

Lindsay City Council Agenda
Regular Meeting
Council Chambers at City Hall
251 E. Honolulu, Lindsay, California
Tuesday, July 12, 2016 at 6:00PM

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

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

 3. COUNCIL REPORTS.
Presented by Council members.

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

 5. 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.1-28)
 - a) Meeting Minutes for June 28th, 2016.
 - b) Warrant List for June 22nd, 29th, & 30th, 2016.
 - c) Accept Treasurer's Report for June 30, 2016.
 - d) Establish Depository Account for the General Fund.

 6. PUBLIC HEARING: CONSIDERATION OF RESOLUTION 16-33 (pg.29-39)
APPROVING A REQUEST FOR A VARIANCE TO MAXIMUM
GARDEN STRUCTURE HEIGHT AT 497 ORANGE.
Presented by Bill Zigler, Interim City Manager.

 7. PUBLIC HEARING: CONSIDERATION OF RESOLUTION 16-29 (pg.40-51)
ORDERING THE CONTINUED MAINTENANCE OF LANDSCAPE
& LIGHTING MAINTENANCE DISTRICTS AND CONFIRMING THE
ENGINEER'S REPORT & ASSESSMENT FOR FY 2016-17.
Presented by Mike Camarena, City Services Director.

 8. REVIEW OF APPROVAL OF RESOLUTION 16-31 ADDRESSING ¼ MILE (pg.52-76)
PESTICIDE BUFFER ZONE.
Presented by Mayor Pro Tem Sanchez.

 9. SECOND READING & ADOPTION OF THE FOLLOWING ORDINANCES:
 - A) Ordinance #554 City Parks & Recreation Areas. (pg. 77-85)
 - B) Ordinance #555 Mandatory Organic Waste Recycling. (pg. 86-93)
 - C) Ordinance #556 Amending the Water Conservation Plan. (pg. 94-109)Presented by Mike Camarena, City Services Director.

 10. COUNCIL RESPONSE TO GRAND JURY FINAL REPORT ENTITLED (pg.110-122)
"TULARE COUNTY, ARE WE READY FOR EL NIÑO?"
Presented by Bill Zigler, Interim City Manager.

 11. EXECUTIVE SESSION
 - 1) Public Employee Annual Performance Evaluation GC§54957
Title: Interim City Manager
-

12. ADJOURN. The next Regular meeting is scheduled for **TUESDAY, July 26, 2016 at 6:00 PM** in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, CA 93247.

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

Lindsay City Council Meeting Minutes

Pg. 8193

Regular Meeting
251 East Honolulu, Lindsay, California
Tuesday, June 28, 2016
6:00 P.M.

CALL TO ORDER.

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

COUNCIL PRESENT: KIMBALL, Mayor Pro Tem SANCHEZ, Mayor PADILLA.

COUNCIL ABSENT: SALINAS – (absent with prior notice), MECUM.

FLAG SALUTE: Mayor PADILLA.

MAYOR'S PROCLAMATION RECOGNIZING 2015/16 STUDENT REPRESENTATIVE

Mayor PADILLA read the Certificate of Appreciation to 2015/16 Student Represent Esmie Muñoz and the entire City Council presented it to her and thanked her for her participation.

Esmie thanked the Council for allowing her to participate in the process and said she enjoyed the experience.

PUBLIC COMMENT:

Eric Sinclair-commented on recent accident in crosswalk at Mirage & Tulare Road and asked that staff look for additional safety measures to avoid this happening again.

Irma Medellin-asked for Council support of the Healthy Kids Zone Program.

Angel Garcia-further explained his request for Council to sign on to the Healthy Kids Zone Program as the Lindsay City Council.

Daniel Villarosa-commented on use of dangerous pesticides and asked for support of the Healthy Kids Zone.

Maria Perez-commented on her support for the Healthy Kids Zone Program as translated by Daniel Villarosa.

REQUEST FOR SUPPORT OF A ¼ MILE PESTICIDE BUFFER ZONE

Interim City Manager Bill Zigler introduced this item and staff report. He stated that on May 24th & June 14th, El Quinto Sol de America and their supporters presented Council with concerns regarding pesticide use and asked Council for their support in establishment of a 1/4 mile buffer zone from all restricted material pesticide applications around schools and other sites where children and families live, learn, and play.

The Interim Manager provided Council with information from the Tulare County Ag Commissioner, the California Ag Commissioner, information & links to the CA Dept of Pesticides Regulations (CDPR) and a report from CACASA regarding Ag Pesticide Use near schools which was included in the Council Agenda Packet. He stated that the City of Lindsay has no jurisdictional or regulatory authority regarding pesticides. That authority and responsibility resides expressly with the federal and state governments and the first step for any group to institute change regarding the application of pesticides would be with the CDPR who invites public participation. The city has no authority to regulate what happens beyond its city limits and lacks the expertise to determine pesticide hazards or effectiveness. He then described the Council's options regarding this matter as follows:

1. Do nothing
2. Adopt the attached draft resolution
3. Simply sign the Healthy Kids Zone Form or
4. Direct Staff to pursue some other action

Following the Interim City Manager's report, Mayor PADILLA asked if there were any questions from Council. She stated staff has provided us with a resolution and letter of support from El Quinto Sol. Either action will require a motion and second and a roll call vote. "What if any action would Council like to take on this request?"

ACTION:

On Motion by SANCHEZ and Second by KIMBALL, the Lindsay City Council voted unanimously to approve City Council Resolution 16-31 defining its role in pesticide control, as it pertains to supporting the establishment of a quarter-mile buffer zone for restricted material pesticide applications around schools and other sites wither children and families live, learn and play, as requested by El Quinto Sol de America.

AYES: SANCHEZ, KIMBALL, PADILLA.

NOES: None.

ABSENT: SALINAS, MECUM.

COUNCIL REPORTS

Council member KIMBALL–reported on TCAG meeting and stricter air quality regulations for Tulare County.
Mayor Pro Tem SANCHEZ–reported on attending a Rotary Program on the 21st and attending the Cerveza Fest
Mayor PADILLA–reported on attending the Rotary Program on the 21st and thanked Bill & Clint for allowing kids who have never been in McDermont, access to the facility.

STAFF REPORT

Interim City Manager Bill Zigler reported on the following:
Met with new owner of the LOG property, Eric Hansen
Reminded Council of Brown Act Training is scheduled for an August meeting
City Services Update on SGMA
Street Project Update
Olive Bowl Project Update
Weed Abatement Program is ongoing
Taco Bell Update
McDermont/ Wellness Center/ Aquatic Center Update

CONSENT CALENDAR:

- a) Meeting Minutes for June 14th, 2016.
- b) Warrant List for June 15th, 2016.
- c) Accept Treasurer’s Report for May 31, 2016.
- d) Extend Animal Control Agreement with the City of Porterville.
- e) Extend CSET Lease Agreement for Sr. Services Program at 911 N. Parkside

ACTION:

On Motion by KIMBALL and Second by SANCHEZ, the Lindsay City Council approved the Consent Calendar, as presented.

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

PUBLIC HEARING: FIRST READING & INTRODUCTION OF ORDINANCE #554 CITY PARKS AND RECREATION AREAS.

City Services Director Mike Camarena introduced Ordinance #554 and staff report. He stated that staff had presented preliminary fees, based on staff time, at the April 26th Council meeting. He also explained that the fees & deposits for Arbor Reservations were amended as requested by Council and the \$25 fee for set up and operation of bounce houses was included.

He then described the two options available to Council as:

- 1. Approve the First reading of Ordinance #554 authorizing adoption of the amendment to the Lindsay Municipal Code
- 2. Disapprove and do not adopt Ordinance # 554 and direct staff to pursue some other action.

Following City Services Director’s report, Mayor PADILLA asked if there were any questions from Council, seeing none she announced this is a Public Hearing item. She opened the Public Hearing in support of Ordinance #554 at 6:43pm and, seeing none she asked if anyone would like to speak opposing the Ordinance, seeing none she closed the Public Hearing at 6:43:30pm. She asked for any further questions from Council, seeing none, she asked what action Council would like to take on Ordinance #554.

ACTION:

On Motion by KIMBALL and Second by SANCHEZ, the Lindsay City Council Approved the First Reading & Introduction of Ordinance #554 Adding Title 14 to the Lindsay Municipal Code regarding City Parks & Recreation Areas and waived the reading of the ordinance in full.

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

PUBLIC HEARING: FIRST READING & INTRODUCTION OF ORDINANCE #555 MANDATORY ORGANIC WASTE RECYCLING

City Services Director Mike Camarena introduced Ordinance #555 and staff report. He stated this is the first reading and introduction of Ordinance #555 Amending Title 8 of the Lindsay Municipal Code by adding Chapter 8.34 establishing an Organic Waste Recycling Program.

Sol Nuñez of Mid Valley Disposal was in attendance and provided a detailed description of the proposed recycling program and answered some questions from Council. Following the report from the City Services Director and Mid Valley Disposal representative, Mayor PADILLA asked if there were any questions from Council, seeing none she announced this is a Public Hearing item. She opened the Public Hearing in support of Ordinance #555 at 6:59pm.

Eric Sinclair spoke in support of this item.

Mayor PADILLA asked if anyone else would like to speak in support of the ordinance, seeing none she asked if anyone would like to speak opposing it, seeing none she closed the Public Hearing at 7:00pm. She asked for any further questions from Council, seeing none, she asked what action they would like to take on Ordinance #555.

ACTION:

On Motion by KIMBALL and Second by SANCHEZ, the Lindsay City Council Approved the First Reading & Introduction of Ordinance #555 Mandatory Organic Waste Recycling and waived the reading of the ordinance in full.

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

PUBLIC HEARING: FIRST READING & INTRODUCTION OF ORDINANCE #556 AMENDING THE WATER CONSERVATION PLAN.

City Services Director Mike Camarena introduced Ordinance #556 and staff report. He stated this is the first reading and introduction of Ordinance #556 and went on to explain the purpose for the requested amendment is to correct some inconsistencies in the Municipal Code regarding the Water Conservation Plan and enforcement.

Following the City Services Director's report, Mayor PADILLA asked if there were any questions from Council, seeing none she announced this is a Public Hearing item. She opened the Public Hearing in support of Ordinance #556 at 7:03pm and asked for anyone who would like to speak, seeing none she asked if anyone would like to speak opposing the Ordinance, seeing none she closed the Public Hearing at 7:03:30pm. She asked for any further questions from Council, seeing none, she asked what action they would like to take on Ordinance #556 amending the Water Conservation Plan.

ACTION:

On Motion by KIMBALL and Second by SANCHEZ, the Lindsay City Council Approved the First Reading & Introduction of Ordinance #556 amending the Municipal Code regarding enforcement of the Water Conservation Plan and waived the reading of the ordinance in full.

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

RESOLUTION 16-30 ADOPTING AMENDED WATER CONSERVATION PLAN & DECLARING THE CITY TO BE IN PHASE III OF THE PLAN.

City Services Director Mike Camarena introduced Resolution 16-30 and staff report. He stated this resolution actually amends the Plan and declares the city to be in Phase III of the Plan outlined in Ordinance #556.

Mayor PADILLA then asked for any questions from Council, seeing none she asked what action Council would like to take on Resolution 16-30 Adopting Amended Water Conservation Plan & declaring the city to be in Phase III of the Plan.

ACTION:

On Motion by KIMBALL and Second by SANCHEZ, the Lindsay City Council Approved Resolution 16-30 Adopting the Amended Water Conservation Plan & declaring the city to be in Phase III of the Plan.

RESOLUTION 16-30 ADOPTING AMENDED WATER CONSERVATION PLAN & DECLARING THE CITY TO BE IN PHASE III OF THE PLAN continued

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

ACTIONS ON LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICTS

- A) Resolution 16-26 Ordering the preparation of an Engineer's Report for the FY 2016-2017 Landscape & Lighting Maintenance Districts.
- B) Resolution 16-27 giving Preliminary Approval of the Engineer's Report for the FY 2016-2017 Landscape & Lighting Maintenance Districts.
- C) Resolution 16-28 Declaring the Intent to Levy & Collect Assessments for FY 2016-2017 and Setting a Public Hearing for July 12, 2016.

City Services Director Mike Camarena introduced **Resolutions 16-26, Resolution 16-27, Resolution 16-28** and staff reports. He stated that every year the engineer of work is ordered to prepare the report for the upcoming fiscal year in accordance with the Landscaping & Lighting Act of 1972.

The Engineer's report outlines the budgeted expense for the present fiscal year, the actual expenses through May and the projected expenses for the upcoming fiscal year. He explained the report in further detail and noted the increase or decrease of each district.

Following the City Services Director's report, Mayor PADILLA asked if there were any questions from Council, seeing none she asked what action they would like to take on Resolution 16-26, Resolution 16-27 and Resolution 16-28 regarding the FY2016/2017 Lighting & Landscape Maintenance Assessment Districts.

ACTION:

On Motion by KIMBALL and Second by SANCHEZ, the Lindsay City Council Approved Resolution 16-26 Ordering the preparation of an Engineer's Report; Resolution 16-27 giving Preliminary Approval of the Engineer's Report & Resolution 16-28 Declaring the Intent to Levy & Collect Assessments for 2016/17 and setting a Public Hearing for July 12, 2016.

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

Mayor PADILLA then thanked all who attended tonight's meeting and asked for Motion to Adjourn the Meeting.

ADJOURN. Upon motion by **KIMBALL** and Second by **SANCHEZ**, Mayor PADILLA adjourned the Meeting of the Lindsay City Council at 7:12 pm. The next Regular City Council Meeting is scheduled for **Tuesday, July 12, 2016 at 6PM** in the Council Chambers at City Hall, 251 E. Honolulu, Lindsay, CA 93247.

ATTEST: CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal-Padilla, Mayor

CITY OF LINDSAY ORGANIZATIONAL CHART FOR 2016-2017

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

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

WARRANT LIST 7/12/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86828	06/22/16	5781	ACE HEATING & AIR COND.	1014120	023000	0913	\$150.00
86828	6/22/16	5781	ACE HEATING & AIR COND.	1014120	022000	0921	\$512.75
86951	06/30/16	4255	ACTION EQUIPMENT RENTAL	5534553	037000	141622	\$1,754.57
86952	06/30/16	2873	ADVANTAGE ANSWERING	1014120	033001	2672006012016	\$69.77
86952	06/30/16	2873	ADVANTAGE ANSWERING	5524552	033001	2672006012016	\$69.77
86952	06/30/16	2873	ADVANTAGE ANSWERING	5534553	033001	2672006012016	\$69.78
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17309	\$85.70
86953	06/30/16	007	AG IRRIGATION SALES	1014120	022000	17234	\$86.83
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17555	\$148.60
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17492	\$179.50
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17437	\$179.50
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17379	\$203.45
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17530	\$215.40
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17621	\$232.30
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17582	\$296.40
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17266	\$473.41
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17539	\$5.04
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17400	\$5.15
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17469	\$8.10
86953	06/30/16	007	AG IRRIGATION SALES	1014120	022000	17369	\$8.38
86953	06/30/16	007	AG IRRIGATION SALES	1014120	022000	17239	\$9.91
86953	06/30/16	007	AG IRRIGATION SALES	1014120	022000	17533	\$10.93
86953	06/30/16	007	AG IRRIGATION SALES	1014120	022000	17327	\$13.90
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17250	\$24.26
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17291	\$25.28
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17248	\$29.68
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17398	\$34.57
86953	06/30/16	007	AG IRRIGATION SALES	1014120	022000	17448	\$41.76
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17393	\$52.79
86953	06/30/16	007	AG IRRIGATION SALES	1014210	022000	17431	\$58.17
86953	06/30/16	007	AG IRRIGATION SALES	8834883	022000	17282	\$13.11
86953	06/30/16	007	AG IRRIGATION SALES	8834883	022000	17286	\$9.35
86953	06/30/16	007	AG IRRIGATION SALES	8834883	022000	17223	\$78.72
86953	06/30/16	007	AG IRRIGATION SALES	8884888	022000	17676	\$179.71

WARRANT LIST 7/12/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86954	06/30/16	4908	AMERITAS LIFE INSURANCE	101	200260	DIVISION 1&2	\$3,232.20
86830	06/22/16	020	ANDERSON FENCE COMPANY	6004775	064002	13708	\$168.23
86830	06/22/16	020	ANDERSON FENCE COMPANY	6004775	064002	13443	\$164.44
86830	06/22/16	020	ANDERSON FENCE COMPANY	6004775	064002	13712	\$46.64
86891	06/29/16	4924	ASI ADMINISTRATIVE SOLUTIONS	1014090	015010	93274-MAY 2016	\$72.20
86831	06/22/16	1988	ASSOCIATED COMPRESSOR	5524552	023000	110749	\$2,167.97
86832	06/22/16	3428	AT&T MOBILITY	1014110	037000	559-333-6136	\$92.09
86832	06/22/16	3428	AT&T MOBILITY	3004300	069172	559-553-5311	\$29.97
86955	06/30/16	3428	AT&T MOBILITY	1014110	037000	559-333-6136	\$92.27
86955	06/30/16	3428	AT&T MOBILITY	3004300	069172	559-553-5311	\$30.15
86833	06/22/16	5457	AUTO ZONE COMMERCIAL	1014120	024001	3329898729	\$60.62
86892	06/29/16	5457	AUTO ZONE COMMERCIAL	1014120	022015	3329894155	\$40.59
86892	06/29/16	5457	AUTO ZONE COMMERCIAL	1014130	022015	3329801022,33298551	\$60.89
86892	06/29/16	5457	AUTO ZONE COMMERCIAL	1014210	022015	3329893362	\$119.90
86892	06/29/16	5457	AUTO ZONE COMMERCIAL	3004300	069092	3329870350	\$19.96
86892	06/29/16	5457	AUTO ZONE COMMERCIAL	5524552	022015	3329855879,33298709	\$60.89
86892	06/29/16	5457	AUTO ZONE COMMERCIAL	5534553	022015	3329880435,33298880	\$81.19
86892	06/29/16	5457	AUTO ZONE COMMERCIAL	5544554	022015	3329888963,33298942	\$20.30
86893	06/29/16	5381	AWAKE SKATE SHOP	4004400	022000	567	\$162.38
86834	06/22/16	3966	BEATWEAR INC.	3004300	055002	4188	\$450.32
86834	06/22/16	3966	BEATWEAR INC.	3004300	055010	4189	\$389.70
86834	06/22/16	3966	BEATWEAR INC.	3004300	055002	4190	\$93.10
86834	06/22/16	3966	BEATWEAR INC.	3004300	055019	4187	\$166.71
86835	06/22/16	3797	BETSON IMPERIAL PARTS	3004300	069113	20271-JUNE 2016	\$1,447.20
86835	06/22/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1803865	\$341.85
86835	06/22/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1805529	\$62.51
86835	06/22/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1798092	\$152.47
86835	06/22/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1799522	\$40.53
86894	06/29/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1741021	\$1,114.64
86894	06/29/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1719877	\$1,233.72
86894	06/29/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1812168	\$136.93
86956	06/30/16	3797	BETSON IMPERIAL PARTS	3004300	069092	1804032	\$102.39
86957	06/30/16	4135	BILL WALL'S DIRECT	1014050	031000	FINANCE-15296	\$66.51
86957	06/30/16	4135	BILL WALL'S DIRECT	1014120	031000	C.S.-15296	\$66.51

WARRANT LIST 7/12/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86959	06/30/16	6038	BOUNCE HOUSE NOW	3004775	064000	52641	\$5,155.00
86960	06/30/16	6036	BRIONES AIR CONDITIONING	5524552	036000	886895	\$1,776.83
86960	06/30/16	6036	BRIONES AIR CONDITIONING	5534553	037000	886894	\$423.85
86960	06/30/16	6036	BRIONES AIR CONDITIONING	5534553	037000	886893	\$252.00
86961	06/30/16	4778	BROWN ARMSTRONG ACCTG	660	031009	231596 2015 AUDIT	\$3,000.00
86836	06/22/16	051	BSK	5524552	022001	A611550	\$295.00
86836	06/22/16	051	BSK	5524552	022001	A610739	\$1,844.00
86836	06/22/16	051	BSK	5524552	022001	A611113	\$75.00
86836	06/22/16	051	BSK	5524552	022001	A611421	\$120.00
86836	06/22/16	051	BSK	5524552	022001	A610550	\$150.00
86836	06/22/16	051	BSK	5524552	022001	A611082	\$220.00
86836	06/22/16	051	BSK	5524552	022001	A610663	\$223.00
86836	06/22/16	051	BSK	5534553	031007	0077002	\$3,500.00
86895	06/29/16	051	BSK	5524552	022001	A611883	\$120.00
86895	06/29/16	051	BSK	5524552	022001	A611751	\$121.00
86962	06/30/16	051	BSK	5524552	022001	A612652	\$182.00
86962	06/30/16	051	BSK	5524552	022001	A613171	\$195.00
86962	06/30/16	051	BSK	5524552	022001	A613313	\$170.00
86962	06/30/16	051	BSK	5524552	022001	A612474	\$245.00
86962	06/30/16	051	BSK	5524552	022001	A612814	\$245.00
86962	06/30/16	051	BSK	5524552	022001	A612466	\$120.00
86896	06/29/16	6031	BURTON SCHOOL DISTRICT	300	305012	REFUND UN-USED PASSES	\$434.71
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014210	022000	0043556	\$22.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014210	022000	0044248	\$22.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014210	022000	0049048	\$22.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014210	022000	0049721	\$22.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0044249	\$24.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0049722	\$24.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0043552	\$30.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0044237	\$30.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014210	022000	0049711	\$31.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014210	022000	0044239	\$31.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0049709	\$30.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0049043	\$30.00

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CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0044234	\$35.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0049706	\$35.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0044236	\$123.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	1014120	022000	0049708	\$123.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	3004300	069091	0049045	\$85.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	3004300	069091	0049716	\$85.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	5524552	022000	0049719	\$25.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	5524552	022000	0044247	\$25.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	5534553	022000	0044242	\$30.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	5534553	022000	0049714	\$30.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	8864886	022000	0044251	\$40.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	8864886	022000	0049050	\$40.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	8864886	022000	0049724	\$40.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	8874887	022000	0044250	\$50.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	8874887	022000	0049049	\$50.00
86837	06/22/16	5013	BUZZ KILL PEST CONTROL	8874887	022000	0049723	\$50.00
86897	06/29/16	1195	CARROT TOP INDUSTRIES	1014120	037000	30700500	\$158.51
86838	06/22/16	5832	CINTAS CORPORATION	1014120	022000	621280118	\$107.86
86838	06/22/16	5832	CINTAS CORPORATION	1014130	022000	621280119	\$107.86
86838	06/22/16	5832	CINTAS CORPORATION	1014210	022000	621281709	\$107.86
86838	06/22/16	5832	CINTAS CORPORATION	3004300	069091	621283291	\$464.97
86838	06/22/16	5832	CINTAS CORPORATION	3004300	069091	621284869	\$418.41
86838	06/22/16	5832	CINTAS CORPORATION	3004300	069102	621286451	\$438.14
86838	06/22/16	5832	CINTAS CORPORATION	3004300	069102	621284870	\$6.54
86838	06/22/16	5832	CINTAS CORPORATION	3004300	069102	621286452	\$6.54
86838	06/22/16	5832	CINTAS CORPORATION	3004300	069102	621283292	\$6.54
86838	06/22/16	5832	CINTAS CORPORATION	5524552	022000	621281710	\$107.86
86838	06/22/16	5832	CINTAS CORPORATION	5534553	022000	621283289	\$107.85
86838	06/22/16	5832	CINTAS CORPORATION	5544554	022000	621283290	\$107.85
86838	06/22/16	5832	CINTAS CORPORATION	5564556	022000	621284867, 62128486	\$107.85
86898	06/29/16	5832	CINTAS CORPORATION	3004300	069091	621291188	\$418.41
86898	06/29/16	5832	CINTAS CORPORATION	3004300	069091	621288028	\$418.41
86898	06/29/16	5832	CINTAS CORPORATION	3004300	069091	621289612	\$419.99
86898	06/29/16	5832	CINTAS CORPORATION	3004300	069102	621289613	\$155.54

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CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86898	06/29/16	5832	CINTAS CORPORATION	3004300	069102	621291189	-\$4.16
86898	06/29/16	5832	CINTAS CORPORATION	3004300	069102	621288029	\$6.54
86963	06/30/16	5832	CINTAS CORPORATION	3004300	069102	621292748	\$23.47
86963	06/30/16	5832	CINTAS CORPORATION	3004300	069091	621292747	\$438.14
86964	06/30/16	4887	CITY OF EXETER	1014120	022012	CNG MAY 2016	\$74.52
86964	06/30/16	4887	CITY OF EXETER	1014130	022012	CNG MAY 2016	\$74.52
86964	06/30/16	4887	CITY OF EXETER	1014210	022012	CNG MAY 2016	\$74.52
86964	06/30/16	4887	CITY OF EXETER	2614160	022012	CNG MAY 2016	\$74.50
86964	06/30/16	4887	CITY OF EXETER	5524552	022012	CNG MAY 2016	\$74.52
86964	06/30/16	4887	CITY OF EXETER	5534553	022012	CNG MAY 2016	\$74.52
86964	06/30/16	4887	CITY OF EXETER	5544554	022012	CNG MAY 2016	\$74.52
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8834883	032001	001759-01	\$790.31
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8844884	032001	001711-01	\$367.73
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8844884	032001	001720-01	\$497.22
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8854885	032001	002687-01	\$656.91
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8864886	032001	003533-01	\$350.16
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8874887	032001	003608-01	\$636.36
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8874887	032001	003609-01	\$723.95
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8884888	032001	003532-01	\$731.51
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8904890	032001	003615-01	\$256.20
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8904890	032001	003614-01	\$257.28
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8914891	032001	003606-01	\$730.43
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8914891	032001	003616-01	\$799.63
86839	06/22/16	086	CITY OF LINDSAY - UB PAYMENT	8914891	032001	003607-01	\$352.32
86840	06/22/16	279	CITY OF PORTERVILLE	1014130	022012	201605250830-APRIL CNG	\$58.18
86840	06/22/16	279	CITY OF PORTERVILLE	1014210	022012	201605250830-APRIL CNG	\$58.18
86840	06/22/16	279	CITY OF PORTERVILLE	1014120	022012	201605250830-APRIL CNG	\$58.19
86840	06/22/16	279	CITY OF PORTERVILLE	1014110	031010	201604210027-MARCH ANIMAL	\$174.00
86840	06/22/16	279	CITY OF PORTERVILLE	2614160	022012	201605250830-APRIL CNG	\$58.19
86840	06/22/16	279	CITY OF PORTERVILLE	5524552	022012	201605250830-APRIL CNG	\$58.18
86840	06/22/16	279	CITY OF PORTERVILLE	5534553	022012	201605250830-APRIL CNG	\$58.18
86840	06/22/16	279	CITY OF PORTERVILLE	5544554	022012	201605250830-APRIL CNG	\$58.18
86899	06/29/16	279	CITY OF PORTERVILLE	5534553	031007	201606021028-MAY LAB	\$899.00
86841	06/22/16	4632	CTL-SEE'S, INC.	6004180	065000	10528	\$1,740.00

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CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86841	06/22/16	4632	CTL-SEE'S, INC.	6004180	065000	10529	\$2,255.00
86900	06/29/16	102	CULLIGAN	1014090	037018	F.C.-154823	\$0.51
86900	06/29/16	102	CULLIGAN	1014090	037018	F.C.-3301	\$0.88
86900	06/29/16	102	CULLIGAN	1014090	037018	F.C.-154815	\$0.98
86900	06/29/16	102	CULLIGAN	1014090	037018	F.C.-154807	\$1.12
86900	06/29/16	102	CULLIGAN	1014090	037018	F.C.-154799	\$2.75
86900	06/29/16	102	CULLIGAN	6004552	064002	154823	\$38.75
86900	06/29/16	102	CULLIGAN	6004552	064002	154807	\$62.00
86900	06/29/16	102	CULLIGAN	6004552	064002	3301	\$62.75
86900	06/29/16	102	CULLIGAN	6004552	064002	154815	\$124.00
86900	06/29/16	102	CULLIGAN	6004552	064002	154799	\$255.75
86965	06/30/16	6033	D.W. LANGDON MASONRY	6004775	064002	TRASH ENCLOSURE	\$4,646.00
86842	06/22/16	4051	DELTA STRIKE	3004300	069092	INV-0471	\$1,257.70
86966	06/30/16	4051	DELTA STRIKE	3004775	064000	INV-0534	\$1,914.10
86901	06/29/16	388	DENNIS KELLER/JAMES WEGLEY	5524552	031000	MAY 2016	\$791.45
86843	06/22/16	316	DEPT OF JUSTICE	1014110	039001	163789	\$548.00
86843	06/22/16	316	DEPT OF JUSTICE	3004300	055010	163789	\$32.00
86844	06/22/16	5599	DEROSA SALES	3004300	069116	0539846	\$548.04
86844	06/22/16	5599	DEROSA SALES	3004300	069116	0539912	\$577.53
86902	06/29/16	5599	DEROSA SALES	3004300	069116	0539998	\$505.92
86902	06/29/16	5599	DEROSA SALES	3004300	069116	0539999	\$76.80
86903	06/29/16	3733	DIRECTV	4004400	033001	059208625	\$156.74
86967	06/30/16	3733	DIRECTV	3004300	069069	MCD-080290518	\$102.29
86967	06/30/16	3733	DIRECTV	3004300	069069	MCD-080290566	\$168.97
86968	06/30/16	119	DOUG DELEO WELDING	6004775	064002	16-1430	\$769.23
86969	06/30/16	3583	EMBED/ HELIX USA LLC	3004775	064000	US53762PF	\$6,080.00
86904	06/29/16	6030	EUGENE VIDRIO	3004300	055019	100	\$375.00
86845	06/22/16	4460	EVANS FEED & LIVESTOCK	1014110	066017	457085	\$50.85
86846	06/22/16	3409	FASTENAL	3004300	069093	CAPOR28791	\$583.87
86846	06/22/16	3409	FASTENAL	3004300	069092	CAPOR28959	\$102.46
86846	06/22/16	3409	FASTENAL	3004300	069092	CAPOR28929	\$48.39
86905	06/29/16	3409	FASTENAL	3004300	069092	CAPOR28994	\$209.49
86905	06/29/16	3409	FASTENAL	3004300	069093	CAPOR28988	\$122.81
86970	06/30/16	3409	FASTENAL	3004300	069092	CAPOR29147	\$166.41

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CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86906	06/29/16	3461	FERGUSON ENTERPRISES	5524552	023000	1180378	\$346.30
86971	06/30/16	3461	FERGUSON ENTERPRISES	5524552	021000	1183713	\$136.29
86971	06/30/16	3461	FERGUSON ENTERPRISES	5524552	022000	1180378-1	\$926.96
86847	06/22/16	3808	FOSTER FARMS DAIRY	3004300	069116	357784	\$855.85
86847	06/22/16	3808	FOSTER FARMS DAIRY	3004300	069116	357754	\$435.65
86907	06/29/16	3808	FOSTER FARMS DAIRY	3004300	069116	356057	\$684.20
86972	06/30/16	3478	FRESNO PIPE & SUPPLY	5524552	023000	1146	\$1,126.62
86848	06/22/16	137	FRIANT WATER AUTHORY	5524552	022010	109895	\$1,706.00
86848	06/22/16	137	FRIANT WATER AUTHORY	5524552	022010	109878	\$9,477.11
86908	06/29/16	137	FRIANT WATER AUTHORY	5524552	022010	109949	\$1,428.40
86973	06/30/16	137	FRIANT WATER AUTHORY	5524552	022010	109981	\$11,889.48
86909	06/29/16	6010	FRONTIER COMMUNICATION	4004400	033001	559-562-3657	\$411.25
86974	06/30/16	6010	FRONTIER COMMUNICATION	3004300	069111	559-562-3326	\$384.85
86910	06/29/16	1970	GIOTTO'S	1014210	022000	109535	\$293.72
86849	06/22/16	148	GOMEZ AUTO & SMOG	1014110	022015	1790	\$86.30
86911	06/29/16	148	GOMEZ AUTO & SMOG	1014110	022015	1794	\$143.15
86911	06/29/16	148	GOMEZ AUTO & SMOG	1014110	022015	1759	\$165.97
86911	06/29/16	148	GOMEZ AUTO & SMOG	1014130	023000	1710	\$438.30
86911	06/29/16	148	GOMEZ AUTO & SMOG	1014110	022015	1784	\$749.43
86911	06/29/16	148	GOMEZ AUTO & SMOG	3004300	069092	1710	\$438.30
86911	06/29/16	148	GOMEZ AUTO & SMOG	4004400	023000	1710	\$438.31
86975	06/30/16	148	GOMEZ AUTO & SMOG	1014120	022015	1804	\$343.68
86975	06/30/16	148	GOMEZ AUTO & SMOG	1014120	022015	1785	\$519.84
86975	06/30/16	148	GOMEZ AUTO & SMOG	1014210	022015	1805, 1802, 1800	\$707.42
86975	06/30/16	148	GOMEZ AUTO & SMOG	1014130	022015	1789, 1787	\$34.65
86975	06/30/16	148	GOMEZ AUTO & SMOG	1014120	022015	1789, 1787	\$34.65
86975	06/30/16	148	GOMEZ AUTO & SMOG	5524552	022015	1789, 1787	\$138.60
86975	06/30/16	148	GOMEZ AUTO & SMOG	5534553	022015	1789, 1787	\$138.60
86975	06/30/16	148	GOMEZ AUTO & SMOG	8834883	022015	1805, 1802, 1800	\$58.95
86975	06/30/16	148	GOMEZ AUTO & SMOG	8844884	022015	1805, 1802, 1800	\$58.95
86975	06/30/16	148	GOMEZ AUTO & SMOG	8864886	022015	1805, 1802, 1800	\$58.95
86975	06/30/16	148	GOMEZ AUTO & SMOG	8874887	022015	1805, 1802, 1800	\$58.95
86975	06/30/16	148	GOMEZ AUTO & SMOG	8884888	022015	1805, 1802, 1800	\$58.95
86975	06/30/16	148	GOMEZ AUTO & SMOG	8894889	022015	1805, 1802, 1800	\$58.95

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CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86975	06/30/16	148	GOMEZ AUTO & SMOG	8904890	022015	1805, 1802, 1800	\$58.95
86975	06/30/16	148	GOMEZ AUTO & SMOG	8914891	022015	1805, 1802, 1800	\$58.95
86850	06/22/16	5647	GRISWOLD,LASSALLE,COBB,DOWD	1014060	031000	22752.007	\$356.85
86850	06/22/16	5647	GRISWOLD,LASSALLE,COBB,DOWD	1014060	031000	22752.008	\$866.25
86850	06/22/16	5647	GRISWOLD,LASSALLE,COBB,DOWD	1014060	031000	22752.104	\$7,493.51
86976	06/30/16	5918	HAWK ANALYTICS INC.	1014110	037004	2016 SUBSCR. INV216	\$3,995.00
86977	06/30/16	6035	HD SUPPLY FACILITIES	6004775	064002	9146186252	\$150.12
86978	06/30/16	6035	HD SUPPLY FACILITIES	6004775	064002	OLIVE BOWL RESTROOM	\$3,548.88
86851	06/22/16	3576	HDS WHITE CAP CONSTRUCTION	6004775	064002	50004428635	\$66.97
86852	06/22/16	3824	HIGH SIERRA LUMBER	6004775	064002	30195078	\$145.05
86852	06/22/16	3824	HIGH SIERRA LUMBER	6004775	064002	30195382	\$34.79
86852	06/22/16	3824	HIGH SIERRA LUMBER	6004775	064002	30195301	\$386.92
86979	06/30/16	3824	HIGH SIERRA LUMBER	6004775	064002	30196335	\$14.21
86853	06/22/16	1391	HOME DEPOT	1014210	022000	6151455	\$33.22
86853	06/22/16	1391	HOME DEPOT	8834883	022000	6151455	\$10.67
86853	06/22/16	1391	HOME DEPOT	8844884	022000	6151455	\$10.67
86853	06/22/16	1391	HOME DEPOT	8864886	022000	6151455	\$10.67
86853	06/22/16	1391	HOME DEPOT	8874887	022000	6151455	\$10.67
86853	06/22/16	1391	HOME DEPOT	8884888	022000	6151455	\$10.67
86853	06/22/16	1391	HOME DEPOT	8894889	022000	6151455	\$10.67
86853	06/22/16	1391	HOME DEPOT	8904890	022000	6151455	\$10.67
86853	06/22/16	1391	HOME DEPOT	8914891	022000	6151455	\$10.67
86912	06/29/16	1391	HOME DEPOT	6004775	064002	5012674	\$95.49
86980	06/30/16	1391	HOME DEPOT	1014210	022000	7162842	\$52.08
86980	06/30/16	1391	HOME DEPOT	1014210	022000	7162843	\$66.77
86980	06/30/16	1391	HOME DEPOT	6004775	064002	4024877	\$86.61
86980	06/30/16	1391	HOME DEPOT	6004775	064002	2013620	\$139.05
86981	06/30/16	1391	HOME DEPOT	6004775	064002	OLIVE BOWL	\$732.55
86980	06/30/16	1391	HOME DEPOT	8834883	022000	7162843	\$5.57
86980	06/30/16	1391	HOME DEPOT	8834883	022000	7162842	\$4.34
86980	06/30/16	1391	HOME DEPOT	8844884	022000	7162842	\$4.34
86980	06/30/16	1391	HOME DEPOT	8844884	022000	7162843	\$5.56
86980	06/30/16	1391	HOME DEPOT	8864886	022000	7162843	\$5.56
86980	06/30/16	1391	HOME DEPOT	8864886	022000	7162842	\$4.34

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CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86980	06/30/16	1391	HOME DEPOT	8874887	022000	7162842	\$4.34
86980	06/30/16	1391	HOME DEPOT	8874887	022000	7162843	\$5.56
86980	06/30/16	1391	HOME DEPOT	8884888	022000	7162843	\$5.56
86980	06/30/16	1391	HOME DEPOT	8884888	022000	7162842	\$4.34
86980	06/30/16	1391	HOME DEPOT	8894889	022000	7162842	\$4.34
86980	06/30/16	1391	HOME DEPOT	8894889	022000	7162843	\$5.56
86980	06/30/16	1391	HOME DEPOT	8904890	022000	7162843	\$5.56
86980	06/30/16	1391	HOME DEPOT	8904890	022000	7162842	\$4.34
86980	06/30/16	1391	HOME DEPOT	8914891	022000	7162843	\$5.56
86980	06/30/16	1391	HOME DEPOT	8914891	022000	7162842	\$4.34
86854	06/22/16	221	HOUSE OF GLASS	4004400	023000	133404	\$270.00
86913	06/29/16	3909	ID WHOLESALER	3004300	069101	1234432	\$228.00
86914	06/29/16	5881	IHEART MEDIA-FRESNO	3004300	069084	1018838672	\$1,050.00
86982	06/30/16	5881	IHEART MEDIA-FRESNO	3004300	069084	1018835832	\$1,046.00
86915	06/29/16	5541	JACK DAVENPORT SWEEPING	2614160	023001	114905	\$3,000.00
86855	06/22/16	192	JAMES WINTON & ASSOCIATES	1014120	031000	18403	\$2,085.33
86855	06/22/16	192	JAMES WINTON & ASSOCIATES	6004775	064002	18404	\$1,784.90
86983	06/30/16	192	JAMES WINTON & ASSOCIATES	1014120	031000	18409	\$375.00
86984	06/30/16	2601	JOHN HIBLER WEATHER	1014120	031000	APRIL & MAY 2016	\$100.00
86916	06/29/16	3600	KEVIN RILEY	1014110	024000	REFUND BALLISTIC VEST	\$384.02
86917	06/29/16	2471	L.N. CURTIS & SONS	1014110	024004	PO#19976 BALLISTIC VEST	\$5,249.00
86918	06/29/16	5701	LAMAR COMPANIES	3004300	069084	107083733	\$1,287.00
86919	06/29/16	4956	LAWRENCE TRACTOR CO	1014210	022000	167773	\$124.58
86986	06/30/16	3411	LIBERTY COMPOSTING, INC.	5534553	037000	19195	\$47,475.50
86920	06/29/16	5788	LINCOLN AQUATICS	3004300	095002	SI290576	\$1,175.86
86920	06/29/16	5788	LINCOLN AQUATICS	3004300	095002	SI292765	\$470.40
86920	06/29/16	5788	LINCOLN AQUATICS	3004300	095002	SI289986	\$710.08
86920	06/29/16	5788	LINCOLN AQUATICS	4004400	069076	SI290583	\$1,273.28
86987	06/30/16	4067	LINCOLN NAT'L INSURANCE	101	200260	MAY 2016	\$383.27
86988	06/30/16	5870	LINDER EQUIPMENT CO.	6004775	064002	MIK1124.00	\$37,609.25
86989	06/30/16	4427	LINDSAY AUTO PARTS	1014120	022000	091185	\$4.31
86989	06/30/16	4427	LINDSAY AUTO PARTS	1014120	022000	091963	\$15.07
86856	06/22/16	218	LINDSAY EQUIPMENT RENTAL	1014130	022000	58730	\$70.00
86856	06/22/16	218	LINDSAY EQUIPMENT RENTAL	5534553	037000	58727	\$185.00

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86856	06/22/16	218	LINDSAY EQUIPMENT RENTAL	6004775	064002	58674	\$140.00
86921	06/29/16	218	LINDSAY EQUIPMENT RENTAL	4004400	069116	348908	\$16.15
86922	06/29/16	1422	LINDSAY TRUE VALUE	1014110	037000	P.S.-MAY 2016	\$8.99
86922	06/29/16	1422	LINDSAY TRUE VALUE	1014130	022000	C.S.-MAY 2016	\$44.10
86922	06/29/16	1422	LINDSAY TRUE VALUE	1014120	022000	C.S.-MAY 2016	\$172.89
86922	06/29/16	1422	LINDSAY TRUE VALUE	1014120	022000	C.S.-MAY 2016	\$336.96
86922	06/29/16	1422	LINDSAY TRUE VALUE	3004300	069093	MCD-MAY 2016	\$557.75
86922	06/29/16	1422	LINDSAY TRUE VALUE	4004400	023000	W.C.-MAY 2016	\$327.67
86922	06/29/16	1422	LINDSAY TRUE VALUE	5524552	022000	C.S.-MAY 2016	\$112.68
86922	06/29/16	1422	LINDSAY TRUE VALUE	5534553	019000	C.S.-MAY 2016	\$17.27
86922	06/29/16	1422	LINDSAY TRUE VALUE	6004775	064002	C.S.-MAY 2016	\$545.60
86922	06/29/16	1422	LINDSAY TRUE VALUE	8834883	022000	C.S.-MAY 2016	\$8.03
86922	06/29/16	1422	LINDSAY TRUE VALUE	8844884	022000	C.S.-MAY 2016	\$12.03
86922	06/29/16	1422	LINDSAY TRUE VALUE	8864886	022000	C.S.-MAY 2016	\$8.03
86922	06/29/16	1422	LINDSAY TRUE VALUE	8874887	022000	C.S.-MAY 2016	\$8.03
86922	06/29/16	1422	LINDSAY TRUE VALUE	8884888	022000	C.S.-MAY 2016	\$8.03
86922	06/29/16	1422	LINDSAY TRUE VALUE	8894889	022000	C.S.-MAY 2016	\$4.00
86922	06/29/16	1422	LINDSAY TRUE VALUE	8904890	022000	C.S.-MAY 2016	\$4.03
86922	06/29/16	1422	LINDSAY TRUE VALUE	8914891	022000	C.S.-MAY 2016	\$12.03
86857	06/22/16	227	LIVICK TRUCK & BUS REPAIR	1014110	022015	13354	\$90.00
86858	06/22/16	2656	LOURDES RENDON	1014110	037000	JUNE 2016	\$150.00
86858	06/22/16	2656	LOURDES RENDON	1014110	037000	FEBRUARY 2016	\$315.00
86858	06/22/16	2656	LOURDES RENDON	1014110	037000	MARCH 2016	\$330.00
86858	06/22/16	2656	LOURDES RENDON	1014110	037000	APRIL 2016	\$345.00
86858	06/22/16	2656	LOURDES RENDON	1014110	037000	MAY 2016	\$360.00
86859	06/22/16	5751	MAC GENERAL ENGINEERING	6004775	064002	162041PW01	\$25,984.15
86860	06/22/16	5751	MAC GENERAL ENGINEERING	6004775	064002	162041PW02	\$48,752.59
86861	06/22/16	234	MARTIN'S TIRE & AUTO	1014210	022015	11002525	\$72.41
86923	06/29/16	5595	MG'S AIR COND. & HEATING	3004300	069092	3361	\$411.60
86924	06/29/16	5852	MID VALLEY DISPOSAL	5544554	065004	MARCH 2016	\$68,971.17
86925	06/29/16	5852	MID VALLEY DISPOSAL	5544554	065004	APRIL 2016	\$69,000.08
86926	06/29/16	2313	MIDTOWN SPORTS, INC	3004300	055002	0016492-0	\$64.03
86927	06/29/16	5243	NATIONAL GYM SUPPLY	3004300	069092	SI-8224817	\$362.15
86927	06/29/16	5243	NATIONAL GYM SUPPLY	3004300	069092	SI-8225981	\$108.27

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86990	06/30/16	5625	NGLIC-SUPERIOR VISION	101	200260	JUNE 2016	\$588.86
86928	06/29/16	2306	NICK NAVE	1014110	024000	REFUND BALLISTIC VEST	\$389.14
86991	06/30/16	6032	OPTIMUM PLUMBING INC.	6004775	064002	OLIVE BOWL RESTROOM	\$17,678.00
86992	06/30/16	4957	PACIFIC SUPPLY-VISALIA	6004775	064002	191966599	\$816.81
86993	06/30/16	4957	PACIFIC SUPPLY-VISALIA	6004775	064002	APIA & OLIVE	\$884.85
86929	06/29/16	5637	PAPA MURPHY'S	3004300	069116	MAY 6 - JUNE 17 2016	\$1,237.50
86862	06/22/16	3750	PEPSI-COLA	3004300	069116	43225755	\$4,935.48
86862	06/22/16	3750	PEPSI-COLA	3004300	069116	42027407	\$5,682.71
86862	06/22/16	3750	PEPSI-COLA	3004300	069116	37905054	\$1,868.31
86862	06/22/16	3750	PEPSI-COLA	3004300	069116	39401056	\$2,535.39
86862	06/22/16	3750	PEPSI-COLA	3004300	069116	39707055	\$2,902.64
86930	06/29/16	3750	PEPSI-COLA	3004300	069116	36485556	\$3,738.03
86930	06/29/16	3750	PEPSI-COLA	3004300	069116	44496956	\$808.40
86994	06/30/16	272	PITNEY BOWES INC.	1014090	037000	1000915917	\$194.40
86995	06/30/16	808	PORTERVILLE DOOR & TRIM	6004775	064002	29784	\$347.20
86931	06/29/16	6019	PORTERVILLE PRIVATE SECURITY	4004400	069115	0002	\$85.00
86931	06/29/16	6019	PORTERVILLE PRIVATE SECURITY	4004400	069115	0003	\$255.00
86863	06/22/16	2869	PORTERVILLE SHELTERED WORKSHOP	1014120	037000	0019884	\$121.73
86863	06/22/16	2869	PORTERVILLE SHELTERED WORKSHOP	8834883	022000	0019884	\$87.45
86932	06/29/16	2869	PORTERVILLE SHELTERED WORKSHOP	3004300	069101	75803	\$75.95
86932	06/29/16	2869	PORTERVILLE SHELTERED WORKSHOP	3004300	069101	75804	\$75.95
86996	06/30/16	2869	PORTERVILLE SHELTERED WORKSHOP	1014210	022000	0020094	\$301.25
86996	06/30/16	2869	PORTERVILLE SHELTERED WORKSHOP	1014120	022000	0020116	\$595.68
86996	06/30/16	2869	PORTERVILLE SHELTERED WORKSHOP	8914891	022000	0020116	\$46.06
86933	06/29/16	1849	PORTERVILLE VALLEY PROMPTCARE	4004400	037008	1564	\$70.00
86997	06/30/16	4618	PROVOST & PRITCHARD	5534553	064001	58434-MAY 2016	\$2,293.05
86998	06/30/16	5684	QUIK-ROOTER	5534553	036001	201294	\$450.00
86998	06/30/16	5684	QUIK-ROOTER	5534553	036001	201012	\$225.00
86864	06/22/16	285	QUILL CORPORATION	3004300	069101	5817922	\$315.60
86864	06/22/16	285	QUILL CORPORATION	3004300	069101	5818037	\$299.14
86864	06/22/16	285	QUILL CORPORATION	3004300	069092	5974504	\$30.21
86999	06/30/16	285	QUILL CORPORATION	1014210	022000	6225960	\$90.70
86999	06/30/16	285	QUILL CORPORATION	1014210	022000	6675612	\$241.86
86999	06/30/16	285	QUILL CORPORATION	1014120	022000	6675612	\$15.11

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86999	06/30/16	285	QUILL CORPORATION	1014050	021000	6675612	\$43.16
86999	06/30/16	285	QUILL CORPORATION	3004300	069101	6713583	\$47.50
86999	06/30/16	285	QUILL CORPORATION	3004300	069101	6820770	\$8.09
86999	06/30/16	285	QUILL CORPORATION	3004300	069101	6647833	\$12.25
86999	06/30/16	285	QUILL CORPORATION	3004300	069101	6816424	\$103.67
86999	06/30/16	285	QUILL CORPORATION	3004300	069101	6675690	\$231.72
86999	06/30/16	285	QUILL CORPORATION	4004400	022000	92371152	-\$144.70
86999	06/30/16	285	QUILL CORPORATION	4004400	022000	6293011	\$38.86
86865	06/22/16	5356	RAY MORGAN COMPANY	1014070	036008	CITY CLERK-1257896	\$14.43
86865	06/22/16	5356	RAY MORGAN COMPANY	1014040	036008	CITY MANAGER-1257896	\$18.60
86865	06/22/16	5356	RAY MORGAN COMPANY	1014120	036008	C.S.-1257896	\$31.18
86865	06/22/16	5356	RAY MORGAN COMPANY	1014050	036008	FIANNCE-1257896	\$37.82
86865	06/22/16	5356	RAY MORGAN COMPANY	1014110	036008	P.S.-1257896	\$99.46
86865	06/22/16	5356	RAY MORGAN COMPANY	1014110	036008	P.S.-1257896	\$166.91
86865	06/22/16	5356	RAY MORGAN COMPANY	3004300	069113	MCD-1257896	\$863.33
86866	06/22/16	3832	RICK'S VENDING & DISTRIBUTING	3004300	069090	81292, 81293, 81296	\$1,328.07
86866	06/22/16	3832	RICK'S VENDING & DISTRIBUTING	3004300	069103	81291	\$200.00
87000	06/30/16	3622	RLH FIRE PROTECTION	3004775	064000	FIRE PUMP	\$5,250.00
86934	06/29/16	5537	ROBERT MARKS PLUMBING	3004300	069092	81413	\$260.44
86867	06/22/16	298	SAVE MART SUPERMARKET	3004300	069103	6/9/16	\$58.90
86867	06/22/16	298	SAVE MART SUPERMARKET	3004300	069103	6/3/16	\$250.64
86867	06/22/16	298	SAVE MART SUPERMARKET	3004300	069115	6/15/16	\$31.45
86867	06/22/16	298	SAVE MART SUPERMARKET	3004300	095002	6/13/16	\$19.56
86867	06/22/16	298	SAVE MART SUPERMARKET	3004300	069103	6/15/16	\$16.86
86867	06/22/16	298	SAVE MART SUPERMARKET	3004300	069116	6/10/16	\$17.58
86935	06/29/16	298	SAVE MART SUPERMARKET	3004300	069103	6/17/16	\$114.15
86935	06/29/16	298	SAVE MART SUPERMARKET	3004300	069116	6/16/16	\$54.80
86935	06/29/16	298	SAVE MART SUPERMARKET	3004300	069115	6/23/16	\$26.53
86935	06/29/16	298	SAVE MART SUPERMARKET	3004300	069116	6/17/16	\$21.65
86935	06/29/16	298	SAVE MART SUPERMARKET	3004300	055026	6/23/16	\$17.94
86935	06/29/16	298	SAVE MART SUPERMARKET	3004300	069116	6/4/16	\$3.98
86935	06/29/16	298	SAVE MART SUPERMARKET	4004400	069116	6/13/16	\$12.94
86935	06/29/16	298	SAVE MART SUPERMARKET	4004400	069116	6/16/16	\$13.80
87001	06/30/16	298	SAVE MART SUPERMARKET	3004300	069116	6/25/16	\$8.49

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87001	06/30/16	298	SAVE MART SUPERMARKET	3004300	069103	6/24/16	\$264.46
86868	06/22/16	2168	SELF-HELP ENTERPRISES	7004700	031000	MAY 2016 GENERAL ADMIN	\$2,208.00
86868	06/22/16	2168	SELF-HELP ENTERPRISES	7204720	031000	MAY 2016 GENERAL ADMIN	\$2,208.00
86936	06/29/16	5473	SEQUOIA WINDOW CLEANING	4004400	069091	992337	\$525.00
86869	06/22/16	5314	SHRED-IT USA LLC	1014090	037000	9410968314	\$66.08
87002	06/30/16	2133	SHROPSHIRE CONTAINERS	3004300	069113	25372	\$100.00
87002	06/30/16	2133	SHROPSHIRE CONTAINERS	3004300	069113	25578	\$100.00
87003	06/30/16	4555	SIERRA CHEMICAL CO.	5524552	022007	SLS10034378	\$4,351.80
86937	06/29/16	5624	SIERRA SANITATION, INC.	1014090	037018	FC 7433	\$23.29
86937	06/29/16	5624	SIERRA SANITATION, INC.	1014210	022000	80435	\$162.00
86870	06/22/16	2062	SIERRA VETERINARY CENTER	1014110	031010	151859	\$307.28
86871	06/22/16	1776	SMART & FINAL	3004300	069116	6/10/16	\$573.88
86871	06/22/16	1776	SMART & FINAL	4004400	069116	6/2/16	\$406.89
86938	06/29/16	1776	SMART & FINAL	3004300	069115	6/23/16	\$103.60
86938	06/29/16	1776	SMART & FINAL	4004400	069116	6/15/16	\$453.09
86938	06/29/16	1776	SMART & FINAL	4004400	069116	6/22/16	\$560.95
86938	06/29/16	1776	SMART & FINAL	4004400	069116	6/13/16	\$512.65
86872	06/22/16	5978	SOLSTICE INVESTMENT	1014090	037018	9325693-00 NON ACH FEE	\$25.00
86872	06/22/16	5978	SOLSTICE INVESTMENT	1014090	037018	9325694-00 NON ACH FEE	\$25.00
86872	06/22/16	5978	SOLSTICE INVESTMENT	3004300	069108	9325694-00 APRIL	\$3,557.55
86872	06/22/16	5978	SOLSTICE INVESTMENT	5534553	032001	9325693-00 APRIL	\$3,980.54
86873	06/22/16	310	SOUTHERN CA. EDISON	1014090	037018	3-040-9165-51 LATE FEE	\$0.22
86873	06/22/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-6548-68 LATE FEE	\$0.25
86873	06/22/16	310	SOUTHERN CA. EDISON	1014090	037018	3-035-4725-72 LATE FEE	\$0.25
86873	06/22/16	310	SOUTHERN CA. EDISON	1014090	037018	2-32-032-1755 LATE FEE	\$0.42
86873	06/22/16	310	SOUTHERN CA. EDISON	1014090	037018	3-027-1508-28 LATE FEE	\$147.52
86873	06/22/16	310	SOUTHERN CA. EDISON	3004300	069108	3-027-1508-28	\$9,490.77
86873	06/22/16	310	SOUTHERN CA. EDISON	3004300	069108	3-033-6548-68	\$137.35
86873	06/22/16	310	SOUTHERN CA. EDISON	5534553	032001	3-035-4725-72	\$36.91
86873	06/22/16	310	SOUTHERN CA. EDISON	8914891	032001	3-040-9165-51	\$25.69
86873	06/22/16	310	SOUTHERN CA. EDISON	8914891	032001	2-32-032-1755	\$51.68
86939	06/29/16	310	SOUTHERN CA. EDISON	1014090	037018	3-031-5675-04 LATE FEE	\$24.81
86939	06/29/16	310	SOUTHERN CA. EDISON	1014090	037018	3-001-1837-87 LATE FEE	\$39.30
86939	06/29/16	310	SOUTHERN CA. EDISON	3004300	069108	3-027-1508-28	\$12,049.55

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86939	06/29/16	310	SOUTHERN CA. EDISON	3004300	069108	3-033-6548-68	\$29.96
86939	06/29/16	310	SOUTHERN CA. EDISON	4004400	032006	3-031-5675-04	\$3,339.57
86939	06/29/16	310	SOUTHERN CA. EDISON	5534553	032001	3-001-1837-87	\$4,626.67
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-5943-68 LATE FEE	\$0.20
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-9504-85 LATE FEE	\$0.28
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-042-0004-61 LATE FEE	\$0.29
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-9421-46 LATE FEE	\$0.35
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-023-0081-92 LATE FEE	\$0.41
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-1133-77 LATE FEE	\$0.57
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-1133-94 LATE FEE	\$0.75
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	3-033-9591-42 LATE FEE	\$1.34
87004	06/30/16	310	SOUTHERN CA. EDISON	1014090	037018	2-31-363-1293 LATE FEE	\$1.45
87004	06/30/16	310	SOUTHERN CA. EDISON	1014210	032001	3-033-5943-68	\$26.14
87004	06/30/16	310	SOUTHERN CA. EDISON	1014210	032001	3-042-0004-61	\$45.73
87004	06/30/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-9591-42	\$182.80
87004	06/30/16	310	SOUTHERN CA. EDISON	2614160	032004	2-31-363-1293	\$196.44
87004	06/30/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-1133-94	\$100.92
87004	06/30/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-1133-77	\$69.77
87004	06/30/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-9421-46	\$52.32
87004	06/30/16	310	SOUTHERN CA. EDISON	2614160	032004	3-023-0081-92	\$47.62
87004	06/30/16	310	SOUTHERN CA. EDISON	2614160	032004	3-033-9504-85	\$34.89
87005	06/30/16	4752	SPORTABLE SCOREBOAR	3004300	069092	33488	\$980.00
86874	06/22/16	5855	SPORTS TROPHIES	3004300	055019	0181	\$260.40
86940	06/29/16	5478	SPORTSFIELD SPECIALTIES	3004300	069092	60242	\$1,058.00
86941	06/29/16	5691	STATE WATER RESOURCE CONTROL	5534553	031000	GRADE 1 CERT. BERNARDINO	\$95.00
87006	06/30/16	5691	STATE WATER RESOURCE CONTROL	5524552	038002	BRYAN,DINO,FRANK CERT.	\$150.00
86875	06/22/16	5899	SUPPLYWORKS	3004300	069091	367865292	\$692.20
86942	06/29/16	5899	SUPPLYWORKS	3004300	069091	369444542	\$128.86
86942	06/29/16	5899	SUPPLYWORKS	3004300	069091	367993078	\$115.13
86942	06/29/16	5899	SUPPLYWORKS	3004300	069091	368125274	-\$67.52
87007	06/30/16	5899	SUPPLYWORKS	3004775	064000	370480741	\$7,857.42
87007	06/30/16	5899	SUPPLYWORKS	3004300	069091	370106783	\$1,180.64
87007	06/30/16	5899	SUPPLYWORKS	3004300	069091	369841739	\$562.25
86943	06/29/16	5646	SUSP, INC.	5524552	031000	229-MAY 2016	\$2,050.00

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86943	06/29/16	5646	SUSP, INC.	5534553	031000	229-MAY 2016	\$2,050.00
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	606010079	\$2,158.68
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	605261428	\$2,351.56
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	605240254	\$2,425.72
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	606021394	\$1,000.77
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	605300223	\$1,018.54
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	605191441	\$1,113.45
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	605270196	\$1,280.81
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	605160284	\$1,392.65
86876	06/22/16	3682	SYSCO OF CENTRAL CA	3004300	069116	606030554	\$552.49
86944	06/29/16	3682	SYSCO OF CENTRAL CA	3004300	069116	606091065	\$1,601.56
86944	06/29/16	3682	SYSCO OF CENTRAL CA	3004300	069116	606160969	\$842.17
86944	06/29/16	3682	SYSCO OF CENTRAL CA	3004300	069116	606130198	\$677.13
87008	06/30/16	3682	SYSCO OF CENTRAL CA	3004300	069116	606300227	\$176.03
87008	06/30/16	3682	SYSCO OF CENTRAL CA	3004300	069115	606300227	\$162.66
87008	06/30/16	3682	SYSCO OF CENTRAL CA	4004400	069116	606300227	\$182.45
86877	06/22/16	5755	TELEPACIFIC COMMUNICATIONS	1014120	033001	79223138-0	\$449.00
86877	06/22/16	5755	TELEPACIFIC COMMUNICATIONS	1014210	033001	79223138-0	\$449.00
86877	06/22/16	5755	TELEPACIFIC COMMUNICATIONS	1014130	033001	79223138-0	\$449.01
86877	06/22/16	5755	TELEPACIFIC COMMUNICATIONS	5524552	033001	79223138-0	\$449.00
86877	06/22/16	5755	TELEPACIFIC COMMUNICATIONS	5534553	033001	79223138-0	\$449.00
86877	06/22/16	5755	TELEPACIFIC COMMUNICATIONS	5544554	033001	79223138-0	\$449.00
87009	06/30/16	1921	TELSTAR INSTRUMENTS	5524552	031000	86208	\$1,049.83
87009	06/30/16	1921	TELSTAR INSTRUMENTS	5524552	031000	85950	\$859.00
87009	06/30/16	1921	TELSTAR INSTRUMENTS	5524552	031000	86212	\$1,107.00
87009	06/30/16	1921	TELSTAR INSTRUMENTS	5524552	023000	86207	\$735.00
87009	06/30/16	1921	TELSTAR INSTRUMENTS	5524552	023000	86211	\$1,762.37
87009	06/30/16	1921	TELSTAR INSTRUMENTS	5524552	023000	86209	\$1,346.00
87009	06/30/16	1921	TELSTAR INSTRUMENTS	5534553	031000	86214	\$1,107.00
87010	06/30/16	6037	THE CARPET MAN	3004775	064000	062816-1	\$10,951.60
86878	06/22/16	144	THE GAS COMPANY	1014120	032002	C.S.-031-415-9000	\$16.73
86878	06/22/16	144	THE GAS COMPANY	1014120	032002	C.S.-163-715-6900	\$19.69
86878	06/22/16	144	THE GAS COMPANY	1014110	032002	P.S.-163-715-8900	\$45.45
86878	06/22/16	144	THE GAS COMPANY	4004400	032006	092-375-2718-0	\$57.36

WARRANT LIST 7/12/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86878	06/22/16	144	THE GAS COMPANY	4004400	032006	W.C.-098-628-2905	\$758.37
86945	06/29/16	144	THE GAS COMPANY	1014210	032001	115-454-6222-5	\$18.71
86945	06/29/16	144	THE GAS COMPANY	1014210	032001	115-454-6222-5	\$49.52
86945	06/29/16	144	THE GAS COMPANY	3004300	069109	102-887-8712-9	\$178.44
86945	06/29/16	144	THE GAS COMPANY	3004300	069109	094-461-1294-9	\$146.17
86879	06/22/16	4265	TROPICALE FOODS, INC	3004300	069116	30220253	\$311.04
86879	06/22/16	4265	TROPICALE FOODS, INC	3004300	069116	30220305	\$187.92
86946	06/29/16	4265	TROPICALE FOODS, INC	3004300	069116	30220364	\$207.36
86880	06/22/16	1664	TU CO ENVIRONMENTAL HEALTH	3004300	069082	IN0156856	\$402.00
86881	06/22/16	473	TU CO RESOURCE MANAGEMENT	1014050	037000	160553-BUS PASSES	\$208.00
86985	06/30/16	2421	TULARE COUNTY LAFCO	1014070	037005	2016/2017 LAFCO COSTS	\$5,092.67
87011	06/30/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-281-022-000 MOHSIN	\$1,462.23
87011	06/30/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-261-004-000	\$671.40
87011	06/30/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-283-021-000	\$1,100.25
87011	06/30/16	336	TULARE COUNTY TAX COLLECTOR	779	200351	205-093-008-000	\$596.36
86882	06/22/16	5432	TU. CO. TRANSPORTATION AUTH.	101	200204	QTR ENDING 6/30/16	\$13,105.54
86882	06/22/16	5432	TU. CO. TRANSPORTATION AUTH.	2634180	047001	MEASURE R INT 6/30/16	\$4,919.53
87012	06/30/16	4849	U.S. BANK EQUIPMENT	1014040	036008	C.M.-307325167	\$154.78
87012	06/30/16	4849	U.S. BANK EQUIPMENT	1014110	036008	P.S.-307325167	\$175.76
87012	06/30/16	4849	U.S. BANK EQUIPMENT	1014110	036008	P.S.-307325167	\$321.30
87012	06/30/16	4849	U.S. BANK EQUIPMENT	1014050	036008	FINANCE-307325167	\$81.75
87012	06/30/16	4849	U.S. BANK EQUIPMENT	1014120	036008	C.S.-307325167	\$81.76
87012	06/30/16	4849	U.S. BANK EQUIPMENT	1014070	036008	C.C.-307325167	\$81.76
87012	06/30/16	4849	U.S. BANK EQUIPMENT	3004300	069113	MCD-307325167	\$392.17
87013	06/30/16	1513	UNITED RENTALS, INC	5524552	022000	1379747567-001	\$145.48
86883	06/22/16	5747	UNITED STAFFING	1014130	022000	70239	\$34.05
86883	06/22/16	5747	UNITED STAFFING	1014120	022000	70354	\$288.56
86883	06/22/16	5747	UNITED STAFFING	1014210	022000	70354	\$541.05
86883	06/22/16	5747	UNITED STAFFING	1014130	022000	70354	\$973.88
86883	06/22/16	5747	UNITED STAFFING	1014210	022000	70239	\$987.45
86883	06/22/16	5747	UNITED STAFFING	5524552	022000	70354	\$504.98
86883	06/22/16	5747	UNITED STAFFING	5524552	022000	70239	\$612.90
86883	06/22/16	5747	UNITED STAFFING	5534553	022000	70239	\$102.15
86883	06/22/16	5747	UNITED STAFFING	5534553	022000	70354	\$72.13

WARRANT LIST 7/12/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86883	06/22/16	5747	UNITED STAFFING	6004775	064002	70354	\$72.14
86883	06/22/16	5747	UNITED STAFFING	6004775	064002	70354	\$180.35
86883	06/22/16	5747	UNITED STAFFING	6004775	064002	70239	\$766.12
86883	06/22/16	5747	UNITED STAFFING	8834883	022000	70354	\$360.70
86883	06/22/16	5747	UNITED STAFFING	8834883	022000	70239	\$204.30
86883	06/22/16	5747	UNITED STAFFING	8844884	022000	70239	\$68.10
86947	06/29/16	5747	UNITED STAFFING	1014120	022000	70802	\$334.35
86947	06/29/16	5747	UNITED STAFFING	1014210	022000	70802	\$433.76
86947	06/29/16	5747	UNITED STAFFING	1014130	022000	70802	\$433.76
86947	06/29/16	5747	UNITED STAFFING	5524552	022000	70802	\$144.59
86947	06/29/16	5747	UNITED STAFFING	5534553	022000	70802	\$361.46
86947	06/29/16	5747	UNITED STAFFING	8834883	022000	70802	\$144.59
86947	06/29/16	5747	UNITED STAFFING	8844884	022000	70802	\$216.88
86947	06/29/16	5747	UNITED STAFFING	8864886	022000	70802	\$72.29
86947	06/29/16	5747	UNITED STAFFING	8874887	022000	70802	\$433.76
86947	06/29/16	5747	UNITED STAFFING	8884888	022000	70802	\$90.36
86947	06/29/16	5747	UNITED STAFFING	8914891	022000	70802	\$343.39
87014	06/30/16	5747	UNITED STAFFING	1014210	022000	71534 & 71871	\$487.57
87014	06/30/16	5747	UNITED STAFFING	1014120	022000	71250	\$515.80
87014	06/30/16	5747	UNITED STAFFING	1014210	022000	71250	\$569.16
87014	06/30/16	5747	UNITED STAFFING	1014130	022000	71534 & 71871	\$637.59
87014	06/30/16	5747	UNITED STAFFING	1014120	022000	71534 & 71871	\$834.49
87014	06/30/16	5747	UNITED STAFFING	5524552	022000	71250	\$213.43
87014	06/30/16	5747	UNITED STAFFING	5524552	022000	71534 & 71871	\$75.01
87014	06/30/16	5747	UNITED STAFFING	5534553	022000	71534 & 71871	\$843.82
87014	06/30/16	5747	UNITED STAFFING	5534553	022000	71250	\$142.29
87014	06/30/16	5747	UNITED STAFFING	6004775	064002	71250	\$284.58
87014	06/30/16	5747	UNITED STAFFING	8834883	022000	71250	\$284.58
87014	06/30/16	5747	UNITED STAFFING	8834883	022000	71534 & 71871	\$93.76
87014	06/30/16	5747	UNITED STAFFING	8844884	022000	71534 & 71871	\$103.14
87014	06/30/16	5747	UNITED STAFFING	8864886	022000	71534 & 71871	\$37.51
87014	06/30/16	5747	UNITED STAFFING	8864886	022000	71250	\$142.29
87014	06/30/16	5747	UNITED STAFFING	8874887	022000	71534 & 71871	\$37.51
87014	06/30/16	5747	UNITED STAFFING	8884888	022000	71250	\$142.29

WARRANT LIST 7/12/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87014	06/30/16	5747	UNITED STAFFING	8884888	022000	71534 & 71871	\$206.28
87014	06/30/16	5747	UNITED STAFFING	8904890	022000	71534 & 71871	\$9.38
87014	06/30/16	5747	UNITED STAFFING	8914891	022000	71534 & 71871	\$37.51
86884	06/22/16	2960	U. S. BUREAU OF RECLAMATION	5524552	022010	5-07-20 W428L	\$12,255.00
87015	06/30/16	2446	UPS	3004300	069101	11/24/16-1070154678	\$636.17
86885	06/22/16	1032	US POSTMASTER	5524552	022000	POSTAGE QUALITY REPORT	\$680.00
86886	06/22/16	4865	VALLEY ELECTRICAL SUPPLIERS, INC.	3004300	069092	9128-438564	\$62.64
86948	06/29/16	4865	VALLEY ELECTRICAL SUPPLIERS, INC.	3004300	069093	9128-433964	\$89.31
86949	06/29/16	1041	VERIZON WIRELESS	5524552	033001	9766201352	\$30.24
86949	06/29/16	1041	VERIZON WIRELESS	5534553	033001	9766201352	\$30.23
86887	06/22/16	1604	VISA	1014070	021000	C.O.L.	\$4.55
86887	06/22/16	1604	VISA	1014090	037000	C.O.L.-941 FILE PROC.	\$4.95
86887	06/22/16	1604	VISA	1014110	037004	C.O.L.-ADOBE MARI C.	\$14.99
86887	06/22/16	1604	VISA	1014110	037004	C.H.	\$14.99
86887	06/22/16	1604	VISA	1014040	037004	C.O.L. ADOBE MARIA K.	\$14.99
86887	06/22/16	1604	VISA	1014070	033001	C.O.L.	\$25.65
86887	06/22/16	1604	VISA	1014040	038002	B.Z.	\$26.80
86887	06/22/16	1604	VISA	1014050	038002	B.Z.	\$26.80
86887	06/22/16	1604	VISA	1014090	037018	M.C. OVER LIMIT FEE	\$39.00
86887	06/22/16	1604	VISA	1014040	038002	B.Z.	\$40.70
86887	06/22/16	1604	VISA	1014050	038002	B.Z.	\$40.70
86887	06/22/16	1604	VISA	1014110	037000	C.H.	\$49.75
86887	06/22/16	1604	VISA	1014110	037004	C.H.	\$85.00
86887	06/22/16	1604	VISA	1014040	038002	B.Z.	\$142.59
86887	06/22/16	1604	VISA	1014050	038002	B.Z.	\$142.59
86887	06/22/16	1604	VISA	3004300	069069	C.O.L.	\$173.97
86887	06/22/16	1604	VISA	3004300	069069	C.O.L.	\$156.35
86887	06/22/16	1604	VISA	4004400	033001	C.O.L.	\$148.54
86887	06/22/16	1604	VISA	6004775	064002	M.C.	\$268.75
86887	06/22/16	1604	VISA	6004775	064002	M.C.	\$5,787.49
86888	06/22/16	3645	VISALIA UNIFIED SCHOOL DISTRICT	3004300	055010	23273	\$917.69
87016	06/30/16	3645	VISALIA UNIFIED SCHOOL DISTRICT	3004300	055010	23467	\$219.23
86889	06/22/16	368	VOLLMER EXCAVATION, INC.	1014120	022000	29223	\$243.00
86889	06/22/16	368	VOLLMER EXCAVATION, INC.	1014130	023000	29221	\$1,095.14

WARRANT LIST 7/12/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
86889	06/22/16	368	VOLLMER EXCAVATION, INC.	5524552	023000	29221	\$1,095.15
87017	06/30/16	368	VOLLMER EXCAVATION, INC.	6004775	064002	1924	\$4,992.00
87017	06/30/16	368	VOLLMER EXCAVATION, INC.	6004775	064002	1925	\$3,080.00
86890	06/22/16	370	WALMART COMMUNITY	3004300	055026	6/16/16	\$73.60
86890	06/22/16	370	WALMART COMMUNITY	3004300	069115	6/8/16	\$48.27
86890	06/22/16	370	WALMART COMMUNITY	3004300	069115	5/23/16	\$44.83
86890	06/22/16	370	WALMART COMMUNITY	3004300	069115	6/15/16	-\$10.82
86890	06/22/16	370	WALMART COMMUNITY	3004300	069115	5/6/16 REF. 3/31/16	-\$9.70
86950	06/29/16	370	WALMART COMMUNITY	3004300	055026	6/13/16	\$22.23
						TOTAL	\$697,804.80



Treasurer's Report

JUNE 2016

Cash Balances Classified by Depository

	GL ACT#	TYPE	Balance	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	\$119,894.01	N/A	
Bank Of Sierra - AP/Operating	100-100	GEN	\$1,973,685.83	N/A	
Bank Of Sierra - McDermont	100-500	GEN	\$320,769.77	N/A	
Arbitrage Management - Safe Keeping Account		INV-RES	\$500,000.00	N/A	
Bank Of Sierra - Impound Account	100-120	RES	\$44,383.47	0.05	1.73
Bank Of Sierra - WWTP Project	100-553	RES	\$5,175.54	0.02	1.16
Bank Of Sierra - Water Project	100-552	RES	\$42,495.38	0.05	1.31
LAIF Savings: City & Successor Agency	100-103	INV-RES	\$111,400.72	0.35	
Total Cash Balances @ May 31, 2016			\$3,120,432.72		4.20

JUNE 2016 Accounts Payable	\$938,826	JUNE DEBT SERVICE:	-70,214.85
JUNE Payroll & Benefits 06/10/2016	\$240,172		
JUNE Payroll & Benefits 06/24/2016	\$293,953		
JUNE 2016 Total Expenditures	\$1,472,952		

SEWER INFRASTRUCTURE LOAN	-25,623.00	6/28
MCD US BANK BOND	-44,591.85	6/28

Compliance with Investment Policy

As of June 30, 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
\$611,400.72

Respectfully submitted,

GEN=GENERAL UNRESTRICTED
RES=RESTRICTED ACTIVITY
INV=INVESTMENT

Justin Poore
Finance Director

Treasurer's Report - ADENDUM

Cash Balances Classified by Depository

	GL ACT#	TYPE	Balance__	SUBTOTALS	Current Annual Yield__	Interest Earned This Period
Current Assest						
Petty Cash/Cash Register Funds			\$2,628.00			
Arbitrage Management - Safe Keeping Account			\$500,000.00			
LAIF Savings: City & Successor Agency			\$111,400.72			
				\$614,028.72		
Rolling Assets <small>*there are accounts that change frequently and satisfy certain debts / liabilities</small>						
Bank Of Sierra - Payroll			\$119,894.01			
Bank Of Sierra - AP/Operating			\$1,973,685.83			
Bank Of Sierra - Impound Account			\$44,383.47			1.73
Bank Of Sierra - McDermont			\$320,769.77			
				\$2,458,733.08		
Long Term Assets / Project Funds						
Bank Of Sierra - WWTP Project			\$5,175.54			1.16
Bank Of Sierra - Water Project			\$42,495.38			1.31
				47,670.92		
Total Cash Balances @ MAY 31, 2016				\$3,120,432.72		4.2

As of May 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)

Total Invested Funds
\$611,400.72

Invested Funds are not immediate liquid and should not be thought of being easily accessible.

Liabilities

Current Liabilites

Accounts Payable - Checks Cut	\$550,995.82
Accounts Payable - Checks NOT Cut	\$117,011.77
	\$668,007.59

Long Term Liabilities

	Due	
Wellness Center Loan	7/20/2016	\$87,409.69
CalHFA Loan HELP-080803-0	7/15/2016	\$50,000.00
CalHFA Loan RDL-090806-0	7/15/2016	\$25,000.00
2015 Refunding Bond	8/1/2016	\$572,328.13

\$734,737.82

\$1,402,745.41

Total Retained Earnings

*basically what the city is keeping for operations (assets minus liabilities)

\$1,717,687.31

City Revenue For Period Ending 6/30/2016

Business Licenses	\$3,433.78
Utility Bills	\$395,403.22
Taxes (UUT)	\$43,327.56
Miscellaneous Revenue	\$609,425.54
	\$1,051,590.10

City Expense

Payroll & Benefits - JUNE 10, 2016	\$240,172.00
Payroll & Benefits - JUNE 24, 2016	\$293,953.00
Payroll & Benefits - Roll 3	xx
Debt Service	\$70,214.85
Current Expenses <small>*incurred and paid</small>	\$668,007.59
	\$1,272,347.44

-\$220,757.34

Total Operating Income or Loss



AGENDA ITEM

Date: July 12th, 2016
To: Honorable Mayor Ramona Padilla and Esteemed Council
From: Justin Poore, Finance Director
Resolution 16-32 – Establishment of Depository General Fund Account

ACTION:

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

Background:

The reconciliation for the current General fund as presented to council in treasurer reports as, Bank of Sierra – AP/Operating – GL ACT# 100-100, has become cumbersome. In an effort to save staff time, increase efficiency, and reduce potential errors, another General Fund Account for deposits should be established. This account will work collectively with the current General Fund in a matter of deposits only. The new account will only accept deposits, and then transfer the exact amount of expenses to the current General Fund. This will allow staff to properly reconcile the deposit account to zero and the expense account to zero. Reconciliation of the current general fund has created problematic audit findings to which staff has adequately answered to each year. The goal is to eliminate the findings by auditors each year all together by creating a clearer reconciliation effort. Having two accounts in this method will help staff efficiently reduce errors, and satisfy reconciliation to zero in both accounts resulting in no future audit findings.

Attachments:

Resolution 16-32

Recommendation:

Approve Resolution 16-32 authorizing the funding of a depository account through Bank of Sierra to handle deposits to assist the current General Fund operations.

Action Required:

Move for approval of Resolution 16-32, funding a depository account through Bank of Sierra.

RESOLUTION NO. 16-32
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LINDSAY ESTABLISHING DEPOSITORY ACCOUNT FOR
GENERAL FUND.

At a regularly scheduled meeting of the City Council of the City of Lindsay, held on the 12th day of July, 2016, at the hour of 6:00 p.m. of said day, in the City Council Chambers at City Hall, 251 East Honolulu, Lindsay California 93247, the following resolution was adopted:

WHEREAS, the City of Lindsay, a political subdivision of the State of California, has various Bank accounts for the exclusive needs of the City of Lindsay, and

WHEREAS, the City of Lindsay has a need to open another account at the Bank of Sierra for a depository account for deposits of funds including general fund deposits, and

NOW, THEREFORE, BE IT RESOLVED that the City Council the City of Lindsay does hereby authorize the opening of a depository account at the Bank of the Sierra via resolution as described by the Lindsay Municipal Code, Section 3.01.220.

BE IT FURTHER RESOLVED that this account at the Bank of Sierra will retain as authorized signers for the City of Lindsay Bank Account(s) the following individuals: Mayor Ramona Villarreal-Padilla, Councilman Danny Salinas, Council Woman Pam Kimball, Finance Director Justin Poore, and excluding any and all others who may have been granted authorization.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Lindsay this 12th day of July 2016.

CITY COUNCIL OF THE CITY OF LINDSAY

Ramona Villarreal-Padilla, Mayor

ATTEST:

Carmela Wilson, City Clerk

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
STAFF REPORT
VARIANCE TO ACCESSORY/GARDEN STRUCTURE HEIGHT No. 16-25
July 12, 2016**

GENERAL INFORMATION

1. Applicant: Roland Salinas
497 N. Orange Ave.
Lindsay, CA 93247
2. Requested Action: A variance to the maximum height of an accessory/garden structure.

PROJECT DESCRIPTION

Variance No. 16-25 (APN: 205-131-009) is a request by Roland Salinas for a variance to the maximum height for accessory/garden structures to accommodate the placement of an eight-foot, four-inch tall gazebo in a small back yard for property located at 497 N. Orange Avenue in the R-1-7 zoning district. The new gazebo is located at the northwest corner of the property (photo attached) and exceeds the permitted less-than seven-foot maximum height for accessory/garden structures, thus requiring a variance. The less-than seven-foot height limitation was unknown by the applicant when the gazebo was constructed.

SITE BACKGROUND

The property containing the project site is approximately 76 feet by 69 feet, for a total lot area of approximately 5,276 square feet along the west side of north Orange Avenue. Currently the property has a single family home that is roughly 1,000 square feet in size and is surrounded by both single and multi-family residential uses.

COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES

General Plan, Zoning and Land Use: The Lindsay General Plan designates the subject property for single family residential development. The property is zoned R-1-7 (Single Family Residential) and fronts onto Orange Avenue. Section 18.07.050.F.2 of the zoning ordinance permits accessory/garden structures less than seven feet in height to be located within any portion of a required rear yard. The gazebo would exceed the maximum height limitation for accessory/garden structures. Exceeding the height limitation requires approval of a variance, per section 18.21.020 of the zoning ordinance.

Section 18.21.020 of the zoning ordinance states that “the city council may grant variances to the regulations prescribed by this title only with respect to fences and walls, site areas, width, frontage, depth, coverage, front yard, rear yard, side yards, height of structures, distances between structures, off-street parking facilities and off-street loading facilities.”

The city council may grant a variance if it makes the following findings:

- That there are special circumstances or conditions applicable to the property involved, such that strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by owners of other properties classified in the same zoning district.
- That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the vicinity and in the same zoning district.

PROJECT EVALUATION

Staff finds that the request for variance is consistent with the requirements of the variance chapter of the zoning ordinance. The following should be considered regarding the requested variance:

- The primary intent of limiting accessory/garden structure height is so that neighbors are not forced to view unsightly or unprofessional structures on a daily basis. Planning and City Services staff finds the design to be attractive and well-constructed.
- A notice of this public hearing for a variance to maximum height limitations to accessory/garden structures has been placed in the Porterville Recorder and mailed to residents within 300 feet of the site to provide an opportunity for residents to express their opinions either in favor of or against the variance request. No negative comments have been received to date.
- A survey of similarly zoned properties in the north-central portion of the city reveals that five variances (Variance 08-37, 08-43, 10-07, 10-08, and 10-16), have been granted since 2008 to the maximum height limitation of accessory/garden structures.
- Because other similarly zoned properties exist near the project site with permitted accessory/garden structures greater than seven feet in height variance approval would not constitute the granting of special privilege.
- The granting of a variance is a discretionary approval. Council may *deny* the request, *approve* the request, or *approve the request with conditions*.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA) Article 19 §15303 identifies “New Construction of Small Structures.” as Categorically Exempt. A draft Notice of Exemption has been prepared.

RECOMMENDATION

Staff recommends that the City Council approve Variance No. 16-25, based on these findings and with the following conditions:

1. The accessory/garden structure would be maintained with high-quality materials and craftsmanship over the course of its existence or be subject to removal.

ATTACHMENTS

- Draft resolution ~~16-25~~ **16-25**

- Zoning map
- Map of properties within 1,000 feet
- Project photo•

RESOLUTION NO. 16-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY APPROVING VARIANCE NO. 16-25, A REQUEST BY ROLAND SALINAS FOR A VARIANCE TO ACCESSORY/GARDEN STRUCTURE HEIGHT LIMITATIONS FOR THE R-1-7 ZONING DISTRICT TO FACILITATE THE PLACEMENT OF A GAZEBO, FOR PROPERTY LOCATED AT 497 N. ORANGE AVE, LINDSAY CA 93247 (APN: 205-131-009).

At a regular meeting of the City Council of the City of Lindsay, held July 12, 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, Variance Application No. 16-25 was filed pursuant to the regulations contained in Ordinance No. 437, the Zoning Ordinance of the City of Lindsay; and

WHEREAS, the City Council of the City of Lindsay, after ten (10) days published notice, did hold a public hearing before the Council on July 12, 2016; and

WHEREAS, planning staff has prepared necessary investigations and a staff report of information bearing upon the variance application, and has advised the Council that a variance to the height limitation of accessory/garden structures of Zoning Ordinance Section 18.07.050.F.2 would be required in order to approve the request for the placement of the requested eight-feet, four-inch tall garden structure at this location; and

WHEREAS, the project is categorically exempt from the provisions of the California Environmental Quality Act Article 19 §15303, which identifies "New Construction of Small Structures" as exempt. On the basis of the Categorical Exemption, the City of Lindsay has prepared a Notice of Exemption.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lindsay makes the following specific findings based on the evidence presented:

1. There are special circumstances or conditions applicable to the property involved, such that strict or literal interpretation and enforcement of the garden structure height requirement of the zoning ordinance would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

2. A survey of similarly zoned properties in the north-central portion of the city reveals that five variances (Variance 08-37, 08-43, 10-07, 10-08, and 10-16), have been granted since 2008 to the maximum height limitation of accessory/garden structures; therefore, the granting of the variance would not constitute a grant of special privilege, inconsistent with the limitations on other properties classified in the vicinity and in the same zoning district.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Lindsay finds that the proposed variance request is consistent with provisions of the City of Lindsay Zoning Ordinance (Municipal Code Title 18).

BE IT FURTHER RESOLVED, that the City Council of the City of Lindsay hereby

approves Variance Application No. 16-25 subject to the following conditions:

SECTION 1. That the garden structure shall be maintained with high-quality materials and craftsmanship over the course of its existence or be subject to removal.

SECTION 2. That all other city codes and ordinances shall apply.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Lindsay this 12th day of July, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal-Padilla, Mayor

CITY OF LINDSAY ZONING MAP



PROJECT SITE

Legend

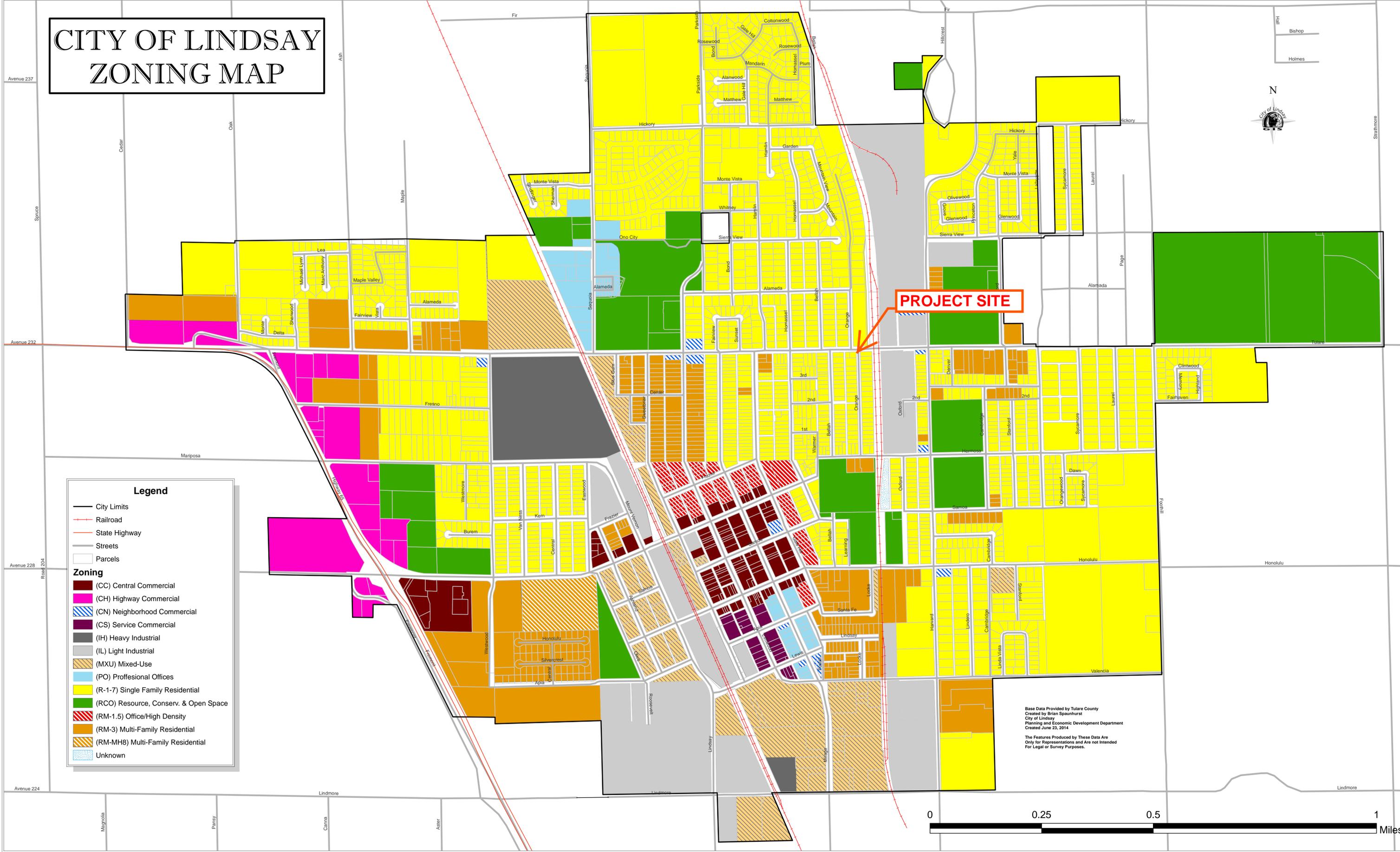
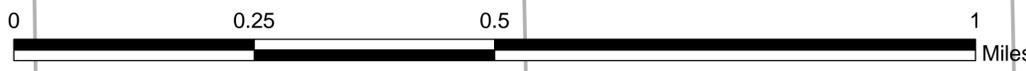
- City Limits
- Railroad
- State Highway
- Streets
- Parcels

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

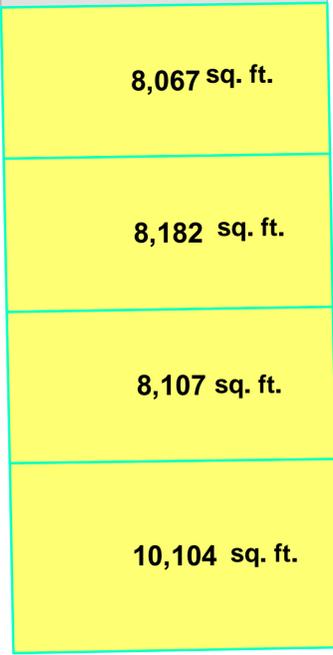
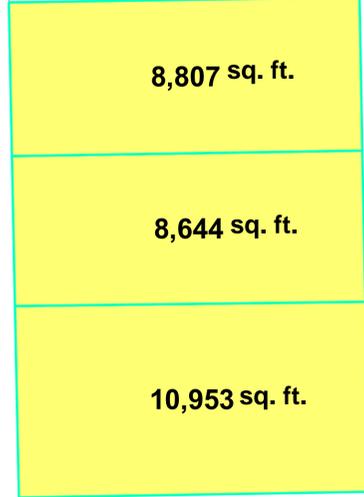
Base Data Provided by Tulare County
 Created by Brian Spaulhurst
 City of Lindsay
 Planning and Economic Development Department
 Created June 23, 2014

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

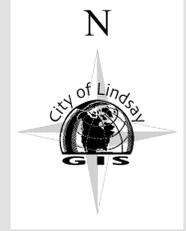


**VAR 16-25
R-1-7 Properties within 300'**

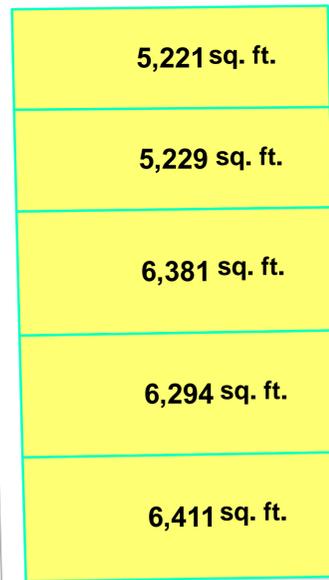
N Bellah Avenue



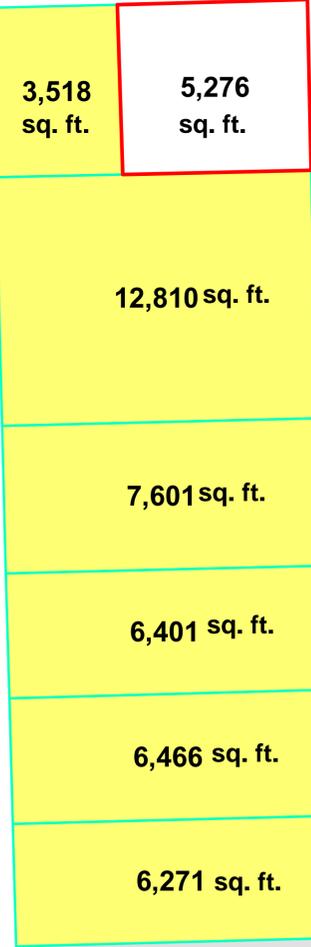
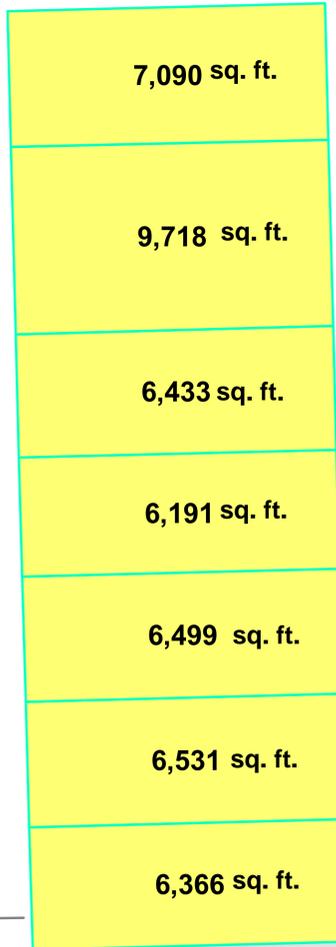
N Orange Avenue



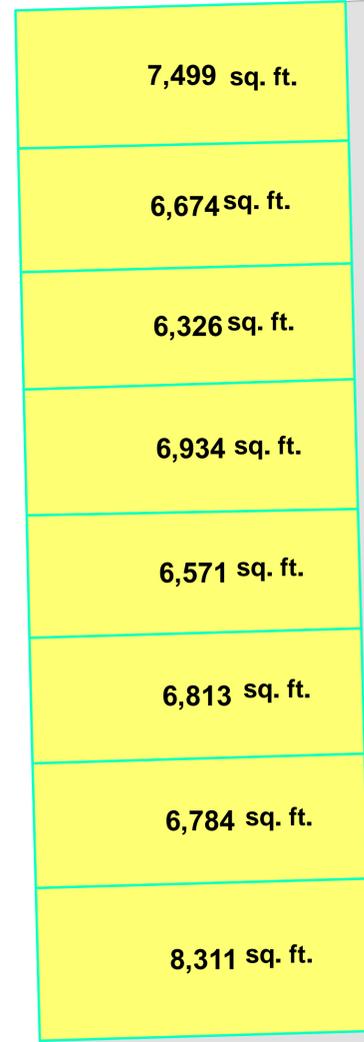
Tulare Street



N Bellah Avenue

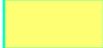
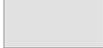


N Orange Avenue



8,311 sq. ft.

Legend

-  497 N Orange
-  R-1-7 Properties within 300'
-  Parcels
-  Railroad



Base Data Provided by Tulare County
Created By Brian Spauhurst
Community Development Department
Printed July 6, 2016

The Features Produced by These Data Are
Only Representations and are Not Intended
For Legal or Survey Purposes







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.



DATE : July 12, 2016
 TO : Honorable Mayor Padilla and City Council Members
 FROM : Mike Camarena, City Services Director
 RE : 2016-2017 Landscape & Lighting Assessment Districts (LLADs) Renewal

Annually, a process of evaluation maintenance needs and establishing an assessment for each LLAD must be followed. At the June 28, 2016 meeting, the City Council preliminarily approved the annual Engineer’s Report, which indicates the proposed assessments for the 2016-2017 fiscal year. The assessments, once approved by the City Council, are placed upon the tax bill of property owners as a special assessment, and collected by the County of Tulare.

Summary of Charges per District:

	No. Lots	Maximum Allowed		2015-2016 FY		Proposed 2016-2017 FY		Increase/ Decrease per month
		Amount per Year/lot	Amount per Month/lot	Amount per Year/lot	Amount per Month/lot	Amount per Year/lot	Amount per Month/lot	
Landscape & Lighting Assessment Districts								
1	92	\$ 295.40	\$ 24.62	\$ 165.16	\$ 13.76	\$ 198.70	\$ 16.56	\$ 2.80
2	37	\$ 260.30	\$ 21.69	\$ 268.10	\$ 22.34	\$ 230.58	\$ 19.22	\$(3.13)
3	44	\$ 307.72	\$ 25.64	\$ 229.92	\$ 19.16	\$ 213.00	\$ 17.75	\$(1.41)
4	6	\$ 1,929.83	\$ 160.82	\$ 775.24	\$ 64.60	\$ 771.92	\$ 64.33	\$(0.28)
5	12	\$ 1,923.33	\$ 160.28	\$ 623.76	\$ 51.98	\$ 688.40	\$ 57.37	\$ 5.39
6	19	\$ 502.84	\$ 41.90	\$ 56.16	\$ 4.68	\$ 59.76	\$ 4.98	\$ 0.30
7	42	\$ 120.00	\$ 10.00	\$ 44.64	\$ 3.72	\$ 62.64	\$ 5.22	\$ 1.50
8	105	\$ 200.62	\$ 16.72	\$ 163.24	\$ 13.60	\$ 177.02	\$ 14.75	\$ 1.15

Recommendation:

At this time, staff respectfully requests the City Council to:

Conduct a public hearing on the 2016-2017 Assessments for the Landscape and Lighting Maintenance Districts to take comments or receive protests on the proposed assessments; and

Options:

1. Adopt Resolution No 16-29 ordering the continued maintenance of Landscape and Lighting Maintenance Districts and confirming the Engineer's Report and Assessment for the 2016-2017 fiscal year.
2. Not approve option 1 and provide direction to Staff.

Attachments:
Engineer's Reports

Sierra View Estates

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 92-01

Maintenance cost breakdown based on 92 lots with an estimated maint. Area of 41,523 square feet.

			Budgeted 2014-2015			Spent 2014-2015	Projected 2015-2016			
COUNTY FEES										
Assessment Fee			92	\$ 1.00	\$ 92.00	\$ 92.00	92	\$ 1.00	\$ 92.00	
Roll Corrections			1	\$ 1.00	\$ 1.00	\$ -	0	\$ 25.00	\$ -	
Reporting Fee			1	\$ 1.00	\$ 1.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
TOTAL					\$ 94.00	\$ 292.00			\$ 292.00	
CITY COSTS										
Engineering				\$ per hr			\$ per hr			
Office Support Staff				\$ 33.34	7	\$ 233.35		\$ 33.34	7	\$ 233.35
City Services Director				\$ 69.40	3	\$ 208.20		\$ 69.40	3	\$ 208.20
Associate Engineer				\$ 41.46	4	\$ 165.84		\$ 41.46	5	\$ 207.30
Administration										
City Manager				\$ 104.09	1	\$ 104.09		\$ 104.09	1	\$ 104.09
City Attorney				\$ 125.00		\$ -		\$ 125.00		\$ -
Finance Director				\$ 64.45	1	\$ 64.45		\$ 64.45	1	\$ 64.45
TOTAL					\$ 775.93	\$ 800.00			\$ 817.39	
WALL MAINTENANCE										
Graffiti Incidents					\$ 15.00	\$ -			\$ -	
TOTAL					\$ 15.00				\$ -	
UTILITIES										
			\$ per month	# months		\$ 4,093.81	\$ per month	# months		
Irrigation Timer Electrical costs			\$ 49.00	12	\$ 588.00		\$ 10.00	12	\$ 120.00	
Water used for irrigation		# Street Lights	\$ 228.31	12	\$ 2,739.69		\$ 170.00	12	\$ 2,040.00	
Lighting		19	\$ 10.95	12	\$ 2,496.60		\$ 9.00	12	\$ 2,052.00	
TOTAL					\$ 5,824.29	\$ 4,093.81			\$ 4,212.00	
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)										
			\$/hr	hrs		\$ 8,650.00	\$/hr	hrs		
Senior Employee			\$ 18.92	70	\$ 1,324.40		\$ 18.92	70	\$ 1,324.40	
Regular Employee			\$ 14.50	150	\$ 2,175.00		\$ 14.50	150	\$ 2,175.00	
Regular Employee			\$ 14.50	150	\$ 2,175.00		\$ 14.50	150	\$ 2,175.00	
Specialty Contract Maintenance					\$ -				\$ -	
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)					\$ 1,500.00		\$ 3,200.00	1	\$ 3,200.00	
TOTAL					\$ 7,174.40	\$ 8,650.00			\$ 8,874.40	
SUBTOTAL COSTS					\$ 13,883.62	\$ 13,835.81			\$ 14,195.79	
Total Capital Improvement					\$ 3,600.00				\$ 1,000.00	
Carry Over					\$ 2,443.05					
TOTAL COSTS					\$ 19,926.67	\$ 13,835.81			\$ 15,195.79	
Costs per square foot of area			41523		\$ 0.48				\$ 0.37	
Assessment per Lot;			92		\$ 216.59				\$ 165.17	
					\$ 201.52				\$ 165.16	

\$ (36.36) Proposed decrease per lot/year
 \$ (3.03) Proposed decrease per lot/month
 -18.04% decrease

Budgeted 14-15 \$ 18,539.84
 Received as of April 10, 2015 \$ 18,244.70
 Balance \$ (295.14)

HERITAGE PARK

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 96-01

Maintenance cost breakdown based on 37 lots with an estimated maint. Area of 11,600 square feet.

			Budgeted 2014-2015			Spent 2014-2015	Projected 2015-2016			
COUNTY FEES										
Assessment Fee			37	\$ 1.00	\$ 37.00	\$ 37.00	37	\$ 1.00	\$ 37.00	
Roll Corrections			1	\$ 25.00	\$ 25.00	\$ -	0	\$ 25.00	\$ -	
Reporting Fee			1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
TOTAL					\$ 262.00	\$ 237.00			\$ 237.00	
CITY COSTS										
Engineering				\$ per hr	# hr			\$ per hr	# hr	
Office Support Staff			\$ 33.34		8	\$ 266.68	\$ 33.34		8	\$ 266.68
City Services Director			\$ 69.40		2	\$ 138.80	\$ 69.40		2	\$ 138.80
Associate Engineer			\$ 41.46		4	\$ 165.84	\$ 41.46		4	\$ 165.84
Administration										
City Manager			\$ 104.09		1	\$ 104.09	\$ 104.09		1	\$ 104.09
City Attorney			\$ 125.00			\$ -	\$ 125.00			\$ -
Finance Director			\$ 64.45		1	\$ 64.45	\$ 64.45		1	\$ 64.45
TOTAL					\$ 739.86	\$ 800.00			\$ 739.86	
WALL MAINTENANCE										
Graffiti Incidents					\$ 15.00	\$ -				
TOTAL					\$ 15.00				\$ -	
UTILITIES										
			\$ per month		# months	\$ 2,876.92	\$ per month		# months	
Irrigation Timer Electrical costs			\$ 22.00		12	\$ 264.00	\$ 21.00		12	\$ 252.00
Water used for irrigation		# Street Lights	\$ 165.00		12	\$ 1,980.00	\$ 155.00		12	\$ 1,860.00
Lighting		6	\$ 10.95		12	\$ 788.40	\$ 10.95		12	\$ 788.40
TOTAL					\$ 3,032.40	\$ 2,876.92			\$ 2,900.40	
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)										
			\$/hr		hrs	\$ 2,511.06	\$/hr		hrs	
Senior Employee			\$ 18.92		60	\$ 1,135.20	\$ 18.92		30	\$ 567.60
Regular Employee			\$ 14.50		110	\$ 1,595.00	\$ 14.50		75	\$ 1,087.50
Regular Employee			\$ 14.50		110	\$ 1,595.00	\$ 14.50		75	\$ 1,087.50
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)										
					\$ 800.00	\$ 3,292.04			\$ 3,300.00	
TOTAL					\$ 5,125.20	\$ 5,803.10			\$ 6,042.60	
SUBTOTAL COSTS										
					\$ 9,174.46	\$ 9,717.02			\$ 9,919.86	
Total Capital Improvement										
					\$ -	\$ -			\$ -	
Carry Over										
					\$ 72.07					
TOTAL COSTS										
					\$ 9,246.53	\$ 9,717.02			\$ 9,919.86	
Costs per square foot of area		11600			\$ 0.80				\$ 0.86	
					\$ 249.91				\$ 268.1044	
Assessment per Lot;		37			\$ 249.90				\$ 268.10	

\$ 9,919.70

\$ 18.20 Proposed increase per lot/year
 \$ 1.52 Proposed increase per lot/month
 7% Increase

Budgeted 14-15 \$ 9,246.30
 Received as of April 10, 2015 \$ 8,759.40
 Balance \$ (486.90)

Sweet Brier-Samoa

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 02-01

Maintenance cost breakdown based on 6 lots with an estimated maint. Area of 4,924 square feet.

			Budgeted 2014-2015			Spent 2014-2015			Projected 2015-2016		
COUNTY FEES											
Assessment Fee			6	\$ 1.00	\$ 6.00	\$ 6.00		6	\$ 1.00	\$ 6.00	
Roll Corrections			1	\$ 25.00	\$ 25.00	\$ -		0	\$ 25.00	\$ -	
Reporting Fee			1	\$ 200.00	\$ 200.00	\$ 200.00		1	\$ 200.00	\$ 200.00	
TOTAL					\$ 231.00	\$ 206.00				\$ 206.00	
CITY COSTS											
Engineering											
			\$ per hr	# hr		\$ 105.37		\$ per hr	# hr		
Office Support Staff			\$ 33.34	4	\$ 133.34			\$ 33.34	1	\$ 33.34	
City Services Director			\$ 69.40	2	\$ 138.80			\$ 69.40	1	\$ 69.40	
Associate Engineer			\$ 41.46	7	\$ 290.22			\$ 41.46	6	\$ 248.76	
Administration											
City Manager			\$ 104.09	1	\$ 104.09			\$ 104.09	0.5	\$ 52.05	
City Attorney			\$ 125.00	0	\$ -			\$ 125.00	0	\$ -	
Finance Director			\$ 64.45	1	\$ 64.45			\$ 64.45	0.5	\$ 32.23	
TOTAL					\$ 730.90	\$ 105.37				\$ 435.77	
WALL MAINTENANCE											
Graffiti Incidents					\$ 15.00	\$ -				\$ -	
TOTAL					\$ 15.00					\$ -	
UTILITIES											
			\$ per month	# months				\$ per month	# months		
Irrigation Timer Electrical costs			\$ 45.68	12	\$ 548.19	\$ 531.20		\$ 44.27	12	\$ 531.20	
Water used for irrigation		# Street Lights	\$ 31.83	12	\$ 382.00	\$ 360.00		\$ 30.00	12	\$ 360.00	
TOTAL					\$ 930.19	\$ 891.20				\$ 891.20	
ASPHALT FEES											
			SF	\$/SF				SF	\$/SF		
Resurgacing			3,128.00	\$ -	\$ -	\$ -		3,128.00	\$ -	\$ -	
Striping			1.00	\$ -	\$ -	\$ -		1.00	\$ -	\$ -	
TOTAL					\$ -	\$ -				\$ -	
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)											
			\$/hr	hrs		\$ 1,409.24		\$/hr	hrs		
Senior Employee			\$ 18.92	25	\$ 473.00			\$ 18.92	20	\$ 378.40	
Regular Employee			\$ 14.50	80	\$ 1,160.00			\$ 14.50	60	\$ 870.00	
Regular Employee			\$ 14.50	80	\$ 1,160.00			\$ 14.50	60	\$ 870.00	
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)					\$ 600.00	\$ 976.70				\$ 1,000.00	
TOTAL					\$ 3,393.00	\$ 2,385.95				\$ 3,118.40	
SUBTOTAL COSTS											
					\$ 5,300.09	\$ 3,588.52				\$ 4,651.37	
Total Capital Improvement											
					\$ -	\$ -				\$ -	
Carry Over											
TOTAL COSTS											
Costs per square foot of area		4924			\$ 1.08					\$ 0.94	
					\$ 883.35					\$ 775.23	
Assessment per Lot;		6			\$ 883.34					\$ 775.24	

\$ 5,300.04
 \$ (108.10) Proposed decrease per lot/year
 \$ (9.01) Proposed decrease per lot/month
 -12.24% Decrease

Budgeted 14-15 \$ 5,300.04
 Received as of April 10, 2015 \$ 2,885.69
 Balance \$ (2,414.35)

Sweet Brier-Hermosa

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 02-02

Maintenance cost breakdown based on 12 lots with an estimated maint. Area of 20,776 square feet.

			Budgeted 2014-2015			Spent 2014-2015		Projected 2015-2016		
COUNTY FEES										
Assessment Fee			12	\$ 1.00	\$ 12.00	\$ 12.00		12	\$ 1.00	\$ 12.00
Roll Corrections			1	\$ 25.00	\$ 25.00	\$ -		0	\$ 25.00	\$ -
Reporting Fee			1	\$ 200.00	\$ 200.00	\$ 200.00		1	\$ 200.00	\$ 200.00
TOTAL					\$ 237.00	\$ 212.00				\$ 212.00
CITY COSTS										
Engineering			\$ per hr	# hr		\$ 105.37		\$ per hr	# hr	
Office Support Staff			\$ 33.34	4	\$ 133.34			\$ 33.34	2	\$ 66.67
City Services Director			\$ 69.40	2	\$ 138.80			\$ 69.40	1	\$ 69.40
Associate Engineer			\$ 41.46	7	\$ 290.22			\$ 41.46	6	\$ 248.76
Administration										
City Manager			\$ 104.09	1	\$ 104.09			\$ 104.09	0.5	\$ 52.05
City Attorney			\$ 125.00	0	\$ -			\$ 125.00	0	\$ -
Finance Director			\$ 64.45	1	\$ 64.45			\$ 64.45	0.5	\$ 32.23
TOTAL					\$ 730.90	\$ -				\$ 469.10
WALL MAINTENANCE										
Graffiti Incidents					\$ 15.00	\$ -				\$ -
TOTAL					\$ 15.00					\$ -
UTILITIES										
			\$ per month	# months				\$ per month	# months	
Irrigation Timer Electrical costs			\$ 63.87	12	\$ 766.43	\$ 938.71		\$ 78.23	12	\$ 938.71
Water used for irrigation			\$ 96.17	12	\$ 1,154.00	\$ 1,280.59		\$ 106.72	12	\$ 1,280.59
TOTAL					\$ 1,920.43	\$ 2,219.30				\$ 2,219.30
ASPHALT FEES										
			SF	\$/SF				SF	\$/SF	
Resurfacing			11,542.00	0	\$ -	\$ -		11,542.00	\$ -	\$ -
Striping			1.00	0	\$ -	\$ -		1.00	\$ -	\$ -
TOTAL					\$ -	\$ -				\$ -
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)										
			\$/hr	hrs		\$ 2,571.49		\$/hr	hrs	
Senior Employee			\$ 18.92	30	\$ 567.60			\$ 18.92	14	\$ 264.88
Regular Employee			\$ 14.50	140	\$ 2,030.00			\$ 14.50	80	\$ 1,160.00
Regular Employee			\$ 14.50	140	\$ 2,030.00			\$ 14.50	80	\$ 1,160.00
Specialty Contract Maintenance					\$ -					\$ -
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)					\$ 1,300.00	\$ 2,130.91				\$ 2,000.00
TOTAL					\$ 5,927.60	\$ 4,702.40				\$ 4,584.88
SUBTOTAL COSTS					\$ 8,830.93	\$ 7,133.71				\$ 7,485.29
Total Capital Improvement					\$ -	\$ -				\$ -
Carry Over					\$ -					\$ -
TOTAL COSTS					\$ 8,830.93	\$ 7,133.71				\$ 7,485.29
Costs per square foot of area		20776			\$ 0.43					\$ 0.36
Assessment per Lot;		12			\$ 735.91					\$ 623.77
					\$ 735.90					\$ 623.77

\$ (112.13) Proposed decrease per lot/year
 \$ (9.34) Proposed decrease per lot/month
 -15% Decrease

Budgeted 14-15 \$ 8,830.80
 Received as of April 10, 2015 \$ 6,411.10
 Balance \$ (2,419.70)

Parkside Estates

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 01-01

Maintenance cost breakdown based on 44 lots with an estimated maint. Area of 7,536 square feet.

		Budgeted 2014-2015			Spent 2014-2015		Projected 2015-2016		
COUNTY FEES									
Assessment Fee		44	\$ 1.00	\$ 44.00	\$ 44.00	44	\$ 1.00	\$ 44.00	
Roll Corrections		1	\$ 25.00	\$ 25.00	\$ -	0	\$ 25.00	\$ -	
Reporting Fee		1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
TOTAL				\$ 269.00	\$ 244.00			\$ 244.00	
CITY COSTS									
Engineering			\$ per hr	# hr		\$ 105.37	\$ per hr	# hr	
Office Support Staff		\$ 33.34		8	\$ 266.68		\$ 33.34	8	\$ 266.68
City Services Director		\$ 69.40		2	\$ 138.80		\$ 69.40	2	\$ 138.80
Associate Engineer		\$ 41.46		5	\$ 207.30		\$ 41.46	5	\$ 207.30
Administration									
City Manager		\$ 104.09		1	\$ 104.09		\$ 104.09	1	\$ 104.09
City Attorney		\$ 125.00			\$ -		\$ 125.00		\$ -
Finance Director		\$ 64.45		1	\$ 64.45		\$ 64.45	1	\$ 64.45
TOTAL					\$ 781.32	\$ 105.37			\$ 781.32
WALL MAINTENANCE									
Graffiti Incidents					\$ 15.00	\$ -			\$ 15.00
TOTAL					\$ 15.00				\$ 15.00
UTILITIES									
			\$ per month	# months			\$ per month	# months	
Irrigation Timer Electrical costs		\$ 150.13		12	\$ 1,801.55	\$ 246.83	\$ 20.57	12	\$ 246.83
Water used for irrigation		\$ 133.50		12	\$ 1,601.95	\$ 1,390.93	\$ 115.91	12	\$ 1,390.93
Lighting	# Street Lights	\$ 10.81		12	\$ 778.32	\$ 779.40	\$ 10.81	12	\$ 778.32
	6								
TOTAL					\$ 4,181.82	\$ 2,417.16			\$ 2,416.08
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)									
			\$/hr	hrs		\$ 6,299.48	\$/hr	hrs	
Senior Employee		\$ 18.92		9	\$ 170.28		\$ 18.92	18	\$ 340.56
Regular Employee		\$ 14.50		40	\$ 580.00		\$ 14.50	80	\$ 1,160.00
Regular Employee		\$ 14.50		40	\$ 580.00		\$ 14.50	80	\$ 1,160.00
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)					\$ 1,000.00	\$ 4,819.67			\$ 4,000.00
TOTAL					\$ 2,330.28	\$ 11,119.15			\$ 6,660.56
SUBTOTAL COSTS					\$ 7,577.42	\$ 13,885.68			\$ 10,116.96
Total Capital Improvement					\$ 3,000.00	\$ -			\$ -
Carry Over					\$ (1,788.77)				
TOTAL COSTS					\$ 8,788.65	\$ 13,885.68			\$ 10,116.96
Costs per square foot of area	7536			\$ 1.17					\$ 1.34
				\$ 199.74					\$ 229.93
Assessment per Lot;	44			\$ 220.45					\$ 229.92

\$ 9.47 Proposed increase per lot/year
 \$ 0.79 Proposed increase per lot/month
 4% Increase

Budgeted 14-15 \$ 9,699.80
 Received as of April 10, 2015 \$ 8,573.60
 Balance \$ (1,126.20)

Sierra Vista Estates

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 07-01

Maintenance cost breakdown based on 19 lots with an estimated maint. Area of 22,200 square feet.

COUNTY FEES	Projected 2007-2008			2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	Projected			
	19	\$	\$										19	\$	\$	
Assessment Fee	19	\$ 1.00	\$ 19.00										19	\$ 1.00	\$ 19.00	
Roll Corrections	1	\$ 25.00	\$ 25.00										1	\$ 25.00	\$ 25.00	
Reporting Fee	1	\$ 200.00	\$ 200.00										1	\$ 200.00	\$ 200.00	
TOTAL			\$ 244.00												\$ 244.00	
CITY COSTS																
Engineering		\$ per hr	# hr											\$ per hr	# hr	
Office Support Staff		\$ 33.34	8	\$ 266.72										\$ 33.34	8	\$ 266.68
City Services Director		\$ 82.99	5	\$ 414.95										\$ 69.40	6.5	\$ 451.10
Associate Engineer		\$ 43.97	17	\$ 747.49										\$ 41.46	19	\$ 787.74
Administration																
City Manager		\$ 114.06	1	\$ 114.06										\$ 104.09	1	\$ 104.09
City Attorney		\$ 125.00	1	\$ 125.00										\$ 125.00	0.5	\$ 62.50
Finance Director		\$ 69.98	1	\$ 69.98										\$ 64.45	1	\$ 64.45
TOTAL			\$ 1,738.20												\$ 1,736.57	
WALL MAINTENANCE																
Graffiti Incidents			\$ 1,140.00												\$ 1,140.00	
TOTAL			\$ 1,140.00												\$ 1,140.00	
UTILITIES		\$ per month	# months											\$ per month	# months	
Irrigation Timer Electrical costs		\$ 70.00	12	\$ 840.00										\$ 70.00	12	\$ 840.00
Water used for irrigation		\$ 140.00	12	\$ 1,680.00										\$ 140.00	12	\$ 1,680.00
Lighting	4	\$ 11.01	12	\$ 528.48										\$ 11.01	12	\$ 528.48
TOTAL			\$ 3,048.48												\$ 3,048.48	
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)		\$/hr	hrs											\$/hr	hrs	
Senior Employee		\$ 18.92	27.5	\$ 520.30										\$ 18.92	40	\$ 756.80
Regular Employee		\$ 14.50	70	\$ 1,015.00										\$ 14.50	70	\$ 1,015.00
Regular Employee		\$ 14.50	70	\$ 1,015.00										\$ 14.50	70	\$ 1,015.00
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)				\$ 837.76											\$ 837.76	
TOTAL			\$ 3,388.06												\$ 3,624.56	
SUBTOTAL COSTS			\$ 9,558.74												\$ 9,793.61	
Total Capital Improvement															\$ 20,000.00	
Carry Over			\$ -													
TOTAL COSTS			\$ 9,558.74											\$ 1,066.94	\$ 29,793.61	
Costs per square foot of area; 22200			\$ 0.43											\$ -		
Assessment per Lot; 19			\$ 503.09	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 56.15	\$ 1,568.08	
Anticipated Cost			\$ 9,553.96	\$ 190.00	\$ 190.00	\$ 190.00	\$ 190.00	\$ 190.00	\$ 190.00	\$ 190.00	\$ 190.00	\$ 190.00	\$ 190.00	\$ 1,067.04		

Maple Valley Estates

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 07-02

Maintenance cost breakdown based on 42 lots with an estimated maint. Area of 1,720 square feet.

	Budgeted 2014-2015			Spent 2014-2015	Projected 2015-2016		
		\$	\$	\$		\$	\$
COUNTY FEES							
Assessment Fee	42	\$ 1.00	\$ 42.00	\$ 42.00	42	\$ 1.00	\$ 42.00
Roll Corrections	1	\$ 25.00	\$ 25.00		0	\$ 25.00	\$ -
Reporting Fee	1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00
TOTAL			\$ 267.00	\$ 242.00			\$ 242.00
CITY COSTS							
Engineering		\$ per hr	# hr	105.37	\$ per hr	# hr	
Office Support Staff		\$ 33.34	2	\$ 66.67	\$ 33.34	1	\$ 33.34
City Services Director		\$ 69.40	1	\$ 69.40	\$ 69.40	1	\$ 69.40
Associate Engineer		\$ 41.46	6	\$ 248.76	\$ 41.46	2	\$ 82.92
Administration							
City Manager		\$ 104.09	0.5	\$ 52.05	\$ 104.09	0.5	\$ 52.05
City Attorney		\$ 125.00	0.25	\$ 31.25	\$ 125.00	0	\$ -
Finance Director		\$ 64.45	0.25	\$ 16.11	\$ 64.45	0.25	\$ 16.11
TOTAL			\$ 484.25	\$ 105.37			\$ 253.82
WALL MAINTENANCE							
Graffiti Incidents			\$ 10.00	\$ -			\$ -
TOTAL			\$ 10.00	\$ -			\$ -
UTILITIES	No. of Street Lights	\$ per month	# months		\$ per month	# months	
Irrigation Timer Electrical costs		\$ -	12	\$ -	\$ 81.41	12	\$ 976.90
Water used for irrigation		\$ 41.75	12	\$ 501.02	\$ 21.17	12	\$ 254.04
Lighting	4	\$ 10.96	12	\$ 525.96	\$ -	12	\$ -
TOTAL			\$ 1,026.98	\$ 1,230.94			\$ 1,230.94
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)		\$/hr	hrs	\$ 60.50	\$/hr	hrs	
Senior Employee		\$ 18.92	6	\$ 113.52	\$ 18.92	1	\$ 18.92
Regular Employee		\$ 14.50	30	\$ 435.00	\$ 14.50	1	\$ 14.50
Regular Employee		\$ 14.50	30	\$ 435.00	\$ 14.50	1	\$ 14.50
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)			\$ 500.00	\$ 64.02			\$ 100.00
TOTAL			\$ 1,483.52	\$ 124.52			\$ 147.92
SUBTOTAL COSTS			\$ 3,271.75	\$ 1,702.83			\$ 1,874.68
Total Capital Improvement				0			
Carry Over from Previous Fiscal Year			\$ (1,478.47)				
TOTAL COSTS			\$ 1,793.28	\$ 1,702.83			\$ 1,874.68
Costs per square foot of area;	1720						
Assessment per Lot;	42		\$ 42.70				\$ 44.64

Budgeted 14-15	\$ 1,793.28
Received as of April 10, 2015	\$ 1,081.70
Balance	\$ (711.58)

Pelous Ranch

ENGINEER'S REPORT FOR ASSESSMENT DISTRICT 09-01

Maintenance cost breakdown based on 105 lots with an estimated maint. Area of 27,593.1 square feet.

		Budgeted 2014-2015			Spent 2014-2015		Projected 2015-2016		
COUNTY FEES									
Assessment Fee		105	\$ 1.00	\$ 105.00	\$ 105.00	105	\$ 1.00	\$ 105.00	
Roll Corrections		1	\$ 25.00	\$ 25.00		0	\$ 25.00	\$ -	
Reporting Fee		1	\$ 200.00	\$ 200.00	\$ 200.00	1	\$ 200.00	\$ 200.00	
TOTAL				\$ 330.00	\$ 305.00			\$ 305.00	
CITY COSTS									
Engineering			\$ per hr	# hr			\$ per hr	# hr	
Office Support Staff			\$ 33.34	2	\$ 66.67	\$ 105.38	\$ 33.34	2	\$ 66.67
City Services Director			\$ 82.99	3	\$ 248.96		\$ 82.99	3	\$ 248.96
Associate Engineer			\$ 43.97	14	\$ 615.60		\$ 43.97	14	\$ 615.60
Administration									
City Manager			\$ 114.06	0.5	\$ 57.03		\$ 114.06	0.5	\$ 57.03
City Attorney			\$ 125.00	0.5	\$ 62.50		\$ 125.00	0.5	\$ 62.50
Finance Director			\$ 69.98	0.5	\$ 34.99		\$ 69.98	0.5	\$ 34.99
TOTAL					\$ 1,085.75	\$ 105.38			\$ 1,085.75
WALL MAINTENANCE									
Graffiti Incidents				15	\$ -				\$ 15.00
TOTAL					\$ 15.00	\$ -			\$ 15.00
UTILITIES									
			\$ per month	# months			\$ per month	# months	
Irrigation Timer Electrical costs			\$ 81.52	12	\$ 978.21	\$ 1,063.73	\$ 88.64	12	\$ 1,063.73
Water used for irrigation		# Street Lights	\$ 340.49	12	\$ 4,085.85	\$ 3,342.26	\$ 278.52	12	\$ 3,342.26
Lighting		29	\$ 11.10	12	\$ 3,862.68	\$ 4,130.46	\$ 11.87	12	\$ 4,130.46
TOTAL					\$ 8,926.74	\$ 8,536.45			\$ 8,536.45
CITY MAINTENANCE (Landscaping & Irrigation Maintenance/plants)									
			\$/hr	hrs		\$ 2,444.95	\$/hr	hrs	
Senior Employee			\$ 18.92	24	\$ 454.08		\$ 18.92	20	\$ 378.40
Regular Employee			\$ 14.50	95	\$ 1,377.50		\$ 14.50	80	\$ 1,160.00
Regular Employee			\$ 14.50	95	\$ 1,377.50		\$ 14.50	80	\$ 1,160.00
Specialty Contract Maintenance					\$ -				\$ -
Operational Supplies (Landscaping Equipment, Fuel & Oil, Seeding, Fertilizer, Plants, Trees, etc)					\$ 1,600.00	\$ 4,846.02			\$ 4,500.00
TOTAL					\$ 4,809.08	\$ 7,290.97			\$ 7,198.40
SUBTOTAL COSTS									
					\$ 15,166.57	\$ 16,237.80			\$ 17,140.59
Total Capital Improvement									
					\$ 5,000.00				
Carry Over									
					\$ (4,323.60)				
TOTAL COSTS									
					\$ 15,842.96	\$ 16,237.80			\$ 17,140.59
Costs per square foot of area		27593.1			\$ 0.57				\$ 0.62
					\$ 150.89				\$ 163.24
Assessment per Lot;		105			\$ 150.89				\$ 163.24

\$ 12.35 Proposed increase per lot/year
 \$ 1.03 Proposed increase per lot/month
 8% Increase

Budgeted 14-15 \$ 15,843.45
 Received as of April 10, 2015 \$ 9,426.76
 Balance \$ (6,416.69)

RESOLUTION NO. 16-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY, ORDERING THE CONTINUED MAINTENANCE OF LANDSCAPING AND LIGHTING MAINTENANCE DISTRICTS AND CONFIRMING THE ENGINEER'S REPORT AND ASSESSMENT FOR THE 2016-2017 FISCAL YEAR.

At a regularly scheduled meeting of the City Council of the City of Lindsay, held on the 12th day of July 2016, at 6:00 p.m. in the Council Chambers of City Hall, Lindsay California 93247, the following resolution was adopted:

WHEREAS, the City Council of the City of Lindsay did on the 28th day of June 2016, adopt its Resolution of Intention No. 16-28 to order the therein described work in the connection with the continuation of assessment procedures in Landscape and Lighting Maintenance Districts, which Resolution on Intention No.16-28 was duly and legally published in the time, form and manner as required by Law, shown by the Affidavit of Publication of said Resolution of Intention on file in the Office of the City Clerk; and

WHEREAS, said City Council having duly received and considered evidence, oral and documentary, concerning the jurisdiction facts in the proceeding and concerning the necessity for the contemplated work and the benefits to be deprived there from, and said City Council having now acquired jurisdiction to order the proposed work;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Lindsay as follows:

SECTION 1. IT IS HEREBY RESOLVED by the City Council of the City of Lindsay that the public interest and convenience require the continuation of assessment procedures for the districts, and said City Council hereby orders that the work and assessment, as set forth and described in said Resolution of Intention No. 16-28 by done and made; and

SECTION 2. BE IT FURTHER RESOLVED that the report filed by the Engineer is hereby finally approved; and

SECTION 3. BE IT FURTHER RESOLVED that the assessments for fiscal year 2016-2017 and method assessment in the Engineer's Report are hereby approved; and

SECTION 4. BE IT FINALLY RESOLVED that the assessments are in compliance with California Code, that they are without regard to property valuation, and in compliance with Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highway Code allowing the placement of the charge on the tax roll for collection.

PASSED AND ADOPTED by the City Council of the City of Lindsay this 12th day of July, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal-Padilla, Mayor

MEMORANDUM

Date: July 12, 2016
To: Lindsay City Council
From: William Zigler, Interim City Manager
Subject: Review of Approval of Resolution 16-31, Addressing ¼ Mile Pesticide Buffer Zone

On June 28, 2016 on a motion made by Mayor Pro Tem Sanchez, City Council approved resolution 16-31 (Resolution and Council package attached) addressing El Quinto Sol de America's request for the establishment of a ¼ mile buffer (protection) zone "from all restricted material pesticide applications around schools and other sites where children and families live, learn, and play."

Subsequently Mayor Pro Tem Sanchez made a request to the City Attorney that this decision be reviewed by Council. As the prevailing party regarding approval of the resolution, reviewing the decision is permissible.

Respectfully Submitted,



William Zigler
Interim City Manager

Attachment: "Request for Support of a ¼ Mile Pesticide Buffer Zone" Council Package

MEMORANDUM

Date: June 28, 2016
To: Lindsay City Council
From: William Zigler, Interim City Manager
Subject: Request for Support of a ¼ Mile Pesticide Buffer Zone

BACKGROUND:

On May 24 and June 14, 2016 El Quinto Sol de America and their supporters presented Council with concerns regarding pesticide use and requested Council support in the “establishment of a ¼ mile buffer (protection) zone “from all restricted material pesticide applications around schools and other sites where children and families live, learn, and play.” The attached map shows the area that would be impacted by such a protection zone.

DISCUSSION:

The City of Lindsay has no jurisdictional or regulatory authority regarding pesticides. That authority and responsibility reside expressly with the federal and state governments. The City also has no authority to regulate what happens beyond its city limits and lacks the expertise to determine pesticide hazards or effectiveness.

Following Federal requirements regarding pesticides, Tulare County Ag Commissioner, Marilyn Kinoshita writes, “The California Department of Pesticide Regulation (CDPR) regulates pesticides further under a comprehensive program that encompasses enforcement of pesticide use in agricultural and urban environments. CDPR oversees a multi-tiered enforcement infrastructure and is vested by the U.S. Environmental Protection Agency with primary responsibility to enforce federal pesticide laws in California. CDPR directs and oversees the County Agricultural Commissioners who carry out and enforce pesticide and environmental laws and regulations locally.” Ms. Kinoshita adds, “California has the most comprehensive pesticide regulatory system in the country, and I would venture to say, the world”. This positive view is echoed by contributors to Wikipedia, which provide that CDPR is regarded as *the premier U.S. agency for pesticide regulation* (emphasis added), the acknowledged peer of [United States Environmental Protection Agency](#) and [Health Canada](#), and as an international authority in the field.^[1]

The Ag Commissioner continues, “The California Department of Pesticide Regulation is weeks away from unveiling a draft regulation package that will involve some type of notification related to ag-related pesticide use to school administrators, statewide. Many groups provided input during the planning stages.”

MEMORANDUM

The Ag Commissioner's statement would indicate that the first step for any group to institute change regarding the application of pesticides would be with the CDPR. In fact the CDPR invites public participation.

The CDPR website (<http://www.cdpr.ca.gov/>) includes a link for "Decisions Pending and Opportunities for Public Participation" (http://www.cdpr.ca.gov/docs/dept/quicklinks/com_opts.htm), which includes a calendar and meeting notices, agendas, and minutes for the Agricultural Pest Control Advisory Committee, the Pest Management Advisory Committee and the Pesticide Registration and Evaluation Committee.

The Ag Commissioner's comments also reflect that steps are currently being taken at the State level addressing pesticide application proximate to school sites and that concerned groups have been involved with that regulatory agency in determining the new regulations, which aligns with the public input component of the CDPR.

SUMMARY:

- El Quinto Sol de America is a valued partner with the City of Lindsay in community activism and education.
- The Ag Commissioner has provided a letter concisely outlining the controls currently in place to protect children and residents (letter and supporting references attached). She also addresses claims made by El Quinto Sol de America, including the studies they reference.
- The California Department of Pesticide Regulation is the only regulatory agency of pesticides for the City of Lindsay and Tulare County, outside of the Federal Government and is an acknowledged authority in the field of pesticide control.
- The City of Lindsay has no jurisdictional or regulatory authority in the application of pesticides.
- The City of Lindsay has no jurisdictional authority beyond its City Limits.
- The City of Lindsay lacks the expertise to advise in the regulation of pesticides.
- The City of Lindsay desires to keep all residents safe.

RECOMMENDATION:

Since the City has no jurisdictional or regulatory authority in the application of pesticides and lacks the expertise to advise in the regulation of pesticides staff provides the following four options to Council:

1. Do Nothing.
2. Adopt a resolution that provides the following:
 - Formally recognize the important grass-roots work of El Quinto Sol de America.
 - Acknowledge the limitations of city government in the regulation of pesticides, which is strictly governed by the California Department of Pesticide Regulation and the Federal Government.

MEMORANDUM

- Encourage El Quinto Sol de America to engage with the California Department of Pesticide Regulation for effective pesticide regulation. In addressing science and empirical evidence this interaction would be much more fruitful than obtaining signatures on a petition or receiving a local municipal endorsement.
3. Simply sign the Healthy Kids' Zone Form (attached) as the Lindsay City Council.
 4. Direct Staff to pursue some other action.

Respectfully Submitted,

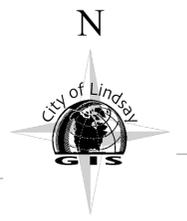


William Zigler
Interim City Manager

Attachments:

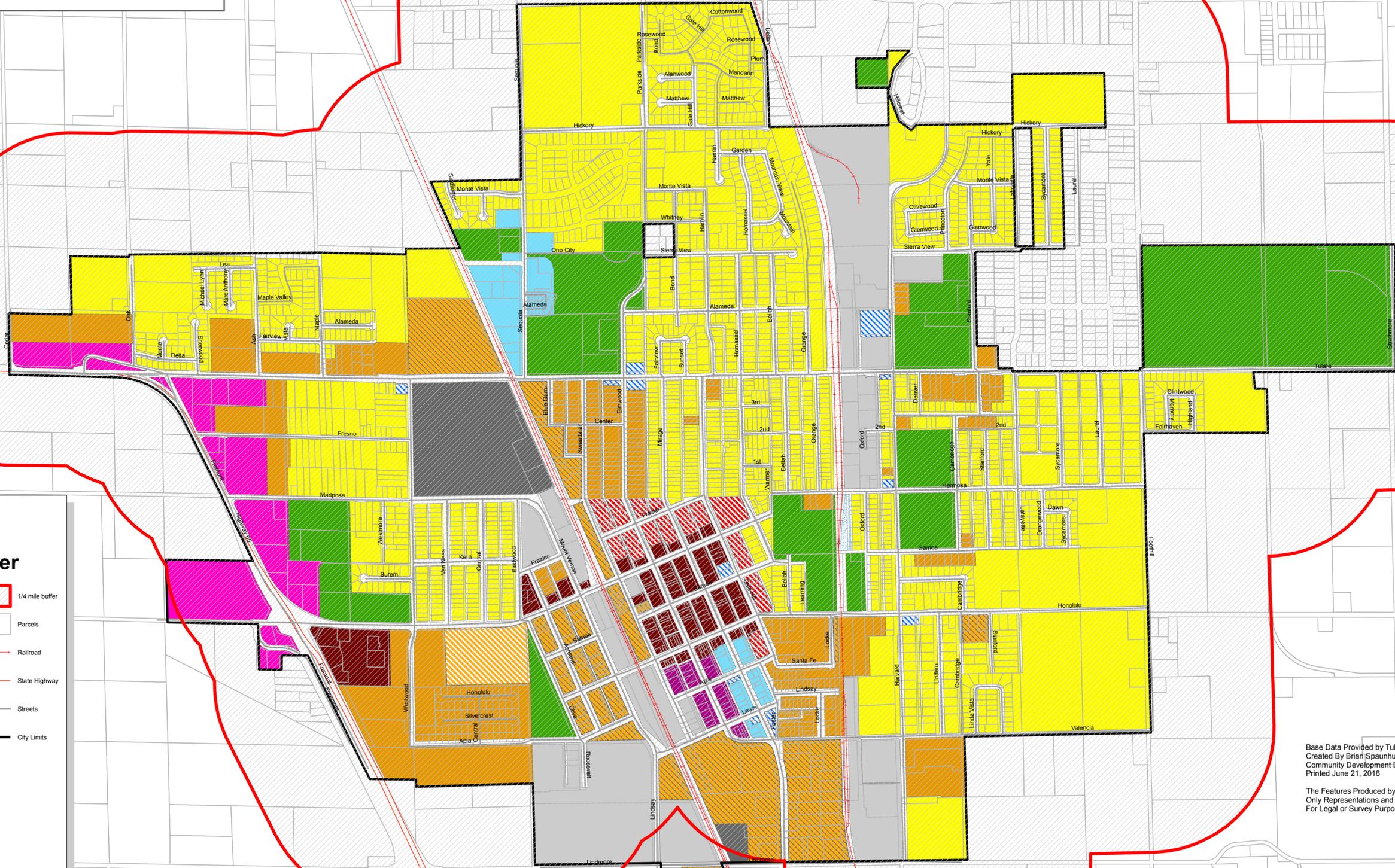
Map of impacted areas if pesticide prohibition enacted
Letter from Tulare County Ag Commissioner, Marilyn Kinoshita
Supporting references to Ms. Kinoshita's Letter
Draft Resolution 16-31, Pesticide Regulation at the Municipal Level
Healthy Kids' Zone Form

City of Lindsay 1/4 Mile Pesticide Buffer



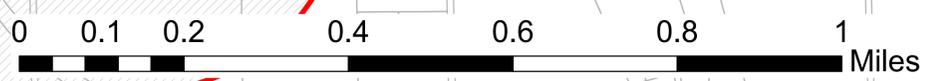
Legend

Zoning	Other
CC	1/4 mile buffer
CH	Parcels
CN	Railroad
CS	State Highway
IH	Streets
IL	City Limits
MIXED-USE	
PO	
R-1-7	
RCO	
RM-1.5	
RM-3	
RM-MH8	
UNKNOWN	



Base Data Provided by Tulare County
 Created By Brian Spaulhurst
 Community Development Department
 Printed June 21, 2016

The Features Produced by These Data Are
 Only Representations and are Not Intended
 For Legal or Survey Purposes





Tulare County Agricultural Commissioner/Sealer

Marilyn Kinoshita, Agricultural Commissioner
Sealer of Weights and Measures
Tom Tucker, Assistant
Commissioner/Sealer

June 10, 2016

Bill Zigler
Interim City Manager
City of Lindsay
PO Box 369
251 E Honolulu Street
Lindsay, CA 93247

Mr Zigler,

Pesticides are registered for use in the United States by the U.S. Environmental Protection Agency. The California Department of Pesticide Regulation (CDPR) regulates pesticides further under a comprehensive program that encompasses enforcement of pesticide use in agricultural and urban environments. CDPR oversees a multi-tiered enforcement infrastructure and is vested by the U.S. Environmental Protection Agency with primary responsibility to enforce federal pesticide laws in California. CDPR directs and oversees the County Agricultural Commissioners who carry out and enforce pesticide and environmental laws and regulations locally. California has the most comprehensive pesticide regulatory system in the country, and I would venture to say, the world.

California has a commitment to reduce pesticide exposure to children (and adults). We have a successful School Integrated Pest Management Program which promotes proper training of staff who uses pesticides on school grounds and child care centers. County agricultural commissioners are sensitive to the proximity and locations of schools, and often work with growers to try to avoid school hours. This means that pesticide applications often occur on weekends, nights and during school breaks when kids are not present. Here in Tulare County, our Pesticide Use Enforcement Inspectors receive many more on-school ground and homeowner-related illness reports from the California Poison Control Center than agricultural incidents.

After examining the documents presented to your Council by El Quinto Sol de America, I would like make the following points:

Point 1:

The organization supports the establishment of Healthy Kids Zones around homes, schools, day cares, hospitals and all sensitive sites in Tulare County to protect the health of our children, families and communities from the dangers of restricted material pesticides.

Restricted-use pesticides represent only approximately 23-25 percent of all agricultural pesticide use in Tulare County. The Director of the California Department of Pesticide Regulation has authority to designate a list of restricted materials based upon, but not limited to any of the following criteria:

- a) Danger of impairment of public health
- b) Hazards to applicators and farmworkers
- c) Hazards to domestic animals, including honeybees, or crops from direct application or drift
- d) Hazard to the environment from drift onto streams, lakes, and wildlife sanctuaries
- e) Hazards relating to persistent residues in the soil resulting from ultimately in contamination of the air, waterways, estuaries or lakes, with consequent damage to fish, wild birds, and other wildlife.
- f) Hazards to subsequent crops through persistent soil residues

Point 2:

The proposed Resolution regarding Healthy Kid Zones references an April 2014 study that was conducted by The California Department of Public Health. Please see *Attachment 1*, which is a letter written by the President of our California Agricultural Commissioner and Sealer Association (CACASA) to the Secretary of the State Health and Human Services Agency due to many data errors and misinterpretations in the report (*Attachment 2*). The association believes that the report is misleading at best, and inaccurate at its worst. The executive summary contained ten statistics-laden paragraphs, before it revealed that *"the study methodology does not attempt to measure schoolchildren's exposure risk to pesticides, therefore, study results cannot be used to predict possible health impacts"*. CDPR's evaluation of monitoring data and pesticide exposure cases indicates low risk to schoolchildren.

Point 3:

There are many statements in the Proposed Resolution about pesticide active ingredients and their suggested health concerns for children. To comment on the document, I sought the technical expertise of Randy Segawa, CDPR Enforcement Branch Special Advisor to the Director. His comments are below:

1. 1,3-Dichloropropene is a soil fumigant. It was never banned. Permits were suspended for a time. CDPR scientists register and routinely reevaluate products based upon many criteria.
2. The U.S. Environmental Protection Agency finding was never finalized.
3. The U.C. Davis MIND Institute study did not estimate pesticide exposure, and there are problems with the analysis of the data. Even if organophosphate pesticides caused this effect, a buffer zone around schools will provide little protection to pregnant women.

The California Department of Pesticide Regulation is weeks away from unveiling a draft regulation package that will involve some type of notification related to ag-related pesticide use to school administrators, statewide. Many groups provided input during the planning stages. The California Agricultural Commissioners will be an integral part in enforcing those requirements. Keep in mind, that the Director of CDPR has authority over pesticide use in California and regularly monitors efforts by local municipalities and even Ag Commissioner's decisions for attempts to usurp state law.

Let me know if you need additional information about pesticide use in Tulare County.

Sincerely,



Marilyn Kinoshita
Tulare County
Agricultural Commissioner/Sealer

California Agricultural Commissioners and Sealers Association



April 29, 2014

Diana S. Dooley, Secretary
Health and Human Services Agency
1600 Ninth Street, Room 460
Sacramento, CA 95814

RE: CDPH Report: *Agricultural Pesticide Use Near Public Schools in California*

Dear Secretary Dooley:

The recent release by CDPH of the report [*Agricultural Pesticide Use Near Public Schools in California*](#) has raised questions and concerns throughout California, especially in the 15 counties highlighted in the report. The stated purpose of the report, understanding pesticide use patterns by quantifying use near schools and describing school demographics was, not surprisingly, overshadowed by the misinterpretation of the report and concerns that have resulted. This letter serves to request your leadership and assistance in responding to concerns and questions raised in communities affected by this report.

As you may know, California County Agricultural Commissioners (CAC's) are charged with local enforcement of pesticide laws and regulations in California under the oversight and leadership of the California Department of Pesticide Regulation. One of our highest priorities is ensuring the effectiveness of California's regulatory program in protecting schoolchildren, farmworkers and any others who may be at risk of exposure to pesticide use. From our perspective, the report was disappointing as it did little to shed new light on pesticide use around schools, provide for improvements in pesticide safety, or provide guidance on future actions. Furthermore, the manner in which the report was prepared and presented invited misinterpretation. For example, the report's executive summary proceeded for ten lengthy, statistic-laden paragraphs before it revealed the following crucial caveat: "The study methodology does not attempt to measure schoolchildren's exposure to pesticides and therefore, study results cannot be used to predict possible health impacts." Although the authors were advised to expect parties to raise concerns, they failed to develop any plan, or even minimal effort, to address or react to public concerns.

CAC's were not consulted during the development and design of the report; however, CDPH did engage certain advocacy groups, including Californians for Pesticide Reform and Pesticide Action Network. It was only when CAC's were alerted to the development of the report and we requested involvement, that we were engaged; by that time, the design and goals of the report were already in place. Even though we provided extensive suggestions on one draft of the report, we were not afforded the same access and involvement of certain advocacy groups. We believe this resulted in a report that is misleading at best, inaccurate at its worst. This same disparate involvement of (and communication with) stakeholder groups occurred up to, and around the time of, the release of the report. The failure of the authors to deliver on promises made to CAC's (e.g. providing two weeks' notice of the release) and their "selective" communication resulted in an enhancement of miscommunications, misunderstandings and concerns raised by the report.

Stacy Carlsen, President
Marin County
Agricultural Commissioner /
Sealer of Weights & Measures

Kurt Fioren, President-elect
Los Angeles County
Agricultural Commissioner /
Sealer of Weights & Measures

Jim Allan, Vice President
(Agriculture)
Solano County
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John Young, Vice President
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CDPH also failed to effectively consider the value and contribution from local Public Health Officers or Environmental Health Officers from the 15 counties. Although the Public Health Officers provided suggestions to an early draft report, their role was limited and largely after-the-fact. This was, in our opinion, shortsighted and contributed to a report that does little to help public health officials in improving health outcomes for schoolchildren.

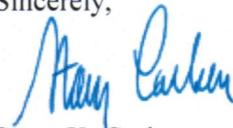
Although CAC's made requests of CDPH to consider the anticipated community reaction to the report and to provide outreach, nothing tangible was done. Outreach to school districts was left to local public health officials and CAC's; that outreach was impeded by the fact that copies of the document were not provided in advance of the release of the report. This left local officials in a difficult position and contributed to the likelihood for unnecessary concerns and misinterpretations of the report.

While we are disappointed in the process utilized to develop this report, the inherent inaccuracies and the lack of new information developed, we hope that we can now prevail upon you to initiate actions that might further our mutual goals of protecting and enhancing public health associated with schoolchildren. To that end, we suggest CDPH:

- Critically review ALL existing research, data sources and related activities by other public agencies that might contribute to a comprehensive evaluation of risks associated with schoolchildren and communicate findings to ALL stakeholders;
- In consultation with local public health officials and CAC's, provide immediate communication/outreach with school districts in, at least, the highlighted 15 counties: What does the report say, how should school districts respond, what are the plans for CDPH going forward, etc.;
- Identify additional research that might be conducted to address concerns created from the report. Consult with public agencies and educational institutions to determine the practicality and usefulness of future research efforts;
- Develop a transparent and effective relationship with all public agencies in any future effort around the use and regulation of pesticides in California.

County Agricultural Commissioners are not only sensitive to the proximity and locations of schools as related to pesticide use, we work closely with growers, schools and others to ensure a safe and effective regulatory program in California. In fact, protection of schoolchildren is a high priority for us, and we are proud of the work we do in that regard. We urge you to review our request and hope that we might work together to improve the understanding of pesticide use and potential risks as we help shape the direction of public policy in the years to come.

Sincerely,



Stacy K. Carlsen
Marin County Agricultural Commissioner/Sealer
President, CACASA



Cathleen M. Fisher
Santa Barbara County
Agricultural Commissioner/Sealer
Chair, Pesticide Regulatory Affairs Committee

c. Matt Rodriguez, Secretary-Cal-EPA
Brian Leahy, Director-California Department of Pesticide Regulation

Agricultural Pesticide Use near Public Schools in California: CACASA Comments

In evaluating the draft report, CAC reviewers focused on six main areas: data analysis, pesticide use on school grounds, schools with no pesticide use within ¼ mile, DPR's Air Monitoring Program, fumigants, and school site selection.

DATA ANALYSIS

We first looked to the Executive Summary that lists two goals:

- “Improve the methodology for the ongoing surveillance of agricultural pesticides to understand use patterns and
- “Provide information that can be used to assess and inform policies to minimize potential pesticide exposures among children.”

As noted in the cover letter, DPH declined to provide the CACs with detailed data analyses for each county prior to completion of our draft report review. Since individual county data underpins DPH's overall findings, a county-by-county critique could have significantly improved the report's validity. It is unclear why CACs were not afforded the opportunity to examine how their county data was manipulated, since such a vetting process is part of standard procedure in scientific inquiry. Based on the limited information provided in the draft report, coupled with our own detailed knowledge of local pesticide use and school locations, we must conclude that the basic goals of the report were not met.

DPH should be credited with making some improvements in data accuracy based on input by DPR and the CACs (e.g., location of pesticide use); however, the overall product is by no means complete or accurate. The report employs flawed analyses, utilizing various methodologies. While information gleaned from this report may provide grounds for discussion and further study, it lacks substantive, reliable information upon which to base changes in policy or regulations. Even with complete data sets from all CACs, the data would only loosely correlate with pesticide exposure potentials due to the numerous variables involved with pesticide applications.

Pesticide use report data alone is not very useful in “minimizing potential pesticide exposures in children”. To provide information that can truly be used to “assess and inform policies”, specific studies, including data sets that might measure exposure potential to school children must be undertaken. Without such studies, DPR and CACs must continue to rely upon data focusing on specific exposure potentials to shape local and statewide regulatory policies.

Pesticide use data used in the report is already outdated and several new laws and regulations have been implemented since 2010 that have impacted pesticide use patterns and would significantly alter the results of this report.

While we acknowledge and appreciate the efforts of DPH staff, we must conclude that the report, as currently drafted, utilizes flawed methodology, lacks detailed information specific to pesticide use (type, amounts, timing and proximity of use to schools) and provides misleading information.

Recommendation: The CACs strongly urge this report be updated with current pesticide use data and reviewed, in a collaborative and transparent process with the different stakeholders, prior to any public release. DPH should also incorporate other existing data sets (air monitoring, illness reports,

etc.) into the report. Only with improved data and this kind of a process can the end results be meaningful and useful.

Specific comments:

The study uses two datasets to spatially refine the actual location of the pesticide application: GIS and Department of Water Resources (DWR) land use surveys. The GIS data was provided by 14 CACs. In 2010, Tulare County did not have GIS mapping capabilities. The report states, “The PUR enhancement and data linkage processes were successful” and “the vast majority of PUR records used in this study were captured at a very high spatial resolution.” The CACs assessments of the use of the two datasets in the report include:

1. The DWR methodology is a substantially less accurate dataset. DPH was informed of this by the CACs prior to the release of this draft.
2. Madera County recently compared their permit data/2010 field border shape file with the 2001 Madera DWR shape file for sites within ¼ mile of a school. The results of their comparison are listed below:
 - Only 40% of the crops shown on the Madera DWR layer were accurate in 2010.
 - Urbanization that has taken place in Madera County since 2001 has resulted in sites that are no longer under agricultural production. The DWR data identifies these sites as having crop production.
 - The DWR data crop codes do not match the PUR crop codes in several incidences. Crops that could not be identified by the DWR land surveyor were combined into one crop group. This generalization will lead to significant errors.
 - The homogenizing of PUR data over an entire square mile further compounds the errors.
 - Madera County listed the most current DWR Survey Year available for each county involved in the report that ranged from 1996 to 2008.
3. Since 2010, Tulare County has adopted a new GIS system.
 - Using only DWR data for Tulare County will result in the pesticide exposure estimate having a greater potential for overstating the amount of pesticides used near schools than did some of the other counties with which it is being compared. Table 1 in the report lists Tulare County as the #3 county for pesticide use by weight.
4. While the 19% for DWR data and 1% not being geographically refined may seem a small percentage overall, the potential for overstating the amount of pesticides used near a school will vary by county. Counties that had the highest amounts of pesticides applied by weight that were linked to schools with DWR data and no geographic refinement, such as Tulare County, would have results that would be biased and inaccurate. Other examples include Fresno County, listed as the No. 1 county for pounds of pesticides applied, having 12.9% of their PURs linked via DWR data.
5. During the review of the report, Tulare County ran a query by location:
 - 2,070 sites are at least partially located within the boundaries around each school.
 - Of the 2,070 sites, only 400 are completely within the quarter-mile boundary around each school.
 - The total pounds of pesticides listed in the DPH document for the remaining 1,670 sites should be included for only the portion of the site that is in the boundaries.
 - According to the DPH report, only 5,943 PURs were on file for these sites in 2010 with 33,636 pounds of pesticides.
 - Total pounds of pesticides used in Tulare County for the entire 2010 year for all sites were 11,147,223 pounds with 181,449 applications.

- According to the study, PURs for school buffer areas is 31.3% of our total reports for the 2010 year.
- It is actually .25% of total pounds applied (there were 23,277 total permit sites in Tulare County in 2010).
- From the current 2013 query, 8.9% of our total sites are within a quarter mile of a school.

The CACs disagree with the statement at the beginning of the data linkage section: “Data linkage process was successful and the vast majority of PUR’s were captured at a very high spatial resolution”. The report acknowledges the limitations of using DWR data, and states that, “erroneous attribution of pesticide applications to field location may vary by county.” The accuracy of the data is extremely important and these two related conclusions are in conflict.

Recommendation: The CACs recommend DPH use only CAC data sets and omit PUR records linked to schools via DWR data.

6. The report compiles pounds of pesticides in each of the six categories for each county versus each school within each county. This approach does not provide regulators or policy-makers any useful information.
 - In order for this data to be useful, it is vital for CACs to review data for each of the schools included in the report. It is difficult, if not impossible, to evaluate and consider what changes need to be made to the school data without having a chance to review it for accuracy. CACs sought individual county data to include in their reviews but DPH declined to provide it prior to the review deadline.

7. Stanislaus County officials in 2012 analyzed their own 2010 local data, policies and regulations in regards to pesticide applications to see how they matched with the DPH report.
 - There were a total of 13,049 pounds or 3.1 lbs./acre of agricultural pesticides applied within ¼ mile of 10 selected rural schools.
 - The six focus categories of pesticides that are of highest concern in the DPH study account for 1,273 pounds or 10% of the pesticides applied around the 10 rural schools.
 - These 1,273 pounds amount to .3 lbs./acre.
 - 285 pounds of pesticides in the six focus categories were applied during school hours, which represents only 2% of the total pesticides applied or .07 lbs./acre.
 - This detailed data reveals that there is a relatively low use of the pesticides of concern around schools in comparison to the total amount of pesticides applied.
 - This is an example of analysis needed, versus the DPH methodology that opted to total all pounds of material in each county.

8. The report assumes that pesticides are applied evenly across a field and does not consider mandatory buffer zones that prohibit use within a specified area, as well as time restrictions that prohibit the use of certain pesticides when schools are in session or when children are present. As a result, the report does not provide an accurate depiction of pesticide applications near schools in general, and fumigant applications in particular. The draft report’s failure to include permit conditions negates any benefit for regulators or policy makers who must assess the need for additional restrictions.

Recommendation: The CACs recommend the DPH integrate Restricted Materials Permit conditions and other local unique policies and practices that were provided by CAC's. The report should be amended to reflect these local conditions.

Kern County Multi-Year Study

In August, Kern County Department of Agriculture published "Multi-Year Study of Agricultural Chemical Use near Kern County Public Schools." (It is attached for DPH reference.) The report provided the following information:

- The Department analyzed a decade (2002-11) of permitting and chemical use around public schools in order to document trends over time.
- Mapping every permitted site in the county for the last 15 years has created a robust spatial database of more than 200,000 individual crop locations.
- The total number of schools in Kern County increased by 6%. However, schools impacted by commercial agriculture decreased by 6% in the same period.
- Between 2002 and 2011, growers farmed on fewer sites and fewer acres. They applied smaller quantities of pesticides in general and far fewer pounds of restricted materials and fumigants to sites around schools. This was due to urbanization of farmland, resulting in a transition to more permanent crops near schools, less restricted material use, and more use of less toxic materials.
- GIS mapping software enables counties to identify fields adjacent to sensitive sites and to notify the growers of the permit conditions that apply.

Recommendation: The CACs recommend the DPH report include Kern County's study results that reveal trends of pesticide use around schools. The Kern research also presents an example of how a highly sophisticated mapping database may assist in accurately assessing pesticide use.

SCHOOLS WITH NO USE OF PESTICIDES

- The study indicates in the Executive Summary "The majority of the schools in this study (64%) did not have any pesticides of public health concern applied within ¼ mile."

Some 1,607 out of the 2,511 schools involved with the study did not have any pesticides of concern applied within ¼ mile, although DPH methodology and data, as described above, could be expected to overstate the number of schools adjacent to pesticide applications. Unfortunately, the report offers no further elaboration on schools with no adjacent pesticide use or any insight into agricultural practices or school siting factors that might be valuable to regulators and policy-makers. However, it is reasonable to expect that current regulations and restrictions for pesticides applied near schools must have played some role in a desirable outcome involving two-thirds of the schools selected by DPH.

As described in Appendix A, California's pesticide regulatory program includes the restricted material permitting process, training and certification requirements for applicators, permit conditions, enforcement authority and continual outreach and educational opportunities provided by the CACs. The regulatory system takes special precautions for sensitive populations. In the case of pesticide applications near schools, permit conditions commonly call for establishment of buffer zones, restricting the timing of the application, notification requirements and monitoring the applications.

Buffer Zones

Use of buffer zones is widely viewed as a pro-active health protection for children at schools in agricultural areas by creating additional level of safety. Buffer zones can restrict, or even prohibit, the use of certain materials and application methods within the designated area. The size of the buffer zone may vary greatly, depending on the type of material, timing of application, how it is applied, weather conditions and pesticide labels. Buffer zones vary in size for many reasons; some are relatively small while others may range up to a mile.

Some counties have developed buffer policies and ordinances that require new development projects to have a buffer setback for projects on non-agricultural parcels adjacent to farmland. For example, Santa Barbara County recently passed a buffer ordinance that establishes different buffer widths depending on the type of development and the farming operation. The ordinance requires the development to provide a setback which will require new buildings be constructed up to 400 feet away from the farming operation.

Timing of Pesticide Applications

Additional restrictions with buffer zones involve timing of the application. The majority of the 15 CACs prohibit the application of certain pesticides when “school is in session” or “scheduled to be in session.” Some CACs also prohibit the use of certain pesticides “during school sponsored activities when children are present.” This would include afterschool activities such as sports events. The application method also is considered when restricting the timing of the application, such as aerial applications versus ground applications. Additionally, most pesticide applications occur during the summer when schools are not in session. The draft report acknowledges that it did not take application timing restrictions into account. Without considering the timing of application, this report inaccurately portrays populations and potential student exposures.

Notification

Some CACs require a 24- to 48-hour notification from the property operator before the application occurs, regardless of whether the material is restricted or not. This notification allows CAC staff the opportunity to conduct a pre-site inspection to determine if any additional restrictions are needed or whether the application should be allowed. Other CACs require applications to be monitored by their staff and have school notification requirements in place. Some growers have voluntary agreements with schools to contact them about pending applications.

New Label Restrictions

In 2012, new fumigant labels were issued and now include an application restriction that prohibits the use of specific fumigants within 1/8 or ¼ mile of a site that is difficult to evacuate. This restriction applies to schools, and the distance depends on the size of the pesticide buffer calculated. For example, no fumigant application with a buffer zone greater than 300 feet is permitted within ¼ mile of a school, unless the site is not occupied by children during the application and for a 36-hour period after the application ends. No fumigant application with a buffer zone of 300 feet or less is permitted within 1/8 mile of a school unless the site is not occupied by children during the application and for 36 hours after the application ends. Since that new label restriction was not in effect in 2010, it will significantly reduce the amount of fumigants applied within ¼ mile of a school in comparison to the report’s estimates.

Recommendation: The CACs recommend the DPH review and evaluate the reasons why 64% of the schools included in the DPH’s review did not have any pesticide use of public health concern. That review would reveal policies and practices that have influenced pesticide use patterns near schools.

The CACs also recommend updating information and data to reevaluate the number of schools without nearby pesticide use. Recent regulatory changes should significantly increase the number of schools with no pesticide use nearby; those changes also will reduce the amount of pesticides used near other schools.

“Time of Application and Pathways of Exposure”

- The DPH report provides commentary in the section titled “Time of Application and Pathways of Exposure” on page 13. The report acknowledges the use of permit restrictions, and presumed value thereof; however, DPH does not include them in the report.
 - The report dismisses restrictions for timing of applications and assumes applications that occur when children are not present may drift to school property.

This statement is misleading, inaccurate and presumes that pesticides may cause exposure when school is not in session.

- The study states there are implications of chronic exposure and chronic health concerns based on the possibility of drift from applications that occur when school is not in session and from the persistence of the pesticides in the soil.

There is no data or documentation in the report to support this presumptive statement about movement onto school grounds when children are not present. In fact, this statement is contradicted by a previous DPH school bio monitoring study in 2000 (see below.)

Recommendation: Since the report clearly states that it is not intended to reflect exposure risk, the CACs recommend that statements suggesting potential pathways of exposure be deleted.

Imperial County Pilot Study

In 2000, DPH conducted a pilot study of pesticide concentrations in soil at schools in Imperial County. The goal was to assess whether the collection and analysis of soil from schoolyards was a feasible method to study the relationship between agricultural pesticide use and potential exposure to children.

- The Executive Summary states that 20 pesticides considered for the study were used near schools and identified two schools with the highest agricultural activity nearby.
- Eight soil samples were collect at 100 feet from the school fence line nearest to the agricultural fields.
- The study also included a comparison school with much less agricultural activity nearby. Four samples were collected at the fence line at the comparison school.
- Only 13 of the 20 pesticides could be analyzed with available methodology.
- Of these, eight were not detected in any sample.
- The pilot study states the absence of detections of the eight compounds is consistent with the estimated short environmental fate of most of these compounds. It concluded that there was no need for further study of soil at schools in Imperial Valley.
- Some of the compounds that could not be detected in the 2000 pilot study are in the 2010 DPH study, such as chlorpyrifos and malathion.
- The other five compounds that were detected were “reliably measured and detected at low part per billion (ppb) levels in soil.” One of the compounds is diazinon.
- The pilot study concludes, “The levels detected are low and considered safe for children to contact.”

- The pilot study also recommends future exposure or soil studies should include environmental fate information and may be “warranted” at “sensitive” receptors, such as schools.
- Such studies would assist in determining whether there is a relationship between agricultural use and potential pesticide exposure to children.

The DPH draft report makes no reference to these prior DPH findings. It is not apparent that DPH has pursued additional studies since the 2000 Imperial study. Finally, the draft report provides no additional data to support its reference to risks of chronic exposure and chronic health concerns related to persistence of pesticides in soil around schools.

Recommendation: The CACs recommend DPH work in conjunction with DPR and CACs to consider future studies similar to the project in Imperial County to evaluate chronic exposure risk associated with schools. We further recommend that DPH reference this study in the document and provide it in its entirety in the appendix.

FUMIGANTS

- Several tables in the report prominently feature pounds of fumigants used.

The pounds reported for each pesticide category within ¼ mile from schools are influenced heavily by fumigant use. Including fumigants use with other pesticides in the different table categories is inappropriate and misleading. At least one fumigant is included in each of the six categories. Where use of any pesticide category is high, it is most influenced by the use of fumigants. The application of fumigants is substantially different from non-fumigants; comparing them to other pesticides without substantial explanation is misleading and does not help guide policy decisions. The use of the 190+ non-fumigant pesticides is dwarfed by the fumigants, since fumigants are injected into soil at rates that range from 10-100 times the weight of non-fumigant pesticides. This is another example of why “pounds” of pesticides used (as an isolated statistic) is a poor measure of risk.

The data for fumigants use near schools in 2010 is outdated; new fumigant labels that took effect in December 2012 have substantially changed use patterns. The new fumigant labels prohibit the use of a specific fumigant (chloropicrin, methyl bromide, metam-sodium and potassium n-methyldithiocarbamate) at a site within 1/8 or ¼ mile of a difficult to evaluate site. This restriction clearly applies to schools, and the distance (1/8 or ¼ mile) required depends on the size of buffer calculated.

- No fumigant application with a buffer zone greater than 300 feet is permitted within ¼ mile (1,320 feet) of difficult to evacuate sites unless the site is not occupied by children from state-licensed day care centers, students (pre-K to grade 12), patients, or prisoners during the application and the 36-hour period following the end of the application.
- No fumigant application with a buffer zone of 300 feet or less is permitted within 1/8 mile (660 feet) of difficult to evacuate sites unless the site is not occupied by children from state-licensed day care centers, students (pre-K to grade 12), patients, or prisoners during the application and the 36 hour period following the end of the application.

The report should include a comparison table that adjusts the pounds of pesticides used in all categories, other than cholinesterase inhibitors, based on the above restriction. This discussion should also be included in each pesticide category section. Example of a comparison table is below:

Table Comparing Total and Estimated Adjusted Pounds Due to New Fumigant Labels

Pesticide Category	Total lbs. applied within ¼ mile of all schools in the 15 counties	Adjusted for new fumigant labels: 50% not applied within ¼ mile (<300 ft. buffer)	Adjusted for new fumigant labels: 100% not applied within ¼ mile (>300 ft. buffer)
Carcinogens	228,019	199,489	170,958
Reproductive & Developmental	149,279	78,189	7,098
Cholinesterase Inhibitors	37,455	37,455	37,455
Toxic Air Contaminants	454,202	307,973	161,744
Fumigants	428,835	282,606	136,377
Priority Pesticides for Assessment & Monitoring	523,566	377,337	231,108
Total for all Pesticides	538,912*		

*Some chemicals are in multiple categories and were not double-counted so the sum of the total does not match up.

Because the pesticide use analysis in the DPH report is based on the application locations, and the buffer zones were unknown, we estimated the adjustment of total pounds based on one half of the applications having a buffer zone of greater than 300 feet. The report should also include a statement that has a minimum 1/8 mile restriction regardless of the buffer zone distance.

Recommendation: The CACs recommend that a chart be included in the report showing projected fumigant use adjacent to schools under the recent changes in regulations. The report should also make reference to the minimum 1/8 mile and ¼ mile restriction for fumigant use near schools, regardless of the buffer zone distance.

The largest use of pesticides (by weight alone, not number or frequency of applications) applied near a school is likely to be associated with fumigant use. The review will likely change the findings results substantially since the label restrictions on certain fumigants were added in 2012.

Pesticide Category	Largest poundage of pesticides applied near a school without fumigants
Carcinogens	18,082
Reproductive and Developmental	18,082
Cholinesterase Inhibitors	1,345
Toxic Air Contaminants	28,448
Fumigants	27,038
Priority Pesticides for Assessment and Monitoring	28,920

Total Pesticides	538,912*
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*Some chemicals are in multiple categories and were not double-counted so the sum of the total does not match up.

Several commodities grown in the central coast counties rely on the use of fumigants to sterilize the soil prior to planting. Many of the counties listed in the pesticide category tables within the report are ranked higher than others because of the inclusion of fumigants. Nearly 80% (428,835 of 538,912 total pounds) of all use in your report is for fumigants. It will undoubtedly be confusing to readers who attempt to interpret this document. This disparity with fumigants vs. non-fumigants is misleading and misrepresents use in those counties. The new label restrictions will not only reduce the amount of pounds of fumigants being applied within ¼ mile of a school but will more accurately describe use in those counties.

Fumigants are applied to the soil under tarps prior to planting. As such, the risks are very different from non-fumigants. Additionally, new tarps have been developed and employed that are “totally impermeable”; use of these tarps have proven to be very effective in reducing offsite movement and associated risks.

Recommendation: The CACs recommend DPH separate the fumigants from the other five categories and/or create subcategories of fumigants and non-fumigants. This will provide much more accurate and useful information for policy discussions, related to fumigants versus the non-fumigant pesticide use near schools.

The report includes zinc phosphide as a fumigant; this is incorrect. Zinc phosphide is a dry material that is formulated into rodent bait and is used for control of a variety of different rodents. It is a restricted material and is sometimes used by pest control applicators to control gophers on school grounds (mostly in turf), by applying it underground.

Recommendation: The CACs recommend removing zinc phosphide from the fumigant amounts and to contact the CACs for additional information about the material.

DPR AIR MONITORING PROGRAM

The report includes some general information about DPR’s Air Monitoring Network Program at the end of an “Introduction” section. It devotes only two sentences to monitoring data from 2011, although the findings appear to be significant. (“Of 5,676 analyses produced from February to December 2011, only 3% (173) contained quantifiable concentrations. Overall, the results from the three sites found a low health risk to people in the monitored communities.”) Despite an emphasis on fumigants, the report fails to make any reference to ongoing DPR air monitoring at a school in Watsonville, a fumigant high-use area in Santa Cruz County. Monitoring began there in 2011; DPR recently updated monitoring results for 2012 and reported detections that were far below regulatory screening levels for acute, sub-chronic, and chronic exposure. (Screening levels are set well below the levels at which regulatory action would be required.) See the attached DPR documents

- Methyl bromide monitoring for one day at the Watsonville school found the highest concentration to be 140 times below the screening level (210 ppb).
- Monitoring for four weeks found a highest concentration more than five times below the screening level (5ppb).

- Monitoring for one year found the highest concentration to be seven times below the screening level of 1 part per billion (ppb).

Other DPR air monitoring results for 2012 are equally significant. In July, DPR reported results from a second year of monitoring in three communities that were selected based on agricultural use and demographics, including the percentage of children, the elderly, and farmworkers in local populations. Among DPR's findings:

- Some 94% of 6,002 analyses involving 33 pesticides and five breakdown products resulted in no detectable concentrations.
- All measured pesticide air concentrations in 2012 were less than DPR regulatory target or screening levels.
- Of the 33 pesticides and five breakdown products monitored, 14 could not be detected at all and 13 were detected only at trace levels.

The report should use DPR's Air Monitoring Network latest data in the "Discussion" section since it is based on monitoring sites in three high-use areas of California where children are a significant demographic factor. Since fumigants are the primary pesticides influencing the outcome of data, this monitoring data is critical to the DPH report's discussion and findings.

Recommendation: CACs recommend describing the Air Monitoring Program in detail and including the high value of its data. The data from this study is substantially more valuable for, and directly applicable to, defining exposure risk than pesticide use data alone.

- The DPR established its air program monitors pesticides in rural agricultural communities including areas near schools. DPR compares measured ambient air concentrations to human health screening levels to determine what, if any, action to take.
- The health screening levels for monitored pesticides were developed by the California Office of Environmental Health Hazard Assessment (OEHHA).
- The results of the air monitoring are shared with other government agencies, the public and a Scientific Review Panel.
- The air monitoring program is a scientifically sound program that actually determines the risk for human exposure by what is detected. It is the first monitoring program of its kind in the nation and has been recognized by California Air Resources Board representatives for the quality of its work.

Recommendation: The CACs recommend that DPH contribute additional resources for DPR air monitoring expansion, including representative sampling throughout California.

PESTICIDE USE ON SCHOOL PROPERTY

- The DPH report acknowledges "the use of pesticides in schools is of potential public health concern; the lack of data makes it difficult to conduct a comprehensive and meaningful analysis."

The DPH report does not take into consideration all other (nearby) pesticide use that would include home use, non-agricultural and industrial.

The Healthy Schools Act of 2000 (Assembly Bill 2260) put into place right-to-know requirements such as notification, posting, and recordkeeping for pesticides used at public schools and public child day care facilities. The legislation also put into law DPR's existing School IPM Program and requirements for reporting pesticide use. The Healthy Schools Act (HSA) was amended in 2005 to prohibit the use of certain pesticides at schools and public child day care facilities.

Public K-12 schools and both public and private child day care facilities are subject to the Healthy Schools Act (HSA). Under the HSA, each school or child day care facility must keep records of almost all pesticide applications for four years. Some pesticide applications are exempt from the record-keeping requirement under the law. Applications made by school or child day care facility personnel do not need to be reported to the county agricultural commissioner, except when a restricted-use pesticide is used (as defined in California Code of Regulations § 6400). Only a person holding either a qualified applicator certificate or a qualified applicator license may apply restricted-use materials. That person must report the use of restricted-use pesticides to the county agricultural commissioner each month. The law also requires licensed pest control businesses hired by a school or child day care facility to keep records of pesticide use and report that use to DPR. This requirement is intended for commercial applicators and is in addition to the pesticide use report applicators already submit to the county agricultural commissioner.

The HSA already requires substantial recordkeeping for applications that occur on school grounds. The number of applications that are applied by school personnel would be minimal compared to the applications by certified applicators. Applications that take place on school grounds would potentially create more exposure risk to schoolchildren than applications beyond school boundaries. The CACs urge DPH to support a study to evaluate pesticide applications that create more direct exposure risks to schoolchildren. The HSA has been in place for 13 years and requires sufficient record keeping supporting a study.

A 2012 Stanislaus CAC study looked at 2010 data of all pesticides applied within $\frac{1}{4}$ of a school including pesticides applied on school grounds. Even though they were only able to obtain data for Pest Control Operator (PCO), applied pesticides, the total pounds applied on school grounds, 4,322 pounds represented 25% of all pesticides applied within $\frac{1}{4}$ mile of the school in the DPH report.

Recommendation: The CACs recommend DPH pursue resources to collaborate with DPR and the CACs to study pesticide applications on school sites. Such a study may help quantify actual exposure risks and thus inform the need for mandatory reporting for all pesticide use in schools.

SCHOOL SITE SELECTION

The California Department of Education has developed a School Site Selection Guide to help school districts decide upon the best location for a new school.

When a school district decides to select a new school site, two basic questions must be addressed: (1) who will be responsible for the school site selection process? (2) What criteria will be considered in selecting the site? The guide contains information that school districts can use to answer those questions.

School site selection is affected by many factors, including health and safety, location, size, and cost. Those persons responsible for the school site selection will have to evaluate both the present characteristics and the possible future characteristics of a site and its surrounding property.

To help focus and manage the site selection process, the Department of Education developed screening and ranking procedures. The procedures were created on the basis of the following criteria, which are listed in the general order of importance:

1. Safety
2. Location
3. Environment
4. Soils
5. Topography
6. Size and Shape
7. Accessibility
8. Public Services
9. Utilities
10. Cost
11. Availability
12. Public Acceptance

Safety is the first consideration in the selection of school sites. Certain health and safety requirements are governed by state regulations and the policies of the Department. The presence of potentially toxic or hazardous substances on or in the vicinity of a prospective school site is another concern relating to the safety of students, staff, and the public. Persons responsible for site evaluation should give special consideration to the following hazards:

1. Landfill areas on or adjacent to the site
2. Proximity of the site to current or former dump areas, chemical plants, oil fields,
3. Refineries, fuel storage facilities, nuclear generating plants, abandoned farms and dairies, **and agricultural areas where pesticides and fertilizer have been heavily used**
4. Naturally occurring hazardous materials, such as asbestos, oil, and gas.

The CACs would like to point out that the current “Site Selection Guidelines” do not include CACs involvement with the site selection process. CACs could serve as a valuable resource for school districts by providing information about the adjacent farming operation and pesticide applications. The Safety Criteria mentions “agricultural areas where pesticides and fertilizer have been heavily used” are to be considered but this criteria seems to be overlooked based upon the siting of current schools located adjacent to farming operations; which has triggered the need for the DPH to conduct a study and CACs to develop permit conditions.

School districts need to be mandated to involve CACs with the school site selection when it involves sites that are adjacent to agricultural operations. The DPH report could be used as a mechanism to develop

sound policies to regulate school site selection, resulting in effective changes that would protect student health and safety in agricultural communities, but only if it is a scientifically sound study.

Recommendation: The CACs urge DPH to revise the current report as written and take into consideration the concerns and recommendations provided in this review document.

Additional Recommendations:

The CACs recommend DPH consult with the individual county public health directors prior to the study's public release.

Each county public health officer should be afforded the opportunity to provide DPH with specific input on his or her relative priorities in regard to childhood health. They can advise DPH on studies they deem useful and necessary and assist with development of methodology. Typically, a health study identifies a problem first and then initiates research to identify sources or contributing. The "Agricultural Pesticide Use near Public Schools in California" report takes the opposite approach by collecting data first and then attempting to link it to a problem.

DRAFT

RESOLUTION NO. 16-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY DEFINING ITS ROLE IN PESTICIDE CONTROL, AS IT PERTAINS TO SUPPORTING THE ESTABLISHMENT OF A QUARTER-MILE BUFFER ZONE FOR RESTRICTED MATERIAL PESTICIDE APPLICATIONS AROUND SCHOOLS AND OTHER SITES WHERE CHILDREN AND FAMILIES LIVE, LEARN, AND PLAY, AS REQUESTED BY EL QUINTO SOL DE AMERICA.

At a regularly scheduled meeting of the City Council of the City of Lindsay, held June 28, 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, the City of Lindsay considers El Quinto Sol de America a valued partner in encouraging community members to become engaged in the decision-making process and in providing a voice to those who often remain silent; and

WHEREAS, El Quinto Sol de America and their supporters made presentations to the Lindsay City Council at regularly scheduled meetings held on May 24 and June 14, 2016 seeking Council support in the “establishment of a ¼ mile buffer (protection) zone “from all restricted material pesticide applications around schools and other sites where children and families live, learn, and play”; and

WHEREAS, the City Council of the City of Lindsay did hold a public meeting before said Council on June 28, 2016; and

WHEREAS, an investigation was conducted to determine the City’s authority to support such a regulation and the effectiveness of said support; and

WHEREAS, it was determined that pesticides are exclusively regulated by the United States Environmental Protection Agency and the California Department of Pesticide Regulation; and

WHEREAS, the California Department of Pesticide Regulation directs and oversees the County Agricultural Commissioners who carry out and enforce pesticide and environmental laws and regulations locally.

NOW, THEREFORE, BE IT RESOLVED, that the City has determined that it has no jurisdictional or regulatory authority regarding the application of pesticides and further, lacks the expertise to determine pesticide hazards or effectiveness.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the California Department of Pesticide Regulation is the only regulatory agency of pesticides for the City of Lindsay and Tulare County, outside of the Federal Government and is an acknowledged authority in the field of pesticide control.

BE IT FURTHER RESOLVED, that the California Department of Pesticide Regulation invites public participation in its decision making and provides a website link for “Decisions Pending and Opportunities for Public Participation” (http://www.cdpr.ca.gov/docs/dept/quicklinks/com_opts.htm),

which includes a calendar and meeting notices, agendas, and minutes for the Agricultural Pest Control Advisory Committee, the Pest Management Advisory Committee and the Pesticide Registration and Evaluation Committee.

BE IT FURTHER RESOLVED, that the City of Lindsay feels that any fruitful, evidence-based dialogs to modify the control of pesticides should begin with the California Department of Pesticide Regulation.

BE IT FURTHER RESOLVED, that the City of Lindsay feels that an evidence-based dialog between El Quinto Sol de America and the California Department of Pesticide Regulation would be much more productive than petitions or municipal support.

THEREFORE BE IT FURTHER RESOLVED, that the City of Lindsay, desiring to keep all of its residents safe, and especially children, supports El Quinto Sol de America's efforts in promoting pesticide awareness and encourages El Quinto Sol de America to engage in a dialog with the California Department of Pesticide Regulation.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Lindsay this 28th day of June, 2016.

CITY COUNCIL OF THE CITY OF LINDSAY

Ramona Villarreal-Padilla, Mayor

ATTEST:

Carmela Wilson, City Clerk

**HEALTHY KIDS ZONE
TULARE COUNTY PROTECTIONS ZONE CAMPAIGN**



Yes! Our organization supports the establishment of Healthy Kids Zones around homes, schools, day cares, hospitals and all sensitive sites in Tulare County to protect the health of our children, families and communities from the dangers of restricted material pesticides.

Name of organization: _____

Contact person: _____

Position/Title: _____

Address: _____

City: _____ County: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____ Web site: _____

Signature: _____

Feel free to list my name/organization's name as a campaign supporter in outreach materials Yes, that's fine No, please don't use our name publicly

I and/or my organization can help the Tulare County Healthy Kids Zone Campaign by:

- Helping to get people to come to events
- Arranging a meeting where campaign staff can educate our staff/constituents about pesticide drift
- Attending meetings with public officials
- Speaking to the media
- Other _____

Please sign this form and return it by email or regular mail to:
 El Quinto Sol de America, Att. Angel Garcia
 115 N. Elmwood Ave., Lindsay, CA. 93247 • Phone: 559-562-3060
 www.elquintosoldeamerica.org • angel@elquintosoldeamerica.org



DATE : July 12, 2016
TO : Mayor Padilla and City Council Members
FROM : Michael Camarena, City Services Director
RE : Second Reading and Adoption of Ordinance 554, an Ordinance of the City of Lindsay adding Title 14 to the Lindsay Municipal Code regarding City Parks and Recreation Areas

SUMMARY

Staff requests Council approval of the Second Reading & Adoption of Ordinance 554 an Ordinance of the City of Lindsay adding Title 14 to the Lindsay Municipal Code regarding City Parks and Recreation Areas.

Staff presented this item on June 28, 2016 as the First reading of the draft ordinance.

RECOMMENDED ACTION:

Request approval of the Second Reading & Adoption of Ordinance 554.

ATTACHMENTS:

1. City Parks and Recreation Areas Ordinance
2. Attachment A, Park Reservation Fee Schedule

ORDINANCE 554

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY ADDING TITLE 14 TO THE LINDSAY MUNICIPAL CODE REGARDING PARKS & RECREATION AREAS.

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

**City of Lindsay
Title 14
CITY PARKS AND RECREATION AREAS**

Chapter 1. Closure During Designated Hours

Chapter 2. Prohibiting Alcoholic Beverages

Chapter 3. Conduct in City Parks and Recreation Areas.

**City of Lindsay
Title 14
CITY PARKS AND RECREATION AREAS**

Chapter 1. Closure During Designated Hours

Section:

- 14.01.010 Closure of city park and recreation areas
- 14.01.020 Exemptions
- 14.01.030 City council exemption of entire park or recreation facility
- 14.01.040 Signs identifying hours of closure
- 14.01.050 Penalty

Chapter 2. Prohibiting Alcoholic Beverages

Section:

- 14.02.010 Purpose.
- 14.02.020 Possession and consumption of alcoholic beverages on city-owned parks and recreation areas prohibited.
- 14.02.030 Definitions.
- 14.02.040 Warning signs posted.
- 14.02.050 Exceptions.
- 14.02.060 Penalties for violations.
- 14.02.070 Severability.

Chapter 3. Conduct in City Parks and Recreation Areas

Section:

- 14.03.010 Purpose.
- 14.03.020 Definitions.
- 14.03.030 Operation of vehicles in parks.
- 14.03.040 Damaging or defacing park property prohibited.
- 14.03.050 Animals in city parks.
- 14.03.060 Golfing prohibited.
- 14.03.070 Hazardous games prohibited.
- 14.03.080 Glass containers prohibited.
- 14.03.090 Loud music/amplified sound prohibited.
- 14.03.100 Generators and small engines prohibited.
- 14.03.110 Commercial activities prohibited.
- 14.03.120 Left Blank (for Future Use).
- 14.03.130 Prohibition of carts in park facilities.
- 14.03.140 Removal from parks.

- 14.03.150 Suspension from parks for disorderly conduct.
- 14.03.160 Penalty.
- 14.03.170 Severability.

Chapter 1. Closure During Designated Hours

14.01.010 Closure of city park and recreation areas.

It is unlawful for any person to remain in every public park or recreation area (except as noted in Section 14.01.020) located within the city which is owned by and/or operated and maintained by the city, between the hours of ten p.m. to and through seven a.m. of the following day.

14.01.020 Exemptions.

A. Section 14.01.010 shall not apply to any person in a public park or recreation area when such a person is participating in an activity which is either sponsored or co-sponsored by a public entity, or is carrying on such activity pursuant to a valid permit or license issued by the city. Said Section 14.01.010 shall further not apply to any peace officer or other duly authorized public employee acting within the course and scope of his/her employment.

14.01.030 City council exemption of entire park or recreation facility.

The city council of the city may, by approval, determine to exempt one or more public park or recreation facilities from the provisions of this article for a designated period of time or indefinitely. Said action shall be taken only after receipt of a recommendation for such action from the city council.

14.01.040 Signs identifying hours of closure.

Each park and/or recreation area subject to closure during specified hours pursuant to this article shall be properly and appropriately posted. Signs setting forth the hour and time of closure and reopening of the facility as provided in this article shall be posted at every entrance way to said facility. Said signs shall be not less than one square foot in area and shall contain lettering, not less than one-half inch in height, identifying the hours during which the facility shall be closed, and further advising the public that entry to the facility or remaining on the facilities' grounds between the designated hours is a violation of law. In the event that there are no natural or manmade barriers which prohibit access to or entry upon a park or recreation facility subject to this article, signs shall also be posted at intervals of every three hundred (300) feet along the perimeter of the facility accessible to the public.

14.01.050 Penalty.

Any person violating the provisions of this article shall be guilty of a misdemeanor and subject to the penalties set forth in Section 14.03.160.

Chapter 2. Prohibiting Alcoholic Beverages

14.02.010 Purpose.

A. The purpose of this article is to prohibit the possession and consumption of all alcoholic beverages in all city parks and recreation areas except in specially designated city parks with a permit.

B. Police officers responding to all calls for assistance at city parks and recreation areas have frequently encountered intoxicated and on some occasions, belligerent individuals and groups. The consumption of alcoholic beverage often makes control of such situations, which are already tense, very difficult. In addition, the excessive consumption of alcoholic beverage in and of itself often results in the need for law enforcement intervention. This results in increased costs to the city, impedes criminal investigations, and reflects negatively on the good image of the city.

C. The purpose of this article is, therefore, to:

1. Minimize community exposure to certain negative behavior and incidents that are associated with the consumption of alcoholic beverages;
2. Reduce the expenditure of time spent by law enforcement officers dealing with the aforementioned type of issues; and
3. To maintain an environment which is conducive to, and reflects the community commitment to a safe and healthy public environment.

14.02.020 Possession and consumption of alcoholic beverages on city-owned parks and recreation areas prohibited.

It is unlawful for any person to possess and/or consume any alcoholic beverage within the boundaries of every public park/recreation area located within the city, which is owned, operated, and/or maintained by the city.

14.02.030 Definitions.

"Alcoholic beverages" as used herein means and includes alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

For the purposes of this article, "public park/recreation area" means all parks/recreation areas used by the public within the boundaries of the city limits of the city, and which are owned, operated and/or maintained by the city.

14.02.020 Warning signs posted.

The park or recreation area shall be clearly posted with a warning sign at all common entry points, and a sign shall be posted every three hundred (300) feet when a park or recreation area's boundary is adjacent to a public street. Signs posted at parks or recreation areas shall state the following:

"Possession and/or consumption of any alcoholic beverage without a permit is prohibited by City Ordinance Section 14.02.020."

14.02.050 Exceptions.

A person may be exempt from this article if the following is applicable:

A. The person has reserved through the city services department, a group picnic or special event site at Centennial Park (including the north extension of the Park), Harvard Park, Sweet Brier Plaza or Kaku Park.

B. The person or group is in possession of a valid permit.

1. A person (group/activity representative) must have applied for, been granted and be in possession of a permit to possess alcoholic beverages from the planning department of the city.
2. A permit will only be granted in conjunction with the reservation of a group picnic or special event area at the aforementioned community park.
3. The permit must be presented to any city employee or police officer upon request. Such permit shall state the designated park and specific group/activity area reserved for the permit. The person who has applied for and is in possession of such permit, shall be responsible for notifying those persons in the group/activity of such boundaries and restrictions associated with the permit. The permit shall expire at ten p.m. on the date specified for its use. The exemption, under this provision, will remain in effect up to one-half hour, thirty (30) minutes, after the sanctioned event has concluded.
4. The planning department shall establish reasonable rules and regulations for the application, issuance and processing of such permit and the terms and conditions applicable to the permit to allow possession and consumption of alcoholic beverages in the aforementioned parks.

C. Exempted Facilities. Facilities, which have controlled access and/or are physically separated from the remainder of a city park/recreation area by a common barrier or fence, and provided such facilities are being utilized for their intended purposes (i.e. golf course, sports complex, etc.) are exempted from this prohibition of no possession or consumption of alcoholic beverages.

14.02.060 Penalties for violations.

Any person, violating any of the provisions of this article, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars (\$1,000.00) or by the imprisonment in the County of Tulare jail for not more than six months, or both such fine and imprisonment. The city attorney or his/her designee will have the discretion to reduce said violation to an infraction. The penalty for an infraction shall be a fine of a maximum of two hundred fifty dollars (\$250.00) per violation.

14.02.070 Severability.

The city council declares that it would have passed this chapter sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that the provisions of this chapter are severable and, if for any reason any sentence, paragraph, or section of this chapter shall be held invalid, such decision shall not affect the validity of the remaining parts of this chapter.

Chapter 3. Conduct in City Parks and Recreation Areas

14.03.010 Purpose.

A. The purpose of this article is to maximize the community enjoyment of city owned and/or operated park and recreation areas and to prohibit activities and behavior which interfere with this objective to the detriment of the public health, welfare and safety.

B. This article shall apply to conduct in public park/recreation areas and be enforceable notwithstanding the exceptions provided.

14.03.020 Definitions.

The following words, phrases and terms as used in this article shall have the following meanings:

1. "Commercial Activities" means the conduct of a business, profession, trade, occupation and all and every kind of calling carried on with or without the intent of making a profit.
2. "Public Park/Recreation Area" means all parks/recreation areas used by the public within the boundaries of the city limits of the city, and which are owned, operated and/or maintained by the city, including city-owned golf courses and designated greenbelt and open space areas.
3. "Sound Amplifying Equipment" means any machine or device for the amplification of the human voice, music, or any other sound, or by which the human voice, music, or any other sound is amplified. Sound amplifying equipment shall exclude vehicle radios and stereo equipment when used and heard only by the occupants of the vehicle in which same is installed. Sound amplifying equipment shall exclude devices on authorized emergency vehicles or other warning devices on any vehicle used only for traffic safety purposes.

14.03.030 Operation of vehicles in parks.

A. Except as permitted by the city services director, or designee, it is unlawful for any person, other than when engaged in the performance of duties as a city employee, to drive or park any motor vehicle in or upon any public park/ recreation area, golf course, greenbelt, or other open space area owned by the city except for those areas specifically designated for vehicular traffic.

B. This rule shall not apply to parks, maintenance, or emergency vehicles or when specifically authorized for the delivery of goods or materials.

C. Any person violating the provisions of this article shall be guilty of a misdemeanor and subject to the penalties set forth in Section 14.03.160.

14.03.040 Damaging or defacing park property prohibited.

It is unlawful for any person to destroy, mutilate, damage or deface any property, including but not limited to, a structure, monument, statue, vase, fountain, wall, fence, railing, bench, shrub, tree, fern, plant flower, lighting system or sprinkling system owned or used by the city as a public park/recreation area.

14.03.050 Animals in city parks.

A. It is unlawful for any person to bring, have, allow or free any animal within the perimeter of any public park/recreation area, including but not limited to, any horse, fowl, bovine or other domestic animal, or any reptile or other wild animal except:

1. When prior approval has been given by the city services director, or designee;
2. When authorized in designated off-leash dog areas;
3. When dogs or other permitted animals are restrained by leash or similar device; and
3. Law enforcement dogs.

B. It is unlawful in any manner to tease, annoy, disturb, molest, catch, injure or kill, throw any stone or missile of any kind at or strike with any stick or weapon, any animal, bird, or fowl in any public park/recreation area.

14.03.060 Golfing prohibited.

It is unlawful for any person to play, practice, putt or otherwise engage in the game of golf within the confines of any public park/recreation area, except for those park/recreation areas specifically designated by the city services director as a "golf course."

14.03.070 Hazardous games prohibited.

It shall be unlawful for any person to play or engage in model airplane flying, including drones, radio controlled or the use of any other power driven or noise producing hobby or recreational device, archery, paintball, air gun, sling shot, hardball or any similar games of a hazardous nature in public park/recreation areas, except at such places and times as shall be specifically established by the city services director, or designee.

14.03.080 Glass containers prohibited.

It shall be unlawful to possess any beverage container made of glass in any public park/recreation area or to bring, carry, or transport any beverage container made of glass into any public park/recreation area.

14.03.090 Loud music/amplified sound prohibited.

A. It is unlawful for any person to emit from their vehicle, stereo, tape deck, CD player, boom box or other device music or noise which exceeds sixty (60) decibels at fifty (50) feet and/or interferes with other uses in any public park/recreation area unless an amplified music permit has been issued by the city services director, or designee, for a special event.

B. It is unlawful for any person to use, operate any loudspeaker or sound amplifying equipment in fixed or moveable position for the purposes of giving instructions, directions, talks, addresses, or lectures or for transmitting music to any persons or assemblages of persons, in or upon any public park/recreation area without first obtaining a permit from the city services director, or designee. This provision shall not apply to law enforcement personnel of government agencies acting in their official capacity.

14.03.100 Generators and small engines prohibited.

It is unlawful to use generators and small engine motors in any public park/recreation area that emit noise which exceeds sixty (60) decibels at fifty (50) feet without first obtaining a permit from the city services director, or designee. This provision shall not apply to city personnel acting in their official capacity.

14.03.110 Commercial activities prohibited.

A. It is unlawful to conduct commercial activities in any public park/recreation areas, unless a permit is obtained from the city finance department.

B. In order to obtain such permit, applicant must provide to the city finance department the following:

1. A permit application and permit processing fee;
2. A current city business license for such commercial venture;
3. An insurance certificate in the amount of one million dollars (\$1,000,000) or such increased amount required by the city's risk management division, covering the commercial activity to be conducted in any public park/recreation areas and naming the city, its officers, agents, representatives and volunteers as additional insured's;
4. Proof of worker's compensation insurance as required by California law; and
5. Compliance with relevant rules and regulations established by the city services and/or planning director for conduct of commercial activities in public park/recreation areas. Nothing in this section shall prohibit the city services and/or planning director from awarding a franchise for special events to a particular caterer, vendor, or other enterprise.

14.03.120 Left Blank (for Future use).

14.03.130 Prohibition of carts in park facilities.

Within the boundaries of all city parks and trail ways, no person shall use a shopping cart or a similar device that is primarily used for the purpose of transporting goods of any kind. The only exception shall be wheeled carts being utilized for recreational equipment or transport of event equipment and goods, wheeled ice chests that are being used for food product and vendors with a valid city issued permit as indicated in Section 14.03.110.

14.03.140 Removal from parks.

Any person who interferes with any city employee in the performance of his or her duties, or who by his or her conduct, interferes with the use of any public park/recreation area by any other person, or who has committed any public offense within any public park/recreation area, shall leave the public park/recreation area upon request by any city employee. No person who has been requested to leave a public park/recreation area pursuant to this section shall return to or re-enter the park until seven a.m. (7:00 a.m.) of the next day.

14.03.150 Suspension from parks for disorderly conduct.

A. Findings. The Council finds that disorderly conduct in a public/park recreation area (referred to as "park" or "park area" in this section) that is dangerous, harmful, offensive, disruptive, or that is a public nuisance obstructs or interferes with the enjoyment of the park and negatively impacts the community and should be prevented through suspensions of the privilege of enjoying the city's public parks/recreation areas.

B. The City Manager or designee is hereby authorized to suspend the individual committing the following offenses from utilizing park areas for a period of up to twelve (12) months:

1. Possession of illegal drugs or illegal drug paraphernalia in a park or park area;
2. Possession of an illegal weapon (as defined by a pertinent provision of the California Penal Code) in a park or park area.
3. Commission or solicitation of an act of prostitution in a park or park area (the term act of prostitution shall mean performs sexual activity for hire).
4. Commission of an act of criminal assault or battery (as defined by a pertinent provisions of the California Penal Code) on another person inside a park or park or recreation area.
5. Commission of any other violation of the Lindsay Municipal Code or state law on three separate occasions within a thirty (30) day period within a park or park or recreation area during a time the park or park area is open to the public.

C. The City Manager or designee shall make the determination to impose a suspension pursuant to this section on the basis of substantial evidence. A record of arrest or citation for any of the above qualifying acts or violations, regardless of whether a conviction has resulted, may be considered substantial evidence sufficient to support a suspension under this section. The City Manager or designee shall consider any other relevant evidence available.

D. In imposing a suspension pursuant to this section, the City Manager or designee shall provide notice of suspension, by serving written notice on the person receiving the suspension in a manner permitted by Lindsay Municipal Code. Persons receiving notice of suspension may request an administrative appeal hearing as described in Lindsay Municipal Code within ten (10) days of receiving notice of suspension. The suspension shall not be stayed pending the appeal process. At the hearing the rules applicable to administrative hearings under the Lindsay Municipal shall apply. The individual may present evidence to demonstrate why the suspension should not be issued, which, may include but is not limited to: questioning witnesses; providing evidence showing the underlying acts did not occur; or providing evidence as to why the underlying acts were not dangerous, harmful, offensive, disruptive, or otherwise constitute a public nuisance. The hearing officer shall have the authority to uphold any issued suspension, reverse the suspension, or reduce the term of any suspension.

E. Suspended persons are not allowed by the city to use public park/recreation areas during the term of suspension or to rent public park/recreation areas from the city. Violators may be cited for a violation of this section and must immediately leave the park area.

14.03.160 Penalty.

A. Any person violating the provisions of this article shall be guilty of a misdemeanor and subject to penalties.

B. Notwithstanding the classification of a violation of this article as a misdemeanor, at the time an action is commenced to enforce the provisions of this article, the trial court, upon recommendation of

the prosecuting attorney, may reduce the charge of the offense from a misdemeanor to an infraction pursuant to Section 19(c) of the California Penal Code.

C. Operation of vehicles in parks. The City will strictly enforce no operation or parking of vehicles in parks or recreation areas, except as noted in Section 14.03.030. Per Title 1, General Provisions of the Municipal Code of the City of Lindsay, Chapter 1.16, General Penalty, Section 1.16.010, Penalty for Code Violations, and the following amounts will be enforced:

- a. First Violation Fine, \$50.00
- b. Second Violation Fine, \$100.00
- c. Third Violation Fine, \$250.00

14.03.170 Severability.

The city council declares that it would have passed this article, sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that the provisions of this chapter are severable and, if for any reason any sentence, paragraph, or section of this chapter shall be held invalid, such decision shall not affect the validity of the remaining parts of this chapter.

The foregoing ordinance, read by title only with waiving of the reading in full was introduced at a regularly scheduled meeting of the City Council on the 28th day of June 2016.

APPROVED AND ADOPTED at a regular meeting of the City Council held the 28th day of June 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal Padilla, Mayor

ATTACHMENT A
Park Reservation Fee Schedule
July 12, 2016

<u>Arbor Size</u>	<u>Fee Amount</u>	<u>Deposit</u>
8x10	\$50.00	\$75.00
10x10	\$50.00	\$75.00
20x40	\$70.00	\$100.00
Stage	\$50.00	\$75.00
Bounce House(s)	\$25/Bounce House	

Park hours are 7:00 am to 10:00 pm



DATE : July 12, 2016
TO : Mayor Padilla and City Council Members
FROM : Michael Camarena, City Services Director
RE : Second Reading and Adoption of Ordinance 555, Amending Title 8 of the Lindsay Municipal Code and adding Chapter 8.34 establishing an Organic Waste Recycling Program.

SUMMARY

Staff requests Council approval of the Second Reading & Adoption of Ordinance 555 an Ordinance of the City of Lindsay Amending Title 8 of the Lindsay Municipal Code and adding Chapter 8.34 establishing an Organic Waste Recycling Program.

Staff presented this item as the draft Organic Waste Recycling Program Ordinance on June 28, 2016 as the First reading of the draft ordinance.

RECOMMENDED ACTION:

Request approval of the Second Reading & Adoption of Ordinance 555.

ATTACHMENTS:

Organic Waste Recycling Program Ordinance

Ordinance No. 555

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY AMENDING TITLE 8 OF THE LINDSAY MUNICIPAL CODE BY ADDING CHAPTER 8.34 ESTABLISHING AN ORGANIC WASTE RECYCLING PROGRAM.

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

Section 1. PURPOSE. The provisions of this ordinance are intended to promote public health, safety, comfort and general welfare, to provide an organic waste recycling program for reducing the amount of waste sent to landfills and to comply with state mandates relating to organic waste.

Section 2. FINDINGS.

WHEREAS, Assembly Bill 1826 mandates each business that generates a specified amount of organic waste per week to engage in recycling services for that organic waste in a specified manner and requires cities to implement organic waste recycling;

WHEREAS, Assembly Bill 1826 decreases the amount of organic waste which subjects a business to specified requirements from 8 cubic yards or more per week to 4 cubic yards or more per week on January 1, 2017;

WHEREAS, Assembly Bill 1826 also requires a business which generates 4 cubic yards or more of commercial solid waste per week, on and after January 1, 2019, to engage in organic waste recycling and, if the Department of Resources Recycling and Recovery makes a specified determination, could decrease this volume to 2 cubic yards per week, on or after January 1, 2020.

WHEREAS, Assembly Bill 1826 requires that cities implement an organic waste recycling program to divert organic waste from businesses subject to the act and requires cities to report to the Department of Resources Recycling and Recovery on the city's progress in implementing the organic waste recycling program, and requires that the Department of Resources Recycling and Recovery to review the jurisdiction for compliance with AB 1826;

WHEREAS, Assembly Bill 1826 authorizes cities to charge and collect a fee from organic waste generators to recover the city's costs incurred in complying with Assembly Bill 1826.

Section 3. CODE ADOPTION. Chapter 8.34 of Title 8 is hereby enacted and added to the City of Lindsay Municipal Code to read in its entirety as follows:

**Chapter 8.34
ORGANIC WASTE RECYCLING**

8.34.010. Definitions

8.34.020. Availability of Organic Recycling Service; Hauler Requirements

8.34.030. Public Nuisance Declared

8.34.040. Violations

8.34.010. Definitions.

Notwithstanding any other provision in this code, the following words and phrases shall, for the purposes of this Chapter, have the meanings respectively ascribed to them by this section as follows:

- a. Agency** means the City of Lindsay.
- b. Authorized Hauler** means any person or business entity which lawfully collects, accepts, transports or otherwise processes Recyclable Materials from Generators for a fee or profit through a proper permit, business license or other regulatory structure or authorization issued by the Agency.
- c. Business** means any commercial entity, including, but no limited to: proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust, corporation which is organized for financial gain or for profit; or non-profit corporation or entity, or industrial or manufacturing, restaurant, retail facility, office, markets, office buildings, hotels, motels, shopping centers, and theaters.
- d. Collect or Collection** means to take physical possession of and remove Solid Waste or Recyclable Materials at the place of generation.
- e. Commercial Customer** means any facility that is not a residential facility and includes any commercial facility, including but not limited to, a commercial facility, restaurant, retail facility, office, manufacturing or industrial facility, markets, office buildings, hotels, motels, shopping centers, theaters, and Multi-family Dwelling units, located within the boundaries of the Agency. For the purposes of this section, school accounts are considered commercial customers. For the purposes of this section, mobile home and multifamily complexes that exceed 5 units are considered commercial.
- f. Compost** is defined in state law (Public Resources Code Section 40116) as the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal waste stream, or which are separated at a centralized facility. Compost may also include the product of anaerobic digestion or other conversion technologies.
- g. Compostable Material or Compostables** mean green waste and other material that can be broken down into, or otherwise become part of the, usable Compost in a safe and timely manner, such as for use as soil-conditioning material. Compostable Material (California Public Resources Code Section 40116) includes vegetable, yard and wood wastes which are not hazardous waste. Compostable materials may also include disposal plastic food service ware and bags if labeled "Compostable," in accordance with the Department of the Environment regulations for easy identification, meeting the ASTM Standard Specification (D6400) for compostable plastics, and consistent with the state labeling law (California Public Resources Code Section 42359) that any plastic bag or food container labeled "compostable" must meet the ASTM Standard Specification for compostable plastics.
- h. Disposal** means the final disposition of Solid Waste at a permitted Landfill or other permitted solid waste disposal facility, as defined in California Public Resources Code 40192.
- i. Diversion or Divert** means the reduction or elimination of Solid Waste from solid waste disposal in accordance with California Public Resources Code 41024.
- j. Food Vendor** means any and all sales outlets, stores, shops, vehicles or other places of business located or operating within the jurisdictional boundaries of the Agency that operate primarily to sell or convey foods or beverages to consumers.
- k. Generator** means a resident, owner or responsible party for a commercial facility (ies) or business, including non-residential property which generates recyclable or compostable materials as a result of its business, commercial facility (ies) or property activity. Generator may also include tenants, property managers for facilities with leased space, employees and contractors of Generator, as well as

a responsible party for special events. Generator also includes the Agency, its facilities, and its non-residential properties.

l. Hauler means any person or commercial entity which lawfully Collects, hauls, or transports Solid Waste for a fee by use of any means, including but not limited to a dumpster truck, roll-off truck, side-load, front-load, rear-load garbage truck or a trailer.

m. Landfill means a permitted disposal site which accepts Solid Waste.

n. Multi-family Dwelling Units means a residential structure having multiple residences which may be classified as residential (with individual billings for each residence) or commercial (with a single billing for each complex).

o. Organics means the same definition as Compostable Material.

p. Recycle or Recycling means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become Solid Waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place as defined in Public Resources Code 40180. Recycling does not include burning, incinerating, or thermally destroying solid waste, as defined in Public Resources Code Section 40201.

q. Recycling Facility means a Recycling, material recovery or re-use facility that is fully licensed, certified and eligible under federal, state and local laws and regulations and includes those material recovery or reuse facilities or operations that receive, process, and transfer to market Recyclable and/or Compostable Materials that have been Source Separated from the Solid Waste stream. The Recycling Facility may be located at a Landfill. Recycling Facility also means a facility that produces Compost.

r. Recyclable Materials means materials that have been separated from the solid waste stream prior to disposal and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the market place and that are not landfilled. Recyclable Materials include any materials identified by Collector for which market exists, including, but not limited to: plastic bottles and jars, paper, cardboard, glass, newspaper, metal container, cans, as well as Compostable materials such as green waste, yard waste, and food waste.

s. Responsible Party means the individual or entity responsible for the Generator's management of Solid Waste and/or Recycling at the Generator's Commercial Facility, Business, nonresidential property, or Special Event.

t. Rubbish means non-putrescible Solid Waste, such as ashes, paper, cardboard, tin cans, yard waste, wood, glass, bedding, crockery, plastics, rubber-by-products and litter.

u. Scavenging or Scavenger means the uncontrolled and unauthorized removal of Recyclable Materials at any point in the solid waste management system.

v. Self Haul or Self Hauling means a Generator or Responsible Party who transports his or her own Recyclable or Compostable Materials to a Recycling Facility by using a vehicle owned by that

Generator or Generator's employees or the Responsible Party rather than using the hauling services of a Franchise Hauler or Authorized Recycler.

w. Solid Waste means all putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, Trash, refuse, paper, Rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semi-solid wastes. Solid Waste does not include hazardous waste or low-level radioactive waste defined in Health and Safety Code Section 25117 and 25141.

x. Source Separated or Source Separation means the process of removing Recyclable Materials from Solid Waste at the place of discard generation, prior to collection, into separate containers that are separately designated for Recyclables, Compostables or Trash for the purposes of Recycling.

y. Special Event means a community, public, commercial, recreational or social event which may serve food or drink and which may require a permit from the Agency. Special event may include the temporary or periodic use of a public street, publicly owned site or facility, or public park.

z. Trash means material that is designated for Landfill Disposal by the collector and does not include either Recyclable Materials or Compostables. The term Trash does not include hazardous waste, as defined in California Health and Safety Code Sections 25117 and 25141.

8.34.020. Availability of Organic Recycling Service; Hauler Requirements.

(a) A hauler operating within the Agency must make available to all businesses and residents of the Agency the organic waste recycling service described in either subsection (b) (1) or subsection (b) (3) of California Public Resources Code section 42649.81, which must include a collection cycle which coincides with the collection of other integrated waste as provided in section 8.12.050 and 8.12.060 of this code and complies with said section of this code. The organic waste recycling services provided by a hauler must ensure that the organic waste goes through either a source separated or mixed processing system as identified in Public Resources Code section 42679.82(c)(3).

(b) The charges for receipt of organic waste recycling services from a hauler shall be established as provided in the current disposal charges fee schedule. Pursuant to Public Resources Code section 42649.85, the Agency may, by a resolution of the City Council duly adopted after a public hearing, establish and charge each organic waste generator a fee sufficient to recover the City's costs incurred in complying with Chapter 12.9 of Part 3 of Division 30 of the Public Resources Code. Charges and fees hereunder shall be collectable jointly with invoices issued pursuant to section 8.04.300 of this code.

(c) **Education and Outreach:** All hauler education and outreach to the Agency, and its businesses and residents, must cover the topic of organic waste recycling.

(d) **Customer Compliance Program:** A hauler must implement customer compliance program, which periodically estimates the amount of organic waste generated by each business to which the hauler provides any service within the Agency, in order to determine if organic waste recycling services are required to be arranged under the terms of this Chapter. A hauler's customer compliance program must be approved by the City Manager or designee and need not cover any business which already receives organic waste recycling services. A customer compliance program which consists of periodic random assessments and inspections, of the waste generated by random business customers who do not already receive organic waste recycling services, shall be deemed sufficient if it requires the hauler to document the results of each such assessment and inspection on a standard form approved by the City Manager or designee.

(e) **Notifications:** A hauler must within ten (10) business days notify, in writing, each business of

the need to receive organic waste recycling services, and the hauler's reasonable requirements for receipt of such services, whenever it becomes reasonably apparent to the hauler that such services are required by this Chapter, Public Resources Code section 42649.81 and any other applicable law, or the business is a customer who is not in compliance with the organic waste services requirements reasonably imposed by the hauler. The hauler must follow up with a business receiving any such notice within a reasonable time, not to exceed thirty (30) days, to inspect and assess whether said business appears to have come into compliance with matters identified in the written notice from the hauler. If reasonable steps to cure any non-compliance have been commenced by the business, the hauler may schedule a second follow-up assessment and inspection, not to exceed ninety (90) days after the original notice, to assess whether said business appears to have come into compliance with matters identified in the written notice from the hauler. Upon a second or further consecutive instance of apparent non-compliance with the same requirement, the hauler must provide written notice within ten (10) days to the Agency of all apparent items of non-compliance.

(f) **Periodic Reports from Hauler:** A hauler must periodically, and no less than quarterly, provide an accurate written report, which may be combined with a report to the City Manager covering all of the following:

- (1) Any data and other information that cities are required to compile under federal and state law pertaining to organic waste recycling;
- (2) The number of known businesses within the Agency which are required to by state or federal law to engage organic waste recycling and the number of them which are engaged in organic waste recycling;
- (3) On and after August 1, 2017;
 - (i) the progress achieved in increasing compliance from businesses with organic waste recycling service requirements;
 - (ii) the progress achieved in education and outreach pertaining to organic waste recycling requirements;
 - (iii) the progress achieved in identification and monitoring of compliance of businesses who are required to engage in organic waste recycling;
 - (iv) concerns and issues with any exemptions, if any, provided for in this Chapter; and
 - (v) concerns and other issues with the Agency's enforcement efforts, if any.

(g) **Agency Reports to State of California:** The City Manager or designee must ensure that all reports required by Public Resources Code section 42649.82(f) and the California Department of Resources Recycling and Recovery, or its successor agency, are timely prepared and obtain approval of the City Council, as necessary, at least thirty (30) days prior to the deadline for their submittal to the appropriate state agency.

8.05.030. Timing for Mandatory Commercial Organic Waste Recycling.

(a) Each of the following businesses within the Agency, including all multi-family properties within the Agency with five (5) or more units, must within the later of thirty (30) days after enactment of this ordinance or after reaching the threshold below applicable to such business, arrange for and thereafter maintain periodic collection and recycling services from a hauler, for all organic waste generated by the business within the Agency:

- (1) On and after April 1, 2016, a business that generates 8 cubic yards or more of organic waste per week;
- (2) On and after January 1, 2017, a business that generates 4 cubic yards or more of organic waste per week;
- (3) On and after January 1, 2019, a business that generates 4 cubic yards or more of commercial solid waste; and
- (4) On or after January 1, 2020, if the state Department of Resources Recycling and Recovery determines that statewide disposal of organic waste has not been reduced to fifty percent (50%) of the level of disposal during 2014, a

business that generates 2 cubic yards or more per week of commercial solid waste, unless the Department of Resources Recycling and Recovery determines that requiring organic waste recycling by such a business will not result in significant additional reductions of organics disposal.

(b) A business which provides property management services and which receives integrated waste collection services for any commercial, institutional or multi-family residential property with five (5) or more units, is required to contract or otherwise make available organic waste recycling services for the occupants of such properties after the requirements of subsection (a) of this section are triggered.

(c) Each business within the Agency must not interfere with any City or hauler assessment or inspection of its waste carried out under this code.

8.34.030. Public Nuisance Declared.

Each violation of any provision of this Chapter is hereby declared to be a public nuisance and may be abated pursuant to all available remedies.

8.34.040. Violations

Violations of this Chapter may be enforced under any applicable law. Notwithstanding any other provision of the Code, a violation of this Chapter shall not constitute a misdemeanor.

Section 3. NO LIABILITY. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Lindsay, or any official, employee or agent thereof.

Section 4. PENDING ACTIONS. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Lindsay hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 6. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Lindsay Municipal Code as amended by this ordinance are substantially the same as provisions in the Lindsay Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 7. EFFECTIVE DATE. The foregoing ordinance shall take effect 30 days from the date of the passage hereof. Prior to the expiration of 15 days from the passage hereof a certified copy of this

ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1).

The foregoing ordinance, read by title only with waiving of the reading in full was introduced at a regularly scheduled meeting of the City Council on the 28th day of June 2016.

APPROVED AND ADOPTED at a regular meeting of the City Council held on the 12th day of July 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal Padilla, Mayor



DATE : July 12, 2016
TO : Mayor Padilla and City Council Members
FROM : Michael Camarena, City Services Director
RE : Second Reading and Adoption of Ordinance 556, an Ordinance of the City of Lindsay amending Section 13.04.345 of the Lindsay Municipal Code regarding enforcement of Amended Water Conservation Plan.

SUMMARY

Staff requests Council approval of the Second Reading & Adoption of Ordinance 556 an Ordinance of the City of Lindsay amending Section 13.04.345 of the Lindsay Municipal Code amending the existing Water Conservation Plan as detailed in the attached draft ordinance.

Staff presented this item and the updated Water Conservation plan on June 28, 2016 as the First reading of the draft ordinance.

RECOMMENDED ACTION:

Request approval of the Second Reading & Adoption of Ordinance 556.

ATTACHMENTS:

Ord. 556 amending the existing Water Conservation Plan
Amended Water Conservation Plan

ORDINANCE NO. 556

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LINDSAY AMENDING SECTION 13.04.345 TO TITLE 13, CHAPTER 13.04 OF THE LINDSAY MUNICIPAL CODE REGARDING THE ENFORCEMENT OF THE AMENDED WATER CONSERVATION PLAN.

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

Section 1. *Code Amendment.* Section 13.04.345 is hereby amended to read as follows:

Section 13.04.345 City Water Conservation Plan.

The City Council has adopted by Resolution its Water Conservation Plan which sets forth water conservation phases and conservation measures including mandatory restrictions on water usage by property owners and water consumers and prohibitions concerning misuse of water. Violation of the measures in effect, currently and as may be amended by Resolution from time-to-time, pursuant to the applicable phase of Water Conservation Plan, shall be enforceable as set forth per any applicable remedy provisions in this Municipal Code, including but not limited to Section 1.16 and 13.04.340. Additionally, the City may strictly enforce the water conservation program by issuing citations of \$50.00 for the first cited violation, \$100.00 for the second cited violation within a 12-month period, and \$250.00 for any subsequent cited violation within a 12 month period. Monetary citations issued may be collected via the monthly utility bill. The City's Water Conservation Plan is deemed to be the City's "Water Shortage Contingency Plan" to the extent applicable by State law.

Section 2. *Severability.* Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 3. *Effective Date.* This Ordinance shall take effect thirty days after adoption as provided by City of Lindsay Charter Section 3.09.

Section 4. *Certification.* The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

The foregoing ordinance, read by title only with waiving of the reading in full was introduced at a regularly scheduled meeting of the City Council on the 28th day of June 2016.

APPROVED AND ADOPTED at a regular meeting of the City Council held on the 12th day of July 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal Padilla, Mayor

CITY OF LINDSAY



WATER CONSERVATION PLAN

Amended June 28, 2016

SECTION I INTRODUCTION

The City of Lindsay is located on the east side of the San Joaquin Valley in Tulare County near the base of the Sierra Nevada Mountains. The City is traversed by State Highway 65 running north and south along the west side of the City. Lindsay is located approximately 12 miles east of Tulare and State Highway 99, approximately 11 miles north of Porterville and 18 miles southeast of Visalia, the County seat of Tulare County.

The City of Lindsay was incorporated on February 29, 1910 as "Class Six" city under the laws of the State of California. The area within the existing City limits contains approximately 2.72 square miles or 1,743 acres of which approximately 82.1 percent is presently developed for commercial, industrial and residential use.

As a Charter City of the State of California, Lindsay is governed by an elected five member City Council, one of whom serves as Mayor. Administrative officials include a City Manager, City Clerk, City Attorney, Finance Director, City Engineer, City Services Director, Planning and Economic Development Director and Director of Public Safety. The major city departments consist of Public Safety (police and fire), Planning and Economic Development, and City Services.

The City also owns and operates McDermont Field House, a recreational and sports facility along with the Wellness Center. Each facility has a Director overseeing staff and operations.

SECTION 2 WATER SUPPLY AND WATER SYSTEM

The City of Lindsay's water system consists of approximately 2,900 service connections in the current service area. Greater than 95% of the connections are metered. All new water connections are required to be metered.

The City of Lindsay's water system supply consists of three deepwells supplied by groundwater aquifers both inside the City's service area as well as outside the city limits, 2,500 acre feet of surface water purchased annually from the United States Department of the Interior, Bureau of Reclamations, Central Valley Project, at Millerton Reservoir and delivered to the City's point of delivery by way of the Friant Kern Canal and a 4.0 million gallon steel storage tank located on Todd's Hill.

Monitoring and partial control is provided by wireless digital data signals telemetry to the well sites and the water storage tank.

Historically, the surface water supply is the City of Lindsay's primary source of water. The groundwater supply is considered as the City's secondary source and is utilized to satisfy peak demands on the system.

The fluctuation and deterioration of groundwater quality, with particular respect to nitrates (N03), Perchlorate (ClO₄) and Dibromochloropropane (DBCP, C₃H₅Br₂Cl) with the City's deepwells has put additional pressure and importance on the surface water supply.

In 2013 and 2014 drought conditions have risen to levels never experienced in California. These conditions along with a requirement to supply water to the San Joaquin River and other longstanding water rights commitments have substantially reduced the surface water supply to a below normal amount available to the City through its annual contract with the United States Department of the Interior, Bureau of Reclamations. The amount declared in the 2014 water year was 0% of the normal 2,500 acre feet of surface water available to the City.

With the very limited surface water and groundwater supplies, it will be necessary for the City of Lindsay to promote and enforce this water conservation plan in order to provide sufficient water to meet community demands.

SECTION 3 CONSERVATION MEASURES

The City of Lindsay is aware of the need for continual water conservation and through direction by the City Council has adopted resolutions and ordinances to provide staff with the means of implementing and enforcing necessary water conservation measures.

Through this updated Water Conservation Plan, the City will continue their efforts in water conservation and adopt new policies and guidelines as the need becomes apparent. This revised plan has been developed around a 5 Phase approach with the following structure:

- Phase I - Water Conservation
- Phase II - Water Monitoring
- Phase III - Strict Enforcement
- Phase VI – Emergency Water Conservation
- Phase V – Extreme Water Crisis

The benefits of conserving water as a limited natural resource, through this format will be realized by the community in the form of reduced energy costs, reduced impact on the Wastewater Treatment Plant and sufficient water supply during peak demands. It is the intent of the water conservation plan be a joint effort of all residents and water users and the City and through community efforts, optimal results will be achieved.

Actions within each phase have been defined as either actions to be undertaken by the City or by the General Public. Due to the number of variables which affect the water conditions in existence at any one point in time, a report by City Staff, will describe the necessary action for transition from one phase to another (more or less stringent). At such time as staff has determined that the water condition warrants advancement to a more stringent phase, a report and request will be forwarded to the City Council for their review and approval.

SECTION 4
PHASE I - WATER CONSERVATION

Through a joint effort of the City and General Public, this phase is established to conserve water, a limited natural resource, through reductions of water waste and implementation of guidelines for more efficient use of the available limited supply of water. Phase I typically applies during periods when an average water supply is forecast.

The following outline describes steps to be taken by the City as well as Residents that makes it possible to achieve the above goals:

- The City shall implement a "Public Awareness Program" designed to make the community aware of the water conditions.
- The City shall develop a set of "Water Conservation Guidelines" that would be made available to residents for use in conserving water.
- The City shall keep the community aware of changing conditions through news media. This is necessary in the event that stricter conditions may be coming in the future.
- Enforce most current and adopted building codes and regulations that deal with building construction with regard to water and energy conservation.
- Request that residents reduce landscape irrigation practices to a minimum. Request that landscape irrigation be performed during late evenings or early mornings to reduce the amount of water lost due to evaporation.
- Require that all new developments follow model water efficient landscape designs, including automatic irrigation systems with rain control gauges.
- Require that all new developments follow model water efficient landscape designs with regard to plantings and planting designs and layout.
- Discourage users from washing down sidewalks and driveways. Request that this item be accomplished by other means such as sweeping, etc.
- Request that restaurants support the water conservation effort by serving water upon request only.
- The City shall reduce all landscape irrigation practices to a minimum.

- The City shall intensify its leak detection program by repairing or replacing leaking valves, water meters and fire hydrants as necessary.
- Coordinate with local schools to implement a Water Education Program that would instill a water conservation ethic in the minds of today's youth. This alone can permanently affect the water using habits of tomorrow's adults.
- The City's fire hydrant testing schedule shall be arranged so that fire hydrant testing occurs during off peak periods. Fire Hydrant testing and flushing is a necessary item to provide the public with safe, clean water for fire protection and domestic use.

SECTION 5
PHASE II - WATER MONITORING

Phase II typically applies during periods when below average water supply is forecast.

When it is found that it is necessary to implement Phase II of the Water Conservation Plan, the City shall advise the City Council of the need for a more aggressive water conservation program due to forth coming shortfalls in supply and/or increased demands on the system. With the adoption of Phase II of the Water Conservation Plan, the City shall intensify its water conservation efforts by the following practices:

- The City shall take a more aggressive approach with the "Public Awareness Program" designed to make the community aware of the water conditions and possibility of a water shortage.
- The City shall reduce landscape watering of City facilities, additionally as deemed necessary to provide only enough water required to maintain survival of permanent plants such as trees and shrubs.
- The City shall begin monitoring water use by residents or large commercial, institutional or industrial water users and alerting them to the potential impact of waste or over use. In this Phase a verbal warning would be issued and a citation issued if the condition were to continue.
- All items of Phase I Water Conservation would be intensified. All residents would be asked to increase their water conservation efforts.
- The City would implement a voluntary water use schedule that would define days available to irrigate (odd and even address system) landscaping as follows;

From June 1st to September 30th annually, or as conditions require:

1. Odd numbered street addresses water only on Wednesdays, Fridays and/or Sundays.
2. Even numbered street addresses water only on Tuesdays, Thursdays, and/or Saturdays.
3. No outdoor watering on **Mondays**.
4. This program also encourages customers to turn off their sprinklers on rainy days.
5. **No watering between 9:00 AM and 9:00 PM.**

Voluntary water use schedule table:

<u>Sunday</u>	<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>	<u>Saturday</u>
Odd	No Watering	Even	Odd	Even	Odd	Even

The voluntary watering schedule does not apply to:

1. Drip irrigation systems;
2. Handheld watering methods with automatic shutoff mechanism;
3. Flower and vegetable gardens;
4. Outdoor potted plants and hanging baskets;
5. Newly planted lawns.

SECTION 6

PHASE III - STRICT ENFORCEMENT

Phase III typically applies during periods when water supply shortages are probable or in extreme conditions such as continued and/or widespread drought.

In the event it is found necessary to implement Phase III of the Water Conservation Plan, the City shall advise the City Council of the need for a more aggressive and stringent water conservation program due to probable shortfalls in supply and/or increased demands on the system. With the adoption of Phase III of the Water Conservation Plan, the City shall implement the following mandatory water conservation provisions:

- The City will intensify its efforts to inform the public of the need for Water Conservation with special emphasis given to inform the Public of water shortage conditions.
- The City shall intensify efforts of community awareness by stepping up information of changing conditions through news media.
- All items of Phase I and Phase II Water Conservation would be intensified. All residents would be asked to increase their water conservation efforts.
- The City shall reduce landscape watering, of City facilities, additionally as deemed necessary to confine impact on the water system. If it becomes necessary, watering of City facilities, parks and median islands will be suspended and evaluated each day.
- The City would implement a mandatory water use schedule that would define days available to irrigate (odd and even address system). The schedule is identified in Phase II of this Water Conservation Plan.
- The City will strictly enforce the water conservation program by issuing written warnings or fines for misusing water. It is the objective of the City Council of the City that citizens of Lindsay voluntarily comply with the provisions of this Section. Enforcement of this Section will authorize one informal written notice and one formal written notice. Per Title 1, General Provisions of the Municipal Code of the City of Lindsay, Chapter 1.16, General Penalty, Section 1.16.010, Penalty for Code Violations, the following amounts will be enforced;
 - a. Informal, Written Warning
 - b. Formal Written Warning
 - c. Punitive Fine, \$50.00
 - d. Punitive Fine, \$100.00
 - e. Punitive Fine, \$250.00

The definitions of misusing water shall be:

1. Washing down driveways and sidewalks;
2. Watering of outdoor landscapes that cause excess runoff;
3. Using a hose to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle;
4. Using potable water in a fountain or decorative water feature, unless the water is recirculated.
5. Watering outside of the designated day and time for the specific property (address).

Any monetary fine issued will be collected via the monthly utility bill and follow the most current utility collection ordinance.

- The City could establish a usage allowance for water use based on past usage. Services that exceed the allowed usage allowance could be charged a higher rate (the rate would be set by Council action in the event this type of action would be necessary) for water.
- A 15% rate increase on all residential and landscape accounts may go into effect upon Council adoption after notice, hearing and other rate-setting or adjustment procedures as required by applicable law. This rate increase will encourage water conservation and will also serve as a provision to recover the lost revenues from water conservation. The increase will begin upon adoption and end when water supply shortages or extreme conditions such as continued and/or widespread drought are under control.

SECTION 7
PHASE IV – Emergency Water Conservation

Phase IV typically applies during periods when water supply shortages exist or in extreme conditions such as continued and/or widespread drought.

In the event it is found necessary to implement Phase IV of the Water Conservation Plan, the City shall advise the City Council of the need for a more aggressive and stringent water conservation program due to imminent shortfalls in supply and/or increased demands on the system or continued mandates from the State of California. With the adoption of Phase IV of the Water Conservation Plan, the City shall implement the following mandatory water conservation provisions:

- The City will intensify its efforts to inform the public of the requirement for Water Conservation with special emphasis given to inform the Public of water supply conditions.
- The City shall intensify efforts of community awareness by stepping up information of changing conditions through news or social media.
- All items of Phase I, Phase II and Phase III Water Conservation would be intensified. All residents would be required to increase their water conservation efforts.
- The City shall implement a mandatory outdoor water use schedule that would define two days available to irrigate (odd and even address system). The schedule is identified as follows:

<u>Sunday</u>	<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>	<u>Saturday</u>
Odd	No Watering	Even	Odd	No Watering	No Watering	Even

- Watering of turf on median islands in public right of way shall be suspended.
- Watering on designated days shall only be allowed between 9:00 pm –9:00 am.
- No watering will be allowed between 9:00 am – 9:00 pm.
- All new permits shall satisfy the latest requirements of the California Model Landscape Ordinance, including already approved, but not yet completed permits.

- Washing of automobiles, trucks, trailers, boats, airplanes, and other mobile equipment is permitted with handheld watering devices with automatic shut off nozzles and only during designated days and times.
- Any outdoor use of handheld watering devices with automatic shut off nozzles (including vehicle washing use of pressure washing equipment) used during designated days and times are limited to 30 minutes of use for each watering day.
- No outdoor watering during, or within 48 hours of, measurable rain.
- Spas, wading, and swimming pools are only allowed to be refilled or added to during designated days and times. Water slides or water bounce houses or other private water attractions shall only be allowed during designated days and times and with a hose controlled with shut off nozzle.
- Collection of grey water from indoor uses is highly recommended. Distribution of grey water on outdoor landscaping is highly recommended to be done on respective water days.
- The City will strictly enforce the water conservation program by issuing a written warning or fines for misusing water. It is the objective of the City Council of the City that citizens of Lindsay voluntarily comply with the provisions of this Section. Enforcement of this Section will authorize one informal written notice only. Per Title 1, General Provisions of the Municipal Code of the City of Lindsay, Chapter 1.16, General Penalty, Section 1.16.010, Penalty for Code Violations, the following amounts will be enforced;
 - a. Informal, Written Warning
 - b. Punitive Fine, \$50.00
 - c. Punitive Fine, \$100.00
 - d. Punitive Fine, \$250.00

SECTION 8

PHASE V – Extreme Water Crisis

Phase V typically applies during periods when water supply shortages exist and in extreme conditions such as continued and/or widespread drought or unreliable water supply.

In the event it is found necessary to implement Phase V of the Water Conservation Plan, the City shall advise the City Council of the need for a more aggressive and stringent water conservation program due to existing shortfalls in supply and increased demands on the system. With the adoption of Phase V of the Water Conservation Plan, the City shall implement the following mandatory water conservation provisions:

- The City will intensify its efforts to inform the public of the requirement for Water Conservation with special emphasis given to inform the Public of water supply conditions.
- The City shall intensify efforts of community awareness by stepping up information of changing conditions through news or social media.
- No outdoor irrigation of landscaping or vegetation. There shall be no watering outdoors until Phase 5 restrictions are rescinded.
- No washing of automobiles, trucks, trailers, boats or other types of mobile equipment except at commercial, fleet wash stations or fixed vehicle wash facilities (with approved runoff protection and collection) until Phase 5 emergency restrictions are rescinded. Mobile vehicle wash services shall not be allowed.
- Collection of grey water from indoor uses is highly recommended. Distribution of grey water on outdoor landscaping is highly recommended to be done on respective water days.
- Outdoor water use for emergency purposes shall be by permit only, after review and approval by the City Services Director.
- City parks, schools, and similar establishments may water once per week by permit only, after review and approval by the City Services Director.
- No new water connections shall be permitted until Phase 5 restrictions are rescinded.

- The City will strictly enforce the water conservation program by issuing a written warning or fines for misusing water. It is the objective of the City Council of the City that citizens of Lindsay voluntarily comply with the provisions of this Section. Enforcement of this Section will authorize one informal written notice only. Per Title 1, General Provisions of the Municipal Code of the City of Lindsay, Chapter 1.16, General Penalty, Section 1.16.010, Penalty for Code Violations, the following amounts will be enforced:
 - a. Informal, Written Warning
 - b. Punitive Fine, \$50.00
 - c. Punitive Fine, \$100.00
 - d. Punitive Fine, \$250.00

MEMORANDUM

Date: July 12, 2016

To: Lindsay City Council

From: William Zigler, Interim City Manager

Subject: Minute Order Approval: Council Response to Grand Jury Final Report Released on May 17, 2016, entitled, "Tulare County, Are We Ready for El Nino?"

The City received a portion of the Tulare County Grand Jury Final Report regarding the City of Lindsay, released on May 11, 2016, entitled, "Tulare County, Are We Ready for El Nino?" (report attached). A Draft response has been created for Council review and Minute Order approval, if desired (response attached).

In the report the Grand Jury directs the City Council to respond to each of its six findings and five recommendations regarding the City, as required by California Penal Code §933 and outlined in the report.

In response to findings: the Council may agree or disagree with the findings using the following format:

- (1) The City Council agrees with the finding.
- (2) The City Council disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

In response to recommendations: the City Council shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore:

MEMORANDUM

Grand Jury findings are as follow:

- F1.** Various county and city agencies have been proactive in anticipation of an El Nino event.
- F2.** RMA "Hot Spot" (historically flood prone areas) identification will aid in:
 - a) Timely, adequate placement of personnel and equipment
 - b) Identify which water conveyors will be impacted by flood waters and to use their system as pressure relief valves.
- F3.** Tulare County has placed emphasis on the valley floor (Western region), but did not have any major flood control projects or management plan in the foothill area (Central region).
- F4.** Clearing of bridges and channels will help the movement of water, in turn reducing flooding events.
- F5.** Preplanning of flood protection of county facilities has the potential to reduce flood damage and increase cost savings for taxpayers.
- F6.** Goal statements from various agencies show a greater emphasis on capturing and percolating rainfall and runoff into groundwater than in previous years.

Grand Jury recommendations are as follow:

- R1.** Applicable agencies should increase emphasis in water storage projects when the opportunities for water retention are higher.
- R2.** Applicable agencies should not ignore the importance of flood control projects due to drought conditions.
- R3.** Applicable agencies continue their progress on existing flood control projects.
- R4.** Tulare County adopt a foothill region flood management plan.
- R5.** When rehabilitating public parks, adding water retention and percolation capabilities should be considered.

The Grand Jury directs that the City Council provide a separate written response regarding the findings and recommendations to each of the following addressees by August 10, 2016:

The Honorable Judge Bret Hillman
County Civic Center, Room 303
221 S. Mooney Blvd
Visalia, CA 93291

MEMORANDUM

and

Tulare County Grand Jury
5963 S. Mooney Blvd
Visalia, CA 93277

Staff respectfully requests Council review and approve the attached Grand Jury response via Minute Order, if desired.

Respectfully Submitted,



William Zigler
Interim City Manager

Attachments: 1) Tulare County Grand Jury Final Report (portion of) "Tulare County, Are We Ready for El Nino?"
2) Draft Grand Jury Response



TULARE COUNTY GRAND JURY
 5963 S Mooney Boulevard Visalia, CA 93277
 PHONE: (559) 624-7295
 FAX: (559) 733-6078
 E-MAIL: grnd_jury@co.tulare.ca.us
 WEB: <http://tularecounty.ca.gov/grandjury/>

ATTENTION: William Zigler
 AGENCY: City of Lindsay
 ADDRESS: 251 E. Honolulu Street, Lindsay, CA 93247

California Penal Code §933.05 (f) mandates that the Tulare County Grand Jury provide a copy of the portion of the final Report that affects that agency or person of that agency two working days prior to its public release. Advance release or disclosure of a Grand Jury Report is prohibited prior to its public release.

Attached is a copy of your portion of the 2015-2016 Tulare County Grand Jury Final Report.

California Penal Code §933(c) requires a response to said document. Depending on the type of respondent you are, a written response is required as follows:

- ☑ **PUBLIC AGENCY:** The governing body of any public agency that is required to respond must do so within NINETY (90) DAYS from the date this report was approved as final by the Presiding Judge.
- ☑ **ELECTIVE OFFICER OR AGENCY HEAD:** All elected officers or heads of agencies that are required to respond must do so within SIXTY (60) DAYS from the date this report was approved as final by the Presiding Judge.

Please be advised, this portion of the final report was approved as final by the Presiding Judge on May 9, 2016.

YOU MUST SEND YOUR RESPONSE TO EACH OF THE FOLLOWING:

The Honorable Judge Bret Hillman
 County Civic Center, Room 303
 221 S Mooney Blvd
 Visalia, CA 93291

Tulare County Grand Jury
 5963 S Mooney Blvd
 Visalia, CA 93277

Tulare County Board of Supervisors
 2800 W. Burrel Ave
 Visalia, CA 93291
 (For County Agencies Only)

Received by: [Signature]
 Report Name: Tulare County, Are We Ready for El Nino?
 Delivered by: [Signature]
 Release Date: May 17, 2016

Date: May 11, 2016
 Response Due by: August 10, 2016
 Date and Time: 5/11/16 1:45pm

Chuck White, Foreman 2015/2016 Tulare County Grand Jury

PREPARE A SEPARATE RESPONSE FOR EACH REPORT

California Penal Code §933.05 mandates the manner in which responses are to be answered.

See reverse for Penal Code §933.05 information.

§933.05. Response to Grand Jury Recommendations--Content Requirements; Personal Appearance by Responding Parry; Grand Jury Report to Affected Agency

(a) For purposes of subdivision (b) of §933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefore.

(b) For purposes of subdivision (b) of §933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore:

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the finding of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

TULARE COUNTY, ARE WE READY FOR EL NINO?

BACKGROUND:

Located within the State of California, Tulare County is situated in a geographically diverse region. The County includes an area of 4,863 square miles. Mountain peaks of the Sierra Nevada range rise to more than 14,000 feet in its Eastern half. Meanwhile, the extensively cultivated and very fertile valley floor in the Western half, has allowed Tulare County to become the second-leading producer of agricultural commodities in the United States.

The Topography of Tulare County can be generally divided into three regions. The Eastern region consists of High Sierra Mountains, substantially covered in forest with minimal development and improved structures. Drainage basins are typically natural and uncontrolled. Flooding is not typically an issue here, as precipitation generally falls in the form of snow during the winter months. Flows from drainage areas with origins in the Eastern region are generally controlled through either of the two major dams in Tulare County operated by the U.S. Army Corps of Engineers.

The Central region runs along the foothill area of the County at elevations from approximately 500 feet to 2,000 feet. This region includes a few smaller communities and dispersed residential and ranching operations. The majority of precipitation with potential to cause flooding falls within the Central region during storm events. Drainage basins with origins in the foothills are typically uncontrolled and subject to high intensity rain events.

The Western region of Tulare County is generally flat with substantial urban and rural development. The terrain is predominantly covered in agricultural and industrial uses. Natural water flows have been dramatically altered through the development of irrigation channels, grading operations, privately owned flood control ditches and berms, and roadway networks. Many of these facilities have been developed on a private, individual or ad-hoc basis, or without consideration for potential flood control ramifications.

The southern portion of the Western region of Tulare County forms a part of the Tulare Lake Basin. The Tulare Lake Basin does not outflow to other bodies of water. During normal rain events, storm water is typically dispersed within the drainage areas through percolation to groundwater, discharge to natural riverine systems, collection and conveyance through irrigation ditches, retention in flood control basins and evaporation. During abnormal, high intensity rain events, these storm water dispersal methods are overcome and there is a potential for flooding events.

Average annual rainfall in the lower elevations of Tulare County ranges from around 7-inches in the extreme southwest to around 15-inches in the northern Central region. Rain events typically occur between mid-October and April, with limited rainfall during the remaining portion of the year. Storm events are frequently moderate in intensity with over 1-inch of rain per hour. Less frequent storm events – 100 year storms – can be as high as 3-inches of rainfall per hour. Storm

cells are generally localized and focused over unique drainage areas, and flooding has historically occurred in limited regions of the County during a particular storm event.

The highest potential for flooding issues in the Western region of Tulare County occur when a storm cycle has produced multiple storm events aimed at the same drainage basin. These multiple storm events will saturate topsoil and reduce the effects of percolation. As small drainage basins merge, and waters move westerly, the flows increase. Due to the vast size of the county, high water levels may not be seen in particular western streams, rivers, and channels until 12 to 36 hours after a rain event in the foothills.

Storm water runoff from high intensity rain events in the foothills flows down gradient and collects in streams, rivers, and ditches that cannot fully accommodate the quantity of water when the terrain flattens out as the waters move west. The reduction in slope of the terrain was historically accommodated by the rivers and streams carrying the storm waters naturally fanning out and creating multiple channels in which the floodwaters could flow. The development of agricultural activities, irrigation facilities, and urban growth has disturbed these natural, multi-branched flows of waters. Due to the high cost, both in terms of dollars and in reductions to useable land, development has historically occurred in a manner that accommodates normal precipitation, but does not allow for unusually high intensity rain events.

The Tulare Lake Basin hasn't experienced any 50-year or 100-year flood events in more than 40 years. The Kaweah and Tule Rivers haven't even seen a 20-year flood or larger since 1969. In the event of 1861 or 1867, most of Visalia and northwest Tulare County experienced flooding. During the 1867-1868 Flood there was 5-6 feet of flood water on Main Street in Visalia.

REASON FOR INVESTIGATION:

The Tulare County Grand Jury was interested in ascertaining the preparedness of the responsible jurisdictions within the county in anticipation of the 2015 – 2016 El Nino rainfall event.

METHOD OF INVESTIGATION:

The Tulare County Grand Jury conducted a Jury Initiated Investigation on preparedness in Tulare County for flooding in 2015-2016 fiscal year. Presentations were made to the Board of Supervisors and the Grand Jury by the Tulare County Resource Management Agency (RMA) regarding the status of their flood control action plan. The Grand Jury inquired of the cities within Tulare County on their ongoing Flood Control activities. Public documents were reviewed by the Grand Jury. Site visits were conducted by Grand Jury members to review flood control projects. One site visit was in the vicinity of the County's correctional facilities to see the Cottonwood Creek Berm project. Other site visits were in the Visalia area reviewing various projects including a retention basin expansion north of the downtown area.

FACTS:

Tulare County RMA Flood Control preparedness measures

1. The RMA performed a "Hot Spot" Risk Assessment:
 - a) identified known and potential new areas of flooding concerns
 - b) created computer-based mapping (GIS) database and maps of these locations
 - c) staff met with local water conveyors (e.g. irrigation districts, water conservation districts) and experts
2. Tulare County RMA Flood Control Activities consists of:
 - a) channel clearing
 - b) basin and stationary pump maintenance
 - c) purchase and rental of additional portable pumps if needed
3. Tulare County reported it has established a flooding response protocol. A contact list for fire, police, and other related agencies was also prepared.
4. The County has inspected the tributaries and, if necessary, will clear the brush and debris in the foothill areas.
5. During storm events, Tulare County crews will monitor and inspect conditions in foothill areas for storm related damages and flooding. Tulare County crews will actively monitor snowfall and, when necessary, provide road plowing services in various parts of the foothill and mountain areas.
6. Tulare County has an action flood control plan for the valley area.

Of the eight (8) cities within Tulare County, four (4) responded to the request from the Grand Jury on their Flood Control preparedness measures:

7. City of Woodlake flood control action plan –
 - a) drainage ditch running along Naranjo Blvd next to Bravo Lake was maintained for handling storm water
 - b) maintenance performed on permanent lift pumps and arrange to have chainsaws and portable trash pumps available
8. City of Tulare flood control action plan –
 - a) repair and/or clean storm drain inlets and storm drain lines
 - b) perform maintenance on drain pump stations
 - c) clean leaves out of gutters and storm drains
 - d) place portable emergency generators at pump stations
 - e) clean bottom of ponding basins to improve percolation and groundwater recharge
 - f) cleaned debris out of the Kaweah crosstown culvert

9. City of Porterville flood control action plan –
 - a) clean dirt, leaves and debris from drain inlets
 - b) identify and allocate funds for problematic areas
 - c) general drainage infrastructure improvements to handle potential emergencies
 - d) training of personnel to handle storm weather emergencies
 - e) mobilize portable pumps in preparation for flooding
 - f) provide sandbags in corporation yards for citizen's use
 - g) broadcast public preparedness information on a local radio station and the city's website

10. City of Visalia flood control action plan –
 - a) Downtown Stormwater Flood Control - Expand the existing basin near Douglas Ave east of Santa Fe St and install a new pipeline flowing into the basin. Construction started November 2015 with completion slated for April 2016
 - b) East Side Regional Park - Combination regional park and groundwater recharge facility on a 248 acre site in eastern Visalia. Not in construction yet
 - c) Lower Kaweah River Flood Control Basins - Flood control project to construct three (3) basins in the Visalia area. Two of the basins to function as relief for flows from Terminus Dam. Construction is anticipated to start in the fall of 2016.

FINDINGS:

- F1. Various county and city agencies have been proactive in anticipation of an El Nino event.
- F2. RMA "Hot Spot" (historically flood prone areas) identification will aid in:
 - a) timely, adequate placement of personnel and equipment
 - b) identify which water conveyors will be impacted by flood waters and to use their system as pressure relief valves
- F3. Tulare County has placed emphasis on the valley floor (Western region), but did not have any major flood control projects or management plan in the foothill area (Central region).
- F4. Clearing of bridges and channels will help the movement of water, in turn reducing flooding events.
- F5. Preplanning of flood protection of county facilities has the potential to reduce flood damage and increase cost savings for taxpayers.
- F6. Goal statements from various agencies show a greater emphasis on capturing and percolating rainfall and runoff into groundwater than in previous years.

RECOMMENDATIONS:

- R1. Applicable agencies should increase emphasis in water storage projects when the opportunities for water retention are higher.
- R2. Applicable agencies should not ignore the importance of flood control projects due to drought conditions.
- R3. Applicable agencies continue their progress on existing flood control projects
- R4. Tulare County adopt a foothill region flood management plan.
- R5. When rehabilitating public parks, adding water retention and percolation capabilities should be considered.

REQUIRED RESPONSES:

1. Tulare County Resource Management Agency
2. City of Woodlake
3. City of Porterville
4. City of Tulare
5. City of Visalia
6. City of Lindsay
7. City of Exeter
8. City of Dinuba
9. City of Farmersville
10. Tulare County Board of Supervisors

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911, 924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Section 924.2 and 929).

July 12, 2016

The Honorable Judge Bret Hillman
County Civic Center, Room 303
221 S. Mooney Blvd.
Visalia, CA 93291

SUBJECT: Grand Jury Report, "Tulare County, Are We Ready for El Nino?"

Honorable Judge Hillman,

The City of Lindsay is in receipt of a portion of the Tulare County Grand Jury Final Report regarding the City of Lindsay, released on May 17, 2016 entitled, "Tulare County, Are We Ready for El Nino?" The Grand Jury report directs the City Council to respond within ninety days to each of its six findings and five recommendations regarding the City, as required by California Penal Code §933 and outlined in the report. In response to the findings and recommendations the following is provided:

Findings:

F1. Various county and city agencies have been proactive in anticipation of an El Nino event.

Response: Council agrees with Finding 1: The City of Lindsay was proactive in anticipation of an El Nino event by utilizing a Proteus Drought Related Workers Program in 2015 to assist with the following tasks:

- Cleaning of all existing storm drain inlet structures and adjacent piping
- Cleaning of known slow drainage area piping with contract jet-vacuum equipment
- Removal of brush and overgrowth at storm drain basins within the city limits
- City-wide tree trimming and removal of leaves that cause drainage backup
- Alley maintenance and debris cleanup that cause drainage backup

F2. RMA "Hot Spot" (historically flood prone areas) identification will aid in:

- a) Timely, adequate placement of personnel and equipment
- b) Identify which water conveyors will be impacted by flood waters and to use their system as pressure relief valves

Response: While the areas in question lie outside of the jurisdiction of the City of Lindsay, Council agrees with the logic outlined in Finding 2.

F3. Tulare County has placed emphasis on the valley floor (Western region), but did not have any major flood control projects or management plan in the foothill area (Central region).

Response: The area in question lies outside of the jurisdiction of the City of Lindsay.

F4. Clearing of bridges and channels will help the movement of water, in turn reducing flooding events.

Response: Council agrees with Finding 4.

F5. Preplanning of flood protection of county facilities has the potential to reduce flood damage and increase cost savings for taxpayers.

Response: The facilities in question lie outside of the jurisdiction of the City of Lindsay, however, Council agrees with the logic outlined in Finding 5.

F6. Goal statements from various agencies show a greater emphasis on capturing and percolating rainfall and runoff into groundwater than in previous years.

Response: Council agrees with Finding 6.

Recommendations:

R1. Applicable agencies should increase emphasis in water storage projects when the opportunities for water retention are higher.

Response: Council agrees with Recommendation 1 and will emphasize water storage projects when the opportunities for water retention are available.

R2. Applicable agencies should not ignore the importance of flood control projects due to drought conditions.

Response: Council agrees with Recommendation 2 and has implemented this concept, as described in Council's response to Finding 1.

R3. Applicable agencies continue their progress on existing flood control projects.

Response: Council agrees with Recommendation 3 and will implement flood control projects identified in the City's Capital Improvement Plan as funding becomes available.

R4. Tulare County adopt a foothill region flood management plan.

Response: The area in question lies outside the jurisdiction of the City of Lindsay.

R5. When rehabilitating public parks, adding water retention and percolation capabilities should be considered.

Response: Council agrees with Recommendation 5 and has employed this concept previously, as demonstrated in Lindsay's Harvard Park.

We trust the information provided herein will adequately address the findings and recommendations provided in the Grand Jury report. Please address any further questions or information to Carmela Wilson, Lindsay City Clerk at 559-562-7102 Ext 8031 or to the City of Lindsay, P.O. Box 369, Lindsay CA 93247, Attn. City Clerk.

Respectfully submitted,

City of Lindsay City Council

Mayor Ramona Villarreal Padilla