006 FAMILY TRUST (897 E. TULARE RD. LINDSAY, CA 93247), FOR DEVELOPMENT OF A DOLLAR GENERAL STORE SITE, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF HERMOSA STREET AND ELMWOOD AVENUE, (APNS: 205-264-014, 205-264-015, 205-264-018 and 205-264-022).**

At a regularly scheduled meeting of the City Council of the City of Lindsay, held November 8, 2016, at the hour of 6:00 p.m. in the Council Chambers at City Hall, Lindsay, California 93247, the following resolution was adopted:

**THAT WHEREAS**, Site Plan Review No. 16-28 was filed pursuant to the regulations contained in Ordinance No. 437, the Zoning Ordinance of the City of Lindsay; and

**WHEREAS**, planning staff has prepared necessary investigations and prepared a written report of information bearing upon the site plan review; and

**WHEREAS**, all attached exhibits are incorporated by reference herein; and

**NOW, THEREFORE, BE IT RESOLVED as follows:**

A. The City Council of the City of Lindsay hereby certifies that the Council has reviewed and considered the information contained in the staff research and background report for the proposed project, in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970 prior to taking action on the project.

B. The City Council hereby adopts the following findings of fact as to the reasons for approval of this application:

- a. The project is to allow a seven thousand and five hundred (7,500) sq. ft. Dollar General retail store on four parcels totaling 30,355 sq. ft. in the CC Zone, located at the southeast corner of Hermosa Street and Elmwood Avenue. (APNs: 205-264-014, -015, -018, and -022)
- b. Entitlement is found in Section 18.10.030.B, which allows, by-right, office, retail stores, and service establishments which supply commodities or provide services primarily to meet the convenience needs of residents of one or more residential neighborhoods, specifically Variety stores, less than ten thousand square feet in area in the CC Zone.
- c. The environmental determination is a Categorical Exemption from the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for the Implementation of the California Environmental Quality Act of 1970, as amended,

pursuant to Section 15332, Class 32, pertaining to Infill Development. The use of section 15332, Class 32 is applicable because the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; and as proposed occurs within the city limits on a project site of no more than five acres substantially surrounded by urban uses; and the site has no value as habitat for endangered, rare, or threatened species; and approval would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

- d. The project site is located within the city limits of the City of Lindsay and the land use designation for the project site is Central Commercial, specifically this site is within the Central Business District (CBD). The CBD is intended for retail commercial, business and financial services, dining and entertainment, and government uses. Such facilities may range from a single use to a cluster of uses such as a shopping center. The following General Plan Policies are relevant to the project: (a) LU-3 Outdoor Storage Areas; (b) LU-4 Street Trees and Frontage Landscaping; (c) Seismic Safety SS-2 Building Construction; (d) SS-3 Building Height; (e) SS-4 Soil Compaction; (f) N-3 New Development. The proposed project is consistent with the City of Lindsay General Plan as it conforms to the land use policies applicable within the Plan. See the Staff Report for the full consistency analysis.
- e. The project is located in the CC (Central Commercial) Zone and is currently vacant. The surrounding properties are all zoned CC and contain a variety of restaurants, service, and convenience stores.
- f. A lot line adjustment shall be required to allow sufficient area for the main structure without crossing or "straddling" property lines. This requirement shall be met prior to the issuance of project building permits.
- g. The project is a 7,500 sq. ft. Dollar General store. Dollar General is a retail store that sells general merchandise. There will be 8-12 employees working in two shifts; the days and hours of operation will be 8:00 a.m. to 11:00 p.m., 7 days per week. The parking lot shall be surfaced with a combination of light-duty asphalt for parking spaces and heavy-duty asphalt concrete for drive aisles. Thirty (30) spaces shall be provided, two of which shall be Americans with Disabilities Act (ADA) compliant. A truck unloading area shall be provided near the southeast corner of the subject site, adjacent to the alley. A trash/recycling enclosure shall be located near the southeast corner of the site, near the truck unloading zone. Landscaping shall be provided along the Hermosa Street and Elmwood Avenue frontages, including trees and drought-tolerant shrubs and grasses as appropriate. All landscaping shall be harmonious with existing city-installed landscaping themes and shall comply with the California Model Landscape Ordinance. A detailed landscape and irrigation plan, providing for automatic irrigation, shall be submitted to the city planner for approval. All lighting shall be hooded, and down shielded. The Development Standards in the CC Zone are: Height = 75 feet; Front, Side, and Rear Yards = 0 feet; Lot Area = No limitation; Parking and

Loading = off street parking spaces shall be provided; Outdoor Advertising Display Sign = Subject to separate sign permit review process; Fences, Walls and Screening = may be required when site adjoins "RCO, "UR", "R", "RM", or "PO" Zoning District.

C. This City Council, after considering all of the evidence presented, found that the establishment, maintenance, and operation of the requested use of building and land shall not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing, or working in the neighborhood or to the general welfare of the City.

**AND BE IT FURTHER RESOLVED as follows:**

A. This Council hereby finds said Site Plan Review shall not have a significant effect on the environment and determines that the General Rule Exemption for said Site Plan Review reflects independent judgment of the city and has been completed in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act of 1970.

B. This Council hereby approves Site Plan Review No. 16-28, subject to the following conditions:

**Standard Conditions of Approval for Site Plan Reviews:**

1. That development shall be in accordance with the plan(s) as submitted by the applicant and/or as modified by the City Council (Exhibit A) and with the development standards pertaining to a use of this type adopted by the City of Lindsay in 1989.
2. That regardless of Condition No. 1 above, the Planning Director is authorized to approve minor modifications in the approved plans upon a request by the applicant, or his successors as long as said modifications do not materially affect the determination of the City Council. Such modifications shall be noted on the approved plans and shall be initialed by the Planning Director.
3. That the final plan of development shall provide and show all utility easements, as required.
4. That the developer shall remove, under City inspection, all existing, abandoned and unnecessary items from the project site such as foundations, septic tanks, etc., to the satisfaction of the city engineer prior to receiving a certificate of occupancy.
5. That the developer shall abandon and cap existing wells, if any prior to the start of grading. If required, a well abandonment permit shall be obtained from the Tulare County Department of Environmental Health. Prior to acceptance of the improvements the developer shall provide proof of abandonment in compliance with Tulare County regulations.
6. That the developer shall assure compliance with San Joaquin Valley Air Pollution Control District Rules 8010, 8020, and 8030 regarding fugitive dust, as well as Section 7-8, Project Site Maintenance of the Standard Specifications. A street sweeper is to be provided as necessary to comply. During grading operations, the "Supervising Civil Engineer" shall be responsible for enforcing the dust control provisions of Section 7-8 or the developer shall pay inspection fees on the grading cost to

compensate the City for dust control inspection. Improvement plans shall show a designated wash out area for concrete trucks, if required, and a sign designating it as such. The developer shall remove and properly dispose of waste concrete deposited in this area.

7. That this project shall be subject to all applicable mandatory air pollution control measures of the San Joaquin Valley Air Pollution Control District in effect at time of development, including, but not limited to Regulation VIII (Fugitive PM10 Prohibitions), Rules 8011-8081; Rule 4102 (Nuisance); 4103 (Open Burning); Rule 4601 (Architectural Coatings); Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations); Rule 4901 (Wood Burning Fire Places and Wood Burning Heaters); and Rule 9510 (Indirect Source Review). These mitigation measures shall be monitored by the City of Lindsay through the plan check process for project improvements and building construction.
8. That the developer shall specifically demonstrate compliance with San Joaquin Valley Air Pollution Control District Rule 9510 (Indirect Source Review), including payment of all applicable fees, prior to the issuance of the first building permit.
9. That the developer shall provide a Preliminary Soils Report including results on "R-Value" tests and recommendations regarding construction of public improvements, satisfactory to the city engineer, prior to the approval of the improvement plans or start of grading, whichever comes first.
10. That the developer shall underground all telephone, power, cable television, and communications utilities and shall provide and convey necessary easements to the applicable utility companies.
11. That all required fees and sureties, as appropriate shall be paid and/or secured by the developer in the amounts, at the times and in the manner prescribed by municipal codes, ordinances and policies of the City of Lindsay.
12. That all exterior lighting shall be so adjusted as to deflect direct rays away from public roadways and adjacent properties.
13. That the proposed facility shall be maintained and operated in accordance with all State and County health regulations.
14. That any structures built shall conform to the building regulations and the building line setbacks of the Zoning Code of the City of Lindsay insofar as said regulations and setbacks are applicable to such structures.
15. That the conditions set down herein which require construction of improvements shall be complied with before the premises shall be used for the purposes applied for, in order that the safety and general welfare of the persons using said premises, and the traveling public, shall be protected. The Planning Director may grant exceptions to this condition upon request by the applicant.
16. That the Site Plan Review shall automatically become null and void one (1) year after the date upon which it is granted by the City Council, unless the applicant, or his/her successor, has actually commenced the use authorized by the permit within said one-year period. The City Council may, at its discretion, grant one or more extensions of said one-year timeframe upon request by the applicant.

17. That the applicant(s), at their sole cost and expense, shall defend, indemnify and hold harmless the City of Lindsay, its agents, legislative body, officers or employees in any legal or administrative action, claim or proceeding concerning approval of Site Plan Review No. 16-28; or, at its election and in the alternative, shall relinquish such approval. The applicant(s) shall assume the defense of the City of Lindsay in any such legal or administrative action, claim or proceeding with legal counsel paid for in the entirety by the applicant(s), but subject to the City's reasonable approvals. The applicant(s) shall also reimburse the City, its agents, its legislative body, officers or employees for any judgments, amounts paid in the settlements court costs and attorney's fees with the City, its agents, legislative body, officers or employees may be required to pay at court as a result of such action, claim or proceeding. The City may, at its sole discretion, participate at its own expense in the defense of any such action, claim or proceeding, but such participation shall not relieve the applicant(s) of their obligations under this condition.
18. That an indemnification agreement stipulating all conditions from item 17 and subject to the approval of the City Attorney shall be signed by the applicant(s) and provided to the City prior to the issuance of any building permits.
19. That all other city codes and ordinances shall apply.

**Planning Conditions:**

20. That the portion of the site north of the parking lot, which is approximately twenty-four (24) feet by one-hundred-fifty (150) feet, shall be dedicated to the City for a transit stop or other public use. This portion shall receive landscaping and irrigation installed and provided for by the developer and subject to the approval of the City Planner prior to receiving a certificate of occupancy for the project site.
21. That all parking and internal circulation shall be designed so that vehicles enter and exit the site by moving forward. There shall be no maneuvering or backing onto the public right-of-way.
22. That all landscaping shall comply with the California Model Landscape Ordinance.
23. That landscaping shall provide for low growing plants at drive approaches and intersections, in accordance with City ordinances, where traffic sight distances can become a problem.
24. That the developer shall screen mechanical equipment and utility meters/valves/panels/devices to the greatest extent possible, or locate said equipment, meters/valves/panels/devices in such a manner as to be harmonious with the landscaping and architecture, to the approval of the city planner.
25. That all signage shall be reviewed under separate permit.
26. That a Lot Line Adjustment shall be completed to ensure that no buildings or structures cross or "straddle" property lines. This requirement shall be satisfied prior to issuance of any building permits.

27. That the food facility shall be subject to the permit requirements set forth in the California Retail Food Code. The applicant(s) shall submit two (2) complete sets of building plans for the facility to the Tulare County Environmental Health Services District prior to issuance of any building permits.

**City Services Conditions:**

28. That the developer shall provide a drainage and grading plan for the project in accordance with the City's Master Storm Drain Plan. Provisions for storm drainage of the site shall be provided by the developer to the approval of the city engineer. Said provisions shall control surface flows in accordance with development standards and the City's Master Drainage Plan.
29. That the developer shall construct full-width alley improvements along the property frontage, providing for efficient drainage of storm water runoff, to the satisfaction of the city engineer.
30. That the developer shall install a gated trash and recycling double enclosure, providing sufficient container capacity to the approval of the city engineer. Said enclosure shall incorporate masonry construction and graffiti resistant coating, and shall provide visual screening from all public rights-of-way.
31. That the developer shall pay all applicable fees including, water, sewer, storm drain acreage, connection, park land, etc.
32. That the developer shall construct or repair, as determined by the director of city services, city standard curb, gutter, and sidewalks to facilitate drainage, road stabilization, and pedestrian accessibility along the project frontages.
33. That the developer shall be responsible for the cost of any off-site improvements necessary to accommodate the movements of delivery trucks.
34. That delivery trucks shall, to the greatest extent possible, utilize Hermosa Street and Mirage Avenue as transit routes to and from the project site.
35. That should it be necessary to eliminate or modify any public parking spaces to accommodate delivery truck turning movements, the developer shall ensure parking spaces along the north side of the project parking lot shall be made available for public parking on an unrestricted basis.
36. That the developer shall be responsible for cost and related labor involving installation of necessary signage in conjunction with this project.
37. That the developer shall submit 3 sets of engineered plans and 2 sets of calculations.
38. That the project shall meet all state requirements for accessibility for persons with disabilities. This shall include, but not be limited to path of travel, parking, and common areas.

**Public Safety Conditions:**

39. That building egress requirements shall comply with the latest California Building Code requirements.
40. That fire hydrant locations and flow requirements shall comply with the latest California Fire Code Appendix B and C.
41. That the developer shall submit a complete set of plans to include any underground work for fire department water. Underground fire main work shall require a separate permit.
42. That the developer shall provide the Fire Department with an all-weather access in accordance with the latest California Fire Code requirements.
43. That an adequate amount of fire extinguishers and their locations shall be provided, subject to the approval of the Director of Public Safety.
44. That all fire requirements shall be in place prior to the issuance of a certificate of occupancy by the City Building Inspector.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Lindsay this 8th day of November, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

\_\_\_\_\_  
Carmela Wilson, City Clerk

\_\_\_\_\_  
Pamela Kimball, Mayor

**CITY OF LINDSAY  
STAFF RESEARCH AND BACKGROUND REPORT  
SITE PLAN REVIEW No. 16-28  
(Dollar General)**

**GENERAL INFORMATION**

1. Applicant: Serna 2006 Family Trust  
897 E. Tulare Rd.  
Lindsay, CA 93247
2. Requested Action: Site Plan Review to allow a 7,500 sq. ft. Dollar General retail store and signs on four parcels totaling 30,355 sq. ft. in the CC (Central Commercial) Zoning District.
3. Location: The southeast corner of Hermosa Street and Elmwood Avenue, (APNs: 205-264-014, 205-264-015, 205-264-018 and 205-264-022).

**PROJECT DESCRIPTION**

Site Plan Review No. 16-28 (Dollar General) is a request by the Serna 2006 Family Trust (Serna) for site plan review approval to develop a 7,500 SF retail building and an adjacent parking lot in the CC (central commercial) zoning district. The project would include development of four properties that are currently vacant. The project site is located on the southeast corner of E. Hermosa St. and N. Elmwood Ave. (APNs: 205-264-014, 205-264-015, 205-264-018 and 205-264-022). The area north of the parking lot, which is approximately 24 feet by 150 feet, would be dedicated to the City for transit stop or other public use.

**COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES**

***Zoning and Land Use:***

The proposed project is consistent with the policies, objectives, and standards of the Lindsay General Plan and Zoning Ordinance. Specifically, the site has a General Plan land use designation of Central Commercial and is Zoned CC (Central Commercial). The proposed retail store and parking lot are permitted uses in this zone, per Zoning Code Sections 18.10.030.A and 18.10.030.B. The project complies with all applicable development standards. New commercial developments are subject to the site plan review and approval process by the City Council.

***Structures Crossing Property Lines:***

Lindsay building standards do not permit structures to cross or “straddle” property lines. With project approval a lot merger would be required prior to the issuance of building permits.

**General Plan Consistency:**

Land Use Element – The land use designation for the project site is Central Commercial, specifically this site is within the Central Business District (CBD). The CBD is intended for retail commercial, business and financial services, dining and entertainment, and government uses.

**The following General Plan Policies are relevant to the project:**

**Land Use**

**LU-3 Outdoor Storage Areas:** All outdoor storage area shall be visually screened with ornamental fencing or walls, and landscaping.

*Staff Comment: The project is consistent with this policy because a condition of approval will require the trash enclosure to be aesthetically identical to the design elements of the main building. In addition, a condition of approval will require landscaping that meets all requirements of the California Model Landscape Ordinance.*

**LU-4 Street Trees and Frontage Landscaping:** Street trees and frontage landscaping, with automatic irrigation, is to be provided for all commercial sites outside of the CBD, and may be required by the City within the CBD.

*Staff Comment: The project is consistent with this policy because a condition of approval will require frontage landscaping that meets all requirements of the California Model Landscape Ordinance. Multiple street trees exist along the frontage of this project and they will continue to be maintained as required by the property owner(s).*

**Seismic Safety**

**SS-2 Building Construction:** All new building construction shall conform to the latest seismic requirements of the Uniform Building Code as a minimum standard.

*Staff Comment: The project is consistent with this policy because a condition of approval will require all new construction to conform to the latest Uniform Building Code.*

**SS-3 Building Height:** The present building height limit of 50 feet shall be maintained, with a maximum of four stories.

*Staff Comment: The project is consistent with this policy because the proposed project has a maximum building height of twenty feet.*

**SS-4 Soil Compaction:** Soil compaction tests, and geo-technical analysis of soil conditions and behavior under seismic conditions shall be required of all subdivisions and of all commercial, industrial and institutional structures over 6,000 square feet in area (or in the case of institutional structures, which hold over 100 people).

*Staff Comment: The project is consistent with this policy because minimum development requirements, including soil compaction tests, are satisfied in the building permit process that occurs only if the Site Plan Review is approved by Council.*

## **Noise**

**N-3 New Development:** New development of industrial, commercial or other noise generating land uses will not be permitted if resulting noise levels will exceed 60 dB CNEL in areas containing residential or other noise-sensitive land uses. Additionally, new noise generating land uses which are not preempted from local noise regulation will not be permitted if resulting noise levels will exceed the performance standards contained in Table 9 in areas containing residential or other noise sensitive land uses.

*Staff Comment: This project is consistent with this policy because all noise generating portions of this project will not exceed 60 dB CNEL in areas accessible to the general public.*

## **SITE BACKGROUND**

The project site includes four parcels. APNs: 205-264-014 (258 N. Elmwood Avenue) and 015 (268 N. Elmwood Avenue) have been vacant during recent memory. APN: 205-264-018 (120 E. Hermosa Street) contained a non-conforming auto repair facility that has recently been deconstructed and relocated to a private residential property in Round Valley. APN: 205-264-022 (286 N. Elmwood Avenue) contained a non-conforming structure that was vacant for over fifteen years before being recently demolished. The site is generally flat and has no notable natural features. The vacant areas are routinely disked or sprayed for weed control.

## **PROJECT EVALUATION**

Zoning Ordinance Section 18.18.050 lists several findings that are needed for approving Site Plan Review applications. In sum, this includes findings that the project complies with all applicable codes and would not adversely impact public health, safety, or welfare. Staff finds that the proposed site plan is consistent with the requirements of the Zoning Ordinance. Staff recommends that the project be developed in compliance with specific conditions of approval and development requirements discussed in the following sections.

**Circulation:** The proposed retail store would take access by two approaches: A twenty-five-foot-wide drive approach located south of the round-about and adjacent to the traffic divider would provide access to the west end of the parking lot for north-bound Elmwood Avenue customer traffic and the north/south running alley between Mirage and Elmwood Avenues would provide both customer and service truck access. Internal sidewalks would provide pedestrian access between the parking lot, store, and public sidewalks to the north and east. Surface streets, primarily Hermosa Street, Mirage Avenue and alleys would provide access for delivery trucks. Any required off-site improvements necessary to accommodate delivery trucks would be at the cost of the developer.

**Public Services:** The site is within a convenient response time of public safety services.

Existing water supply and conveyance facilities provide adequate fire suppression capabilities. Sanitary sewer and municipal water services are available to the subject site. The project would require the installation and extension of utilities to serve the site, as follows:

- **Sewer**: A six inch city sewer line is available to serve the project site in the adjacent alley. The project would include extensions of sewer laterals as needed to serve the proposed project.
- **Water**: An eight inch city water line is available to serve the project site in the adjacent alley and a twelve-inch water line is available along the Hermosa Street frontage. The project would include extensions of water services as needed to serve the proposed project.
- **Storm Drainage**: A forty-eight inch city storm water drainage line is available along the Hermosa Street frontage. A storm drain inlet is available at the southeast corner of the Hermosa/Elmwood intersection to serve the project site. As a condition of approval, staff recommends that the developer submits a detailed storm water drainage plan to accommodate projected storm water impacts of the proposed development.
- **Trash and Recycling**: City trash and recycling services are available to the project site. The project would include a trash and recycling enclosure that adequately meets city regulations to service the site and would be located near the southeast corner of the site, adjacent to the alley.

***Street, Alley, and Parking Lot Improvements:*** Staff recommends that adjacent to the project site, city standard curb, gutter, and sidewalk be installed and/or repaired as needed to facilitate drainage, vehicular access, and pedestrian access. This would include a new parking lot drive approach along Elmwood Avenue, adjacent to the traffic divider and removal of the existing drive approaches near the Elmwood/Hermosa intersection. Those approaches would be replaced with city-standard curb and sidewalk. Additionally, staff recommends the provision of approximately 200 feet of alley improvements south of the Hermosa Street alley approach to accommodate service truck and customer access and alley drive approach improvements, as necessary to facilitate truck turning movements at the alley's intersection with Samoa Street. Alley improvements would provide for the proper drainage of storm water. Parking lots would be constructed to city standards, providing for handicapped parking and the drainage of storm water. This project proposes a total of thirty (30) parking spaces, two of which will be Americans with Disabilities (ADA) compliant.

***Flood Potential:*** The site is not located in a flood hazard zone.

***Landscaping:*** Substantial landscaping would be provided along the Hermosa Street and Elmwood Avenue frontages, including trees, drought-tolerant shrubs and grasses as appropriate. All landscaping would be harmonious with existing city-installed landscaping themes and would comply with the California Model Landscape Ordinance. A detailed

landscape and irrigation plan, providing for automatic irrigation, would be submitted to the city planner for approval.

**Mechanical Equipment and Utilities:** Mechanical equipment and utility meters/valves/panels/devices would be screened to the greatest extent possible, and/or located in a manner to be harmonious with the landscaping and architecture, subject to the approval of the city planner.

**Signage:** A monument sign would be provided near the Hermosa Street/Elmwood Avenue intersection and building mounted signs would be provided as well. All signage would be reviewed for conformance with the city's sign ordinance under a separate permit.

**Lighting:** All lighting would be hooded, down shielded, and will be appropriate for the location.

**Fencing:** A proposed 6-foot tall wooden fence along the south property line to provide separation between properties and screen rear yards of adjacent properties from view.

**Development Standards in the CC Zone:** Height = 75 feet; Front, Side, and Rear Yards = 0 feet; Lot Area = No Limitation; Parking and Loading = off street parking spaces shall be provided; Outdoor Advertising Display Sign = Subject to separate sign permit review process; Fences, Walls and Screening = May be required when site adjoins "RCO", "UR", "R", "RM", or "PO" Zoning District.

## ENVIRONMENTAL REVIEW

Categorical exemption from the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for the implementation of the California Environmental Quality Act of 1970, as amended, pursuant to Section 15332, Class 32, pertaining to Infill Development. The use of Section 15332, Class 32 is applicable and appropriate as the project is compatible with this exemption because the project:

- Is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- As proposed occurs within the city limits on a project site of no more than five acres substantially surrounded by urban uses.
- Site has no value as habitat for endangered, rare or threatened species.
- Approval would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

## SUBSEQUENT ACTIONS

1. Appeals:

All City Council actions on Site Plan Reviews are final and not subject to an appeals process.

2. Air Impact Assessment:

The San Joaquin Air Pollution Control District has adopted the Indirect Source Review (District Rule 9510). Your project may require filing of an application for an Air Impact Assessment. Application forms and a copy of the rule that includes specific applicability criteria are available on the District Website under “Land Use/Development” and then under “Indirect Source Review”, or at any District Office. Assistance with applications and advice as to the applicability of the rule can be obtained from the District’s ISR Group at 559-230-6000.

3. Water Impact Assessment:

If your activities or discharges from your property or business affect California’s surface, coastal, or ground waters, you will need to apply for a permit from the Regional Water Quality Control Board (RWQCB). If you are discharging pollutants (or proposing to) into surface water, you must file a complete National Pollutant Discharge Elimination System (NPDES) with the RWQCB. Other types of discharges, such as those affecting groundwater or from diffused sources (e.g., erosion from soil disturbance or waste discharges to land) are handled by filing a Report of Waste Discharge with the RWQCB. For specified situations, some permits may be waived and some discharge activities can be handled through enrollment in an existing general permit. For assistance in determining whether or not your project requires a discharge permit call the Fresno Branch Office at 559-445-5116 or visit [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley).

October 12, 2016

Jason Renna, P.E., Design Manager  
**Embree Asset Group, Inc.**  
4747 Williams Drive  
Georgetown, TX 78633

**RE: TRAFFIC ASSESSMENT FOR DOLLAR GENERAL STORE IN LINDSAY,  
CALIFORNIA**

Dear Mr. Renna:

Thank you for contacting our firm regarding the **Dollar General Store** proposed in the Tulare County City of Lindsay. As we are aware, Dollar General intends to construct a new 9.2 ksf facility on the southeast corner of the intersection of Hermosa Street & Elmwood Avenue. You have asked for our opinion as to the potential traffic impact associated with the project.

**Trip Generation.** A Trip Generation forecast for this store has been made based on consideration of trip generation rates provided by the Institute of Transportation Engineers (ITE) in their publication *Trip Generation Manual 9<sup>th</sup> Edition*. The project is expected to generate approximately 583 daily trips on a weekday basis (i.e., ½ inbound and ½ outbound). Of that total 35 trips are expected during the a.m. peak hour and 62 trips will occur during the evening commute hour. Of the project's traffic 34% is expected to be drawn from the stream of traffic already using local streets. The site will be visited by 1 - 2 large trucks (STAA) each week, although single unit trucks will likely make deliveries each day.

**Background Traffic Conditions.** In 2006 the City commissioned a traffic study addressing the design of the roundabout intersection that is now in place at the Hermosa Street / Elmwood Avenue intersection<sup>1</sup>. That report indicated that the roundabout would provide a good Level of Service during peak traffic hours through the Year 2030 (i.e., LOS A).

**Conclusions.** The Dollar General Store will add a minimal amount of traffic to the local street system in downtown Lindsay. The roundabout intersection adjoining the project has the capacity to accommodate project traffic and maintain a Level of Service satisfying the City's minimum LOS standard into the foreseeable future. Thus, the project's traffic impact is not significant.

Thank you again for contacting our firm. Please feel free to call if you have any questions.

Sincerely yours,

**KDAnderson & Associates, Inc.**



Kenneth D. Anderson, P.E.  
President

*Dollar General in Lindsay.ltr*

<sup>1</sup> Draft Roundabout Feasibility Study for the Intersections of Elmwood Avenue / Hermosa Street and Mirage Avenue / Honolulu Street in the City of Lindsay, Omni-Means, June 2006)

**PRELIMINARY SITE PLAN**

**LINDSAY, CA.  
E.HERMOSA ST & N. ELMWOOD AVE.**

**DATE: 10/21/2016**



**VICINITY MAP**

**LEGEND:**

- HEAVY DUTY PCC**
- HEAVY DUTY AC**
- LIGHT DUTY AC**
- LANDSCAPE**

**BUILDING SETBACKS:**

**FRONT: 0'**  
**SIDE: 0'**  
**REAR: 0'**

**REQUIRED PARKING:**

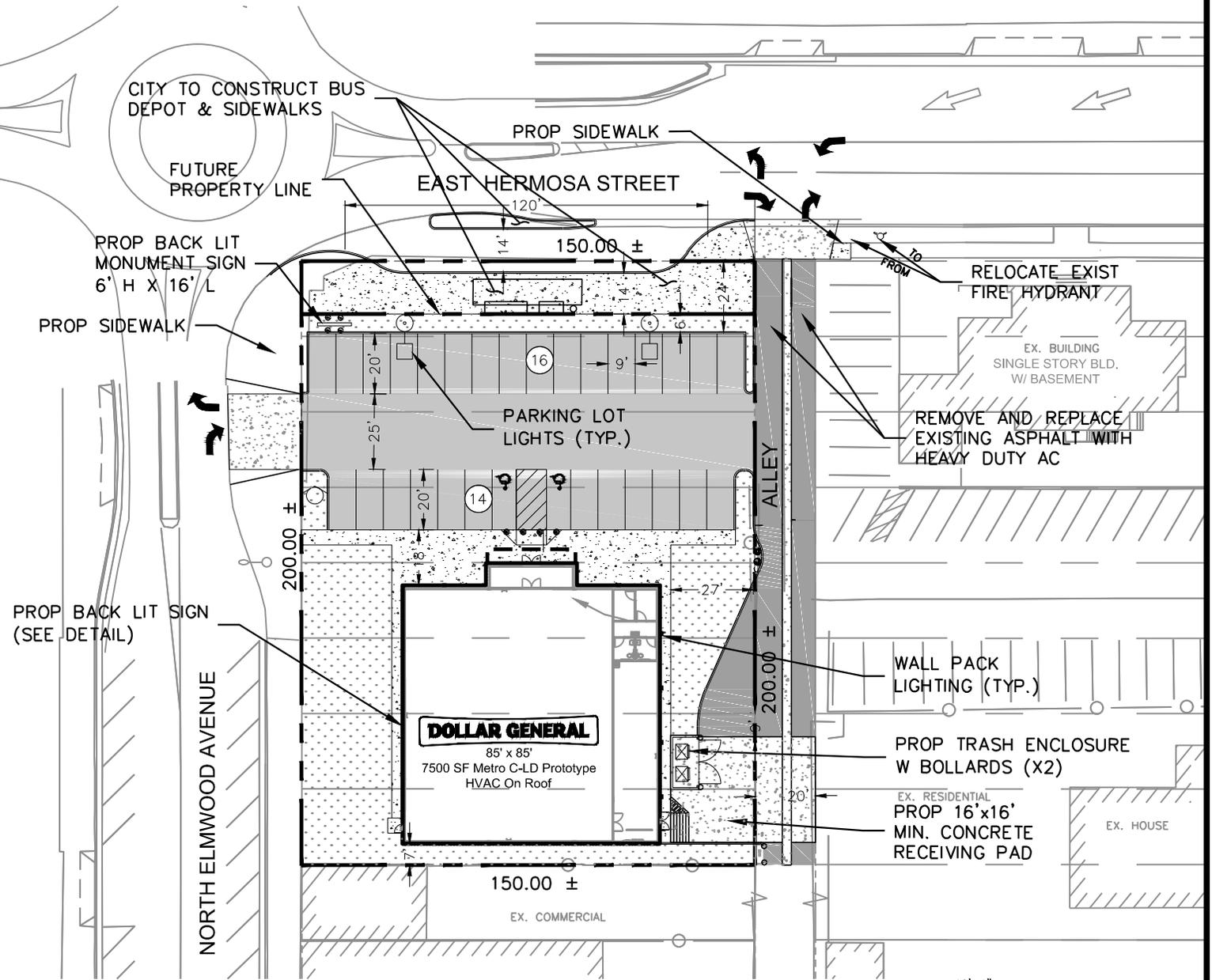
**1 SPACE PER 800 SF OF GROSS FLOOR AREA: 9,100 SF/800=11 SPACES**  
**PROPOSED = 30**

**MINIMUM DIMENSIONS**

**STANDARD STALLS = 20' x 9'**  
**COMPACT STALLS = 17' x 8'**  
**(UP TO 40% CAN BE COMPACTS)**

**JURISDICTION:**  
**CITY OF LINDSAY, CA**

**ZONING:**  
**C-C CENTRAL COMMERCIAL**



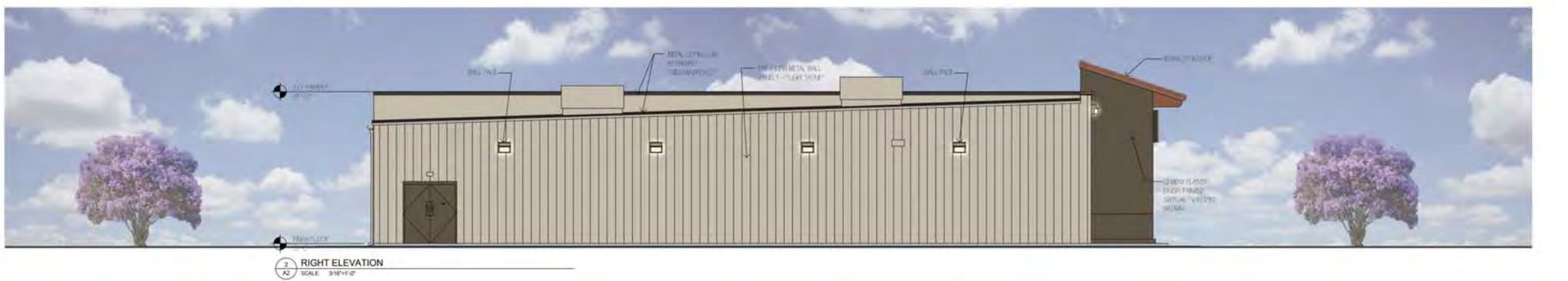
**MAIN BUILDING SIGN**



**MONUMENT SIGN**



**SCALE: 1"=50'**



**DOLLAR GENERAL LINDSAY - Retail Store**  
Lindsay, California

Serna 2006 Family Trust  
897 E. Tulare Road  
Lindsay, CA 93247  
559.562.6552

PROPOSED EXTERIOR ELEVATIONS  
November 2, 2016

To:  Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 212  
Sacramento, CA 95812-3044

From: (Public Agency) \_\_\_\_\_

County Clerk  
County of \_\_\_\_\_

\_\_\_\_\_  
(Address)

Project Title: \_\_\_\_\_

Project Location - Specific:

Project Location – City: \_\_\_\_\_ Project Location – County: \_\_\_\_\_

Description of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

- Signed by Lead Agency
  - Signed by Applicant
- Date received for filing at OPR: \_\_\_\_\_

January 2004