

Lindsay City Council Agenda
Regular Meeting
Council Chambers at City Hall
251 E. Honolulu, Lindsay, California
Tuesday, August 23, 2016
6:00PM

1. a) Call to Order: 6:00 p.m.
b) Roll Call: Council members Salinas, Kimball, Watson, Mayor Pro Tem Sanchez, Mayor Padilla.
c) Flag Salute: Mayor PADILLA.
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, 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. 1-19)
 - a) Meeting Minutes for August 9th, 2016.
 - b) Warrant List for August 15th, 2016.
 - c) Well 15 Upgrade Project Update.
 - d) Temporary Use Permit for Menudo/Pozole Festival
 - e) Request for Preliminary Subdivision Agreement Approval for Autumn Hills Estates.

 6. DISCUSSION ON HONORING FIRST RESPONDERS.
Presented by Mayor PADILLA.

 7. MAYOR'S PROCLAMATION DECLARING SEPTEMBER RAILROAD SAFETY MONTH. (pg. 20-21)
Presented by Mike Camarena, City Services Director.

 8. DISCUSSION OF DESIGN REVIEW POSSIBILITIES FOR COMMERCIAL DEVELOPMENT.
Presented by Council member WATSON.

 9. DISCUSSION OF TRUCK ROUTES.
Presented by Council member WATSON.

 10. CONSIDERATION OF RES. 16-38 ACCEPTING EL RANCHO WATER SYSTEM IMPROVEMENT QUITCLAIM DEED & EXHIBITS AND AUTHORIZING THE MAYOR TO EXECUTE THE ASSIGNMENT OF CONTRACT. (pg. 22-37)
Presented by Mike Camarena, City Services Director.

 11. CONSIDERATION OF RESOLUTION 16-39 APPROVING SITE PLAN REVIEW FOR DOLLAR GENERAL. (pg. 38-63)
Presented by Bill Zigler, City Manager.

 12. REQUEST FOR APPROVAL OF TEMPORARY USE PERMIT TO CLOSE A PORTION OF SWEET BRIER AVENUE FOR A CAR SHOW FROM 6AM TO 7PM ON SUNDAY, SEPTEMBER 4TH. (pg. 64-66)
Presented by Clint Ashcraft, Wellness Center/McDermont Field House Director.
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13. AUDIT REPORT FOR FISCAL YEAR 2014/2015. (pg.67)
Presented by Justin Poore, Finance Director.

14. DISCUSSION ON MODIFICATION TO FINANCE DEPARTMENT INFORMATION ONLY
COUNTER HOURS.
Presented by Justin Poore, Finance Director.

15. REQUEST TO APPOINT INCUMBENTS/NOMINEES FOR (pg.68)
2016 ELECTION.
Presented by Mario Zamora, City Attorney.

16. ADJOURN. The next Regular meeting is scheduled for **TUESDAY, SEPTEMBER 13, 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. 8203

Regular Meeting
251 East Honolulu, Lindsay, California
Tuesday, August 9, 2016
6:00 P.M.

CALL TO ORDER.

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

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

COUNCIL ABSENT: None.

FLAG SALUTE: Mayor Pro Tem SANCHEZ.

PUBLIC COMMENT:

Eric Sinclair-commented on plans to run for City Council seat.

Mayor PADILLA announced the following:

EXECUTIVE SESSION

Conference with Labor Negotiators (§54957.6)

Agency designated representatives: Mayor Padilla & Councilman Salinas.

Unrepresented employee: City Manager.

The Council adjourned to Executive Session at 6:10pm.

Mayor PADILLA resumed the City Council meeting at 6:35pm with nothing to report.

DISCUSSION & POSSIBLE APPROVAL OF EMPLOYMENT AGREEMENT WITH WILLIAM (BILL) ZIGLER AS CITY MANAGER.

City Attorney Mario Zamora introduced this item. He stated this is a discussion regarding a possible employment agreement with William (Bill) Zigler. The agreement had not been confirmed before the agenda was printed so it was not included. Now that it has been confirmed copies are available for the public. He then explained that the contract is of indefinite term as defined by the Charter and the cost is \$9,097 per month with a 6-month severance.

With no questions from Council, Mayor PADILLA called for Motion to approve the agreement.

ACTION:

On Motion by SALINAS and Second by KIMBALL, the Lindsay City Council approved an Employment Agreement with William Zigler as City Manager, Via Minute Order vote of 4-0.

AYES: SALINAS, KIMBALL, SANCHEZ, PADILLA.

NOES: None.

ABSENT: None.

ACTIONS TO SELECT & APPOINT NEW CITY COUNCIL MEMBER.

- a) Selection of new City Council Member to fill current vacancy.
- b) Oath & Appointment for New City Council Member

Mayor PADILLA described the action that would be utilized for the selection of the new Council member. She stated that before voting begins, Council could ask questions of the three candidates.

City Manager Zigler interjected that he had reached out to Ms. Villarreal during Executive Session. She extends her regrets at not being able to be here, she is still interested in the position, but was just unable to be here.

Mayor PADILLA remarked on how qualified all the applicants were and provided opportunity to all Council members to ask questions of the applicants.

There were no questions from any of the Council members, Mayor Pro Tem or the Mayor. All agreed that the applicants were well qualified as reflected by their Letters of Interest and Resumes and were glad to see the response to fill the vacancy.

ACTIONS TO SELECT & APPOINT NEW CITY COUNCIL MEMBER continued

Council member KIMBALL asked that the applicants be provided an opportunity to speak and address what they feel are Lindsay's biggest issues or what they could bring to the Council.

Laura Cortez spoke on:
return to Lindsay after completing her education
community involvement
goals to make Lindsay a better place

Brian Watson spoke on:
Water quality & quantity
Public Safety issues & implementing new technology
Economic Development-ways to encourage teachers & educators to live in Lindsay.

Mayor PADILLA thanked the applicants and asked Council if they had any further questions or comments for the applicants. Hearing none, she started the Voting process by instructing Council members to Vote for one of the three candidates by placing an "X" by the candidate of their choice then handing the ballots to the Clerk for tallying.

Results for 1st Round of Voting were as follows:
Seferina Villarreal 0 Brian Watson 2 Laura Cortes 2

City Clerk announced the votes as 2 for Brian Watson and 2 for Laura Cortes.

Mayor PADILLA stated there was a tie. Council would vote once more and a Tie Breaker would be implemented if the votes were still tied.

Results for 2nd Round of Voting were as follows:
Seferina Villarreal 0 Brian Watson 2 Laura Cortes 2

City Clerk announced the votes as 2 for Brian Watson and 2 for Laura Cortes. The votes are still tied 2 to 2.

Mayor PADILLA asked City Clerk to implement a Tie Breaker and selection was made by lottery. The City Clerk announced Brian Watson was drawn.

Mayor PADILLA then called for motion to nominate Brian Watson to fill the current vacancy.

ACTION:

On Motion by KIMBALL and Second by SALINAS, the Lindsay City Council selected Brian Watson to fill the vacancy and serve on the Lindsay City Council until Official Certification of 2016 Election is received.

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

Mayor PADILLA announced Motion passed 4-0. All in Favor, no one opposed.

City Clerk then administered the Oath of Office and the new Council member was invited to sit at the dais.

COUNCIL REPORTS

Council member SALINAS-had nothing to report.

Mayor Pro Tem SANCHEZ-had nothing to report.

Council member KIMBALL-reported on CA Dept. of Food & Ag held at Healthy Start related to recent Citrus Psyllid finding in our area. All residents will be notified 48 hours before any spraying begins.

Council member WATSON-reported he was thankful for the chance to serve on the Lindsay City Council.

Mayor PADILLA-reported on use of the park for family reunion and got great compliments, also enjoyed cruise night at Bob's Drive In.

STAFF REPORT

Thanked Council for approval of employment contract
Announced Water Forum coming up in Tulare on Wed., Aug. 31st
EDC-community needs survey (need City representation)
Friday Night Football schedule for LUSD
Water Conservation for July 17.93%
Street Projects Update
Update on Autumn Hills Subdivision at Maple/Alameda
Update on Taco Bell project
Update on Park Arbor Reservations
Update on Building Permits
City Services Director reported on green waste contamination survey
Activities at McDermont and new hours of operation
Finance Director reported on Pokemon Go scheduled for 8/20 from 2-6pm
Kiwani's Bicycle Rodeo scheduled for the morning of 8/20 at Lincoln School
Money Matters, Financial Wellness, Thursday at 7pm at the Wellness Center
Public Swim continues on Saturdays until weather is not conducive & attendance drops
Helping One Woman on Thursday 8/18 at 6pm at the Wellness Center to benefit Marie Arroyo
Agenda item: Sales Tax presentation is being postponed

CONSENT CALENDAR:

- a) Meeting Minutes for July 26th, 2016.
- b) Warrant List for July 28th, 2016.
- c) Accept Treasurer's Report for July 31, 2016

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

ACTION:

On Motion by SALINAS and Second by SANCHEZ, the Lindsay City Council approved the Consent Calendar, Via Minute Order. Mayor PADILLA announced, Motion passed 5-0.

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

CONSIDERATION OF RESOLUTION 16-36 APPROVING SITE PLAN REVIEW 16-26, SUBWAY RESTAURANT PROJECT.

City Manager Bill Zigler, introduced this item and staff report. The City Manager stated Mr. Sandhu obtained approval for this project on July 14, 2015 and due to legal issues regarding the agreement with Country Waffles was unable to move forward. Planning Staff advised Mr. Sandhu to apply for a Development Extension Review. Unfortunately, the request was submitted after the expiration date of July 14, 2016 and now requires a new Site Plan Review approval. Mr. Zigler explained the applicant is not requesting any changes, it is exactly the same as the original project and asked for approval of draft Resolution 16-36.

Following brief questions, Mayor PADILLA asked what action Council would like to take on Resolution 16-36.

ACTION:

On Motion by SALINAS and Second by WATSON, the Lindsay City Council approved Resolution 16-36 APPROVING SITE PLAN REVIEW 16-26, SUBWAY RESTAURANT PROJECT.

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

CONSIDERATION OF RESOLUTION 16-37 DECLARING THE WELL 15 UPGRADE PROJECT AN EMERGENCY.

City Services Director Mike Camarena introduced this item and staff report. The City Services Director stated that the electronic control and motor on Well 15 have been demanding more manpower and attention due to the age of the equipment and changes in technology. This older equipment is more difficult to support and equipment is more difficult to support and replacement parts are not readily accessible.

CONSIDERATION OF RESOLUTION 16-37 DECLARING THE WELL 15 UPGRADE PROJECT AN EMERGENCY continued

Through a complete review of the systems by qualified pump and electrical contractor, loss of either the electrical or motor can create catastrophic issues with this well and render it useless to our water system.

While we have been managing the water supply demand with our treatment plant, Well 15 and Well 14, the production values of Well 15 have dropped substantially. To increase demand on this well could put this equipment into an overload situation and create a failure.

There are few contractors in our area to provide the equipment and installation services needed for a municipal well application. Working with local qualified contractors, staff has assembled the list of equipment required to increase this well's efficiency, create remote control of the pumping capabilities and to create a more secure water supply.

Replacement equipment needed for this project would take 4 to 8 weeks for delivery once ordered. To create bidding documents, hold a formal bid process, award a bid and commence the project would take a minimum of six weeks.

The estimate to update the well and electronic controls is \$175,000 and the source of funding is the water enterprise fund.

The request tonight is to declare this project as an emergency and allow staff to forgo formal bidding procedures. As reviewed by our Legal Counsel, the action that Council could follow is listed under Public Code Contract Section 22050. The statute also requires the City to continue to review the matter at every regular meeting until the emergency is no longer present.

The requested action will save time needed to move quickly on this project. Staff will work closely with selected contractors and consultants to assure that the most competitive prices and opportunities are achieved.

Any financing opportunities and options made available to the City will be presented to Council as part of the required review.

Following brief Council and Staff discussion, Mayor PADILLA asked what action Council would like to take on Resolution 16-37.

ACTION:

On Motion by KIMBALL and Second by SANCHEZ, the Lindsay City Council approved Resolution 16-37 declaring the Well115 Upgrade Project, an Emergency.

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

~~SALES TAX REVENUE POSSIBILITIES.~~ This item was postponed.

REFRESHER TRAINING ON BROWN ACT OPEN MEETING LAW.

City Attorney Mario Zamora provided Council and those present with Refresher Training on Brown Act Open Meeting Law.

No Council Action was requested or taken on this item.

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

ADJOURN. Upon motion by **SALINAS** and Second by **SANCHEZ**, Mayor PADILLA adjourned the Meeting of the Lindsay City Council at 7:42 pm. The next Regular City Council Meeting is scheduled for **Tuesday, August 23, 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 8/23/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87137	8/15/16	5677	AL JAMES REID JR.	300-4300	055-006	JULY	\$125.00
87138	8/15/16	5943	ALEJANDRA CARRANZA	300-4300	055-026	JULY	\$967.75
87139	8/15/16	5674	ANTHONY GONZALEZ	300-4300	055-006	JULY	\$325.00
87140	8/15/16	3428	AT&T MOBILITY	101-4110	037-000	559-333-6136	\$92.29
87140	8/15/16	3428	AT&T MOBILITY	300-4300	069-172	559-553-5311	\$30.16
87141	8/15/16	3797	BETSON IMPERIAL PARTS	300-4300	069-113	20271-AUGUST	\$1,447.20
87142	8/15/16	4778	BROWN ARMSTRONG	660	031-009	232027-2015 AUDIT	\$12,000.00
87142	8/15/16	4778	BROWN ARMSTRONG	660	031-009	232539-2015 AUDIT	\$9,000.00
87142	8/15/16	4778	BROWN ARMSTRONG	660	031-009	232944-FINAL 2015 AUDIT	\$17,500.00
87143	8/15/16	6049	BRYCE S. HURICK	400-4400	055-006	JUNE	\$125.00
87143	8/15/16	6049	BRYCE S. HURICK	400-4400	055-006	JULY	\$450.00
87145	8/15/16	5930	CHRIS ALLARD	300-4300	069-092	MCD12-JULY	\$800.00
87145	8/15/16	5930	CHRIS ALLARD	400-4400	032-007	LW12-JULY	\$200.00
87144	8/15/16	075	CSJVRMA	101-4090	015-000	EMPLOYEE ASSISTANT	\$1,352.00
87144	8/15/16	075	CSJVRMA	101-4090	031-000	GENERAL ADMIN.	\$7,126.00
87144	8/15/16	075	CSJVRMA	101-4090	034-000	LIABILITY PROGRAM	\$32,294.00
87144	8/15/16	075	CSJVRMA	101	200-510	WORKER'S COMP.	\$70,083.00
87144	8/15/16	075	CSJVRMA	552-4552	034-000	PROPERTY PROGRAM	\$25,000.00
87144	8/15/16	075	CSJVRMA	553-4553	034-000	PROPERTY PROGRAM	\$20,000.00
87144	8/15/16	075	CSJVRMA	300-4300	034-000	PROPERTY PROGRAM	\$8,500.00
87144	8/15/16	075	CSJVRMA	400-4400	034-000	PROPERTY PROGRAM	\$7,236.00
87146	8/15/16	1463	DANNY SALINAS	101-4010	037-012	JULY	\$50.00
87147	8/15/16	6050	DAVID GARAY	300-4300	055-019	JUNE	\$120.00
87147	8/15/16	6050	DAVID GARAY	300-4300	055-019	JULY	\$330.00
87148	8/15/16	2223	DIANE BUCAROFF	101-4070	031-000	JULY	\$390.00
87149	8/15/16	6039	DINA RESTIVO	400-4400	055-006	JULY	\$630.00
87150	8/15/16	3733	DIRECTV	300-4300	069-069	080290566	\$168.97
87150	8/15/16	3733	DIRECTV	300-4300	069-069	080290518	\$130.98
87151	8/15/16	2668	ELISEO MENDEZ	101-4110	037-008	MEAL STIPEND	\$17.00
87152	8/15/16	5611	ELITE FITNESS	300-4300	069-113	JULY	\$3,975.00
87152	8/15/16	5611	ELITE FITNESS	300-4300	055-006	JULY	\$200.00
87153	8/15/16	6040	ERMELINDA PUENTES	400-4400	055-006	JULY	\$300.00
87136	8/4/16	2543	FARMERS INSURANCE	779	200-351	SALEM A. #D149126074	\$1,033.49

WARRANT LIST 8/23/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87154	8/15/16	5676	FIT FOR LIFE	400-4400	055-006	JULY	\$210.00
87155	8/15/16	6010	FRONTIER COMMUNICATIONS	300-4300	069-111	559-562-3326	\$385.77
87155	8/15/16	6010	FRONTIER COMMUNICATIONS	400-4400	033-001	559-562-3657	\$425.47
87156	8/15/16	4837	GREG MULLINS	300-4300	055-006	JULY	\$275.00
87157	8/15/16	4721	HUSSAIN RAYANI	300-430	055-019	JULY	\$240.00
87158	8/15/16	5992	JENNIFER MULLINS	300-4300	055-006	JULY	\$175.00
87159	8/15/16	4190	JUAN GUTIERREZ	300-4300	055-019	JULY	\$550.00
87160	8/15/16	5994	JULIO C. FONSECA	300-4300	055-019	JULY	\$450.00
87161	8/15/16	5804	KELSIE AVINA	400-4400	055-006	JULY	\$175.00
87162	8/15/16	3600	KEVIN RILEY	101-4110	038-002	MEAL STIPEND	\$17.00
87163	8/15/16	5448	KIRBY D. MANNON	400-4400	055-006	JULY	\$50.00
87164	8/15/16	3560	KNORR SYSTEMS, INC.	300-4300	095-002	SI181191	\$830.32
87165	8/15/16	4981	MARIA A. GUTIERREZ	300-4300	055-006	JULY	\$200.00
87167	8/15/16	6043	MARIA E. JIMENEZ	300-4300	055-006	JULY	\$125.00
87168	8/15/16	5916	MICHELLE CORONADO	300-4300	055-026	JULY	\$1,860.00
87169	8/15/16	5959	MIGUEL RODRIGUEZ	300-4300	055-019	JULY	\$240.00
87170	8/15/16	6044	NATHALIE A. OLVEDA	300-4300	055-019	JULY	\$240.00
87171	8/15/16	1565	OACYS.COM INC.	300-4300	069-069	154584	\$199.95
87171	8/15/16	1565	OACYS.COM INC.	101-4110	037-000	154584	\$35.00
87171	8/15/16	1565	OACYS.COM INC.	101-4050	033-001	154584	\$106.24
87171	8/15/16	1565	OACYS.COM INC.	101-4040	033-001	154584	\$106.24
87171	8/15/16	1565	OACYS.COM INC.	400-4400	033-001	154584	\$106.24
87171	8/15/16	1565	OACYS.COM INC.	101-4110	037-000	154584	\$106.23
87171	8/15/16	1565	OACYS.COM INC.	400-4400	033-001	154648	\$189.95
87172	8/15/16	6026	OSCAR ARREGUIN	300-4300	055-019	JULY	\$350.00
87173	8/15/16	1426	PAM KIMBALL	101-4010	037-012	JULY	\$50.00
87174	8/15/16	3750	PEPSI	300-4300	069-116	33944754	\$231.95
87174	8/15/16	3750	PEPSI	300-4300	069-116	64982155	\$2,950.71
87174	8/15/16	3750	PEPSI	300-4300	069-116	35347404	\$1,444.02
87175	8/15/16	4452	RAMONA PADILLA	101-4010	037-012	JULY	\$75.00
87176	8/15/16	5696	RASHEEM RAYANI	300-4300	055-019	JULY	\$120.00
87177	8/15/16	5511	ROSAENA SANCHEZ	101-4010	037-012	JULY	\$50.00

WARRANT LIST 8/23/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87178	8/15/16	298	SAVE MART	300-4300	069-103	7/22/16	\$13.73
87178	8/15/16	298	SAVE MART	300-4300	069-103	7/29/16	\$188.32
87178	8/15/16	298	SAVE MART	300-4300	069-116	7/30/16	\$8.49
87178	8/15/16	298	SAVE MART	300-4300	069-103	7/29/16	\$9.55
87178	8/15/16	298	SAVE MART	300-4300	069-115	7/28/16	\$16.98
87178	8/15/16	298	SAVE MART	300-4300	069-115	8/4/16	\$9.80
87179	8/15/16	3208	SHANNON PATTERSON	400-4400	055-006	JULY	\$500.00
87180	8/15/16	1776	SMART & FINAL	400-4400	069-116	8/1/16	\$243.99
87180	8/15/16	1776	SMART & FINAL	300-4300	069-116	7/22/16	\$241.43
87180	8/15/16	1776	SMART & FINAL	300-4300	069-116	7/29/16	\$129.87
87180	8/15/16	1776	SMART & FINAL	300-4300	069-116	7/28/16	\$41.95
87181	8/15/16	5982	SONIA IZQUIERDO	300-4300	055-026	JULY	\$972.00
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4160	032-004	3-033-1133-77	\$69.38
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-048	3-033-1133-77-LATE FEE	\$0.57
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4160	032-004	3-033-1133-94	\$101.94
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-033-1133-94-LATE FEE	\$0.76
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4160	032-004	2-31-363-1293	\$169.65
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	2-31-363-1293-LATE FEE	\$1.58
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4160	032-004	3-033-9504-85	\$32.04
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-033-9504-85-LATE FEE	\$0.26
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4210	032-001	3-033-5643-68	\$26.77
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-033-5943-68-LATE FEE	\$0.20
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4160	032-004	2-023-0081-92	\$44.65
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	2-023-0081-92-LATE FEE	\$0.38
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4160	032-004	3-033-9591-42	\$198.86
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-033-9591-42-LATE FEE	\$1.39
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4160	032-004	3-033-9421-46	\$60.66
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-033-9421-46-LATE FEE	\$0.40
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4210	032-001	3-042-0004-61	\$53.29
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-042-0004-61-LATE FEE	\$0.35
87182	8/15/16	310	SOUTHERN CA. EDISON	300-4300	069-108	3-027-1508-28	\$14,250.02
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-027-1508-28-LATE FEE	\$174.11

WARRANT LIST 8/23/16

CHECK #	DATE	VENDOR #	VENDOR	FUND	ACCOUNT	DESCRIPTION	AMOUNT
87182	8/15/16	310	SOUTHERN CA. EDISON	300-4300	069-108	3-033-6548-68	\$30.82
87182	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	3-033-6548-68-LATE FEE	\$1.26
87194	8/15/16	310	SOUTHERN CA. EDISON	553-4553	032-001	2-00-424-8134-FEB. 2016	-\$146.66
87194	8/15/16	310	SOUTHERN CA. EDISON	101-4120	032-001	2-00-424-8134-FEB. 2016	\$843.35
87194	8/15/16	310	SOUTHERN CA. EDISON	101-4130	032-001	2-00-424-8134-FEB. 2016	\$335.78
87194	8/15/16	310	SOUTHERN CA. EDISON	552-4552	032-006	2-00-424-8134-FEB. 2016	\$1,852.38
87194	8/15/16	310	SOUTHERN CA. EDISON	101-4210	032-001	2-00-424-8134-FEB. 2016	\$1,572.99
87194	8/15/16	310	SOUTHERN CA. EDISON	552-4552	032-005	2-00-424-8134-FEB. 2016	\$6,715.17
87194	8/15/16	310	SOUTHERN CA. EDISON	261-4160	032-004	2-00-424-8134-FEB. 2016	\$5,753.46
87194	8/15/16	310	SOUTHERN CA. EDISON	101-4110	032-001	2-00-424-8134-FEB. 2016	\$348.67
87194	8/15/16	310	SOUTHERN CA. EDISON	556-4556	022-000	2-00-424-8134-FEB. 2016	-\$25.74
87194	8/15/16	310	SOUTHERN CA. EDISON	883-4883	032-001	2-00-424-8134-FEB. 2016	-\$258.95
87194	8/15/16	310	SOUTHERN CA. EDISON	884-4884	032-001	2-00-424-8134-FEB. 2016	-\$388.47
87194	8/15/16	310	SOUTHERN CA. EDISON	885-4885	032-001	2-00-424-8134-FEB. 2016	-\$388.52
87194	8/15/16	310	SOUTHERN CA. EDISON	886-4886	032-001	2-00-424-8134-FEB. 2016	-\$374.54
87194	8/15/16	310	SOUTHERN CA. EDISON	887-4887	032-001	2-00-424-8134-FEB. 2016	-\$353.63
87194	8/15/16	310	SOUTHERN CA. EDISON	888-4888	032-001	2-00-424-8134-FEB. 2016	-\$388.52
87194	8/15/16	310	SOUTHERN CA. EDISON	889-4889	032-001	2-00-424-8134-FEB. 2016	-\$355.53
87194	8/15/16	310	SOUTHERN CA. EDISON	890-4890	032-001	2-00-424-8134-FEB. 2016	-\$306.90
87194	8/15/16	310	SOUTHERN CA. EDISON	891-4891	032-002	2-00-424-8134-FEB. 2016	-\$19.75
87194	8/15/16	310	SOUTHERN CA. EDISON	101-4090	037-018	2-00-424-8134-FEB. 2016	-\$389.83
87183	8/15/16	4914	STEPHANIE VELASQUEZ	300-4300	055-006	JULY-ZUMBA	\$650.00
87183	8/15/16	4914	STEPHANIE VELASQUEZ	300-4300	069-115	JULY-SUMMER CAMP	\$933.00
87183	8/15/16	4914	STEPHANIE VELASQUEZ	400-4400	055-006	JULY-ZUMBA	\$175.00
87184	8/15/16	5267	SUNGARD PUBLIC SECTOR	101-4050	037-000	122888	\$605.00
87184	8/15/16	5267	SUNGARD PUBLIC SECTOR	553-4553	019-000	122888	\$605.00
87184	8/15/16	5267	SUNGARD PUBLIC SECTOR	552-4552	037-000	122888	\$605.00
87184	8/15/16	5267	SUNGARD PUBLIC SECTOR	300-4300	037-000	122888	\$605.00
87184	8/15/16	5267	SUNGARD PUBLIC SECTOR	101-4110	037-000	122888	\$605.00
87184	8/15/16	5267	SUNGARD PUBLIC SECTOR	101-4050	037-000	122888	\$32.00
87185	8/15/16	5676	TIMOTHY CULVER	300-4300	055-026	JULY	\$4,515.00
87187	8/15/16	5747	UNITED STAFFING	101-4130	022-000	72084	\$779.98

DATE : August 23, 2016
TO : Mayor Padilla and City Council Members
FROM : Michael Camarena, City Services Director
RE : Well 15 Upgrade Project Update

Council approved the request to declare the Well 15 project as an emergency on August 9, 2016. As required by Public Contract Code section 22050, this update will fulfill the requirement of “continuous review of the matter at every regular meeting until the emergency is no longer present”.

The following items have been developed to track progress of this project:

	<u>Project Item</u>
<u>XX</u>	Council Authorization of Emergency Project
<u>XX</u>	Develop schedule of project components
<u>XX</u>	Develop bid schedule and timeline to receive bids
<u> </u>	Develop qualified contractors bidders list
<u> </u>	Submit bid schedule to contractors
<u> </u>	Receive bids
<u> </u>	Present bid results to Council with recommendation of award
<u> </u>	Prepare and release Notice of Award/Notice to Proceed/Project contract
<u> </u>	Finalize and approve project equipment
<u> </u>	Order Project Equipment
<u> </u>	Update Well permit if necessary (State Water Resources Control Board Division of Drinking Water)
<u> </u>	Preparation of project site
<u> </u>	Installation of project equipment
<u> </u>	Startup project
<u> </u>	Finalize project
<u> </u>	Presentation of project to Council for acceptance

CURRENT SITUATION

Staff is in process of contacting area contractors for the project.

REQUESTED ACTION

No action requested at this time, this is an update of the project as required.

MEMORANDUM

August 23, 2016

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

Subject: Minute Order Approval of Temporary Use Permit Request 16-27 to Close a Portion of Honolulu Street and Elmwood Avenue for the Third Annual Menudo and Pozole Cook-Off Festival and Car Show

Summary:

Virginia Loya, the Director of the Chamber of Commerce has requested temporary use permit approval to close a portion of Honolulu Street, between Sweet Brier Avenue and Mirage Avenue; and a portion of Elmwood Ave between Samoa Street and Apia Street. The closure will take place between 6 a.m. and 6 p.m. on Saturday, October 1, 2016 in support of a Menudo and Pozole Cook-Off festival. Chamber anticipates approximately 15-20 contestants to participate in this event.

The festival will be in conjunction with a car show by Rick Loftin which will donate 100% of the proceeds to benefit Lindsay Healthy Start. The cook-off portion proceeds of this event will go to the Chamber of Commerce.

A beer booth will also be provided along with appropriate signing and security personnel. To accommodate this event, ten trash receptacles and six porta-potties will be provided, two of which will be handicap accessible.

Background Information:

There has been no negative feedback or issues from similar events. Pending Council approval, staff will coordinate event requirements with City Services and Public Safety. Any equipment rentals from the City will be charged at half-rate and any labor required from City staff will be charged at full-rate.

Recommendation:

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

- Street closure for the Menudo and Pozole Cook-off festival would be generally consistent with the approved site plan.
- The placement of barricades and any visual warning devices identifying the street closure would be coordinated with Public Safety and City Services.
- The applicant will meet all California Department of Alcohol Beverage Control regulations and requirements as determined by the ABC District Administrator.
- A controlled access point to the beer booth would be provided for the verification of identification cards. Security personnel provided by the

applicant would accomplish this function. Identification bracelets would be provided to all customers for the duration of this temporary use.

- All alcoholic beverages would be served in plastic cups.
- A minimum of ten trash cans and six porta-potties would be provided by the applicant. Two of the porta-potties would be handicap accessible.
- The temporary use would be limited to the hours between 6 a.m. to 6 p.m., Saturday, October 1st for operation.
- The applicant would seek the approval of the City of Lindsay Fire Department regarding the acceptance of any fire and safety related items. The applicant would not allow general public entry into the street closure area until such approval has been obtained.
- The City of Lindsay Public Safety Department would verify and monitor security and reserve the right to require an increase in security staffing as conditions require. The City of Lindsay of Lindsay Public Safety Department would reserve the right to close the event if it determines that conditions warrant such a closure.
- Alleyways will be kept clear at all times for emergency services access. Proper cautionary devices will be utilized to keep entrances to alleyways from being utilized with the exception of emergency services vehicles.
- Prior to the event date, the Chamber would alert all affected businesses of the street closure.
- Liability insurance would be provided by the applicant in a form and amount acceptable to the City. The City would be listed as additionally insured.
- The site and surrounding area would be maintained in a clean and neat condition, free of all trash and debris. The emptying of trash receptacles would be monitored by the applicant. Upon conclusion of the temporary use, the site would be returned to its original condition.
- Any equipment rentals requested of and supplied by the City will be provided to the applicant at half rate. Any City personnel labor fees are to be charged at full rate.

Respectfully Submitted,



Brian Spaunhurst

Attachment:

- Site Plan

Menudo-Pozole Cook Off Festival and Car Show Site Plan



STAGE

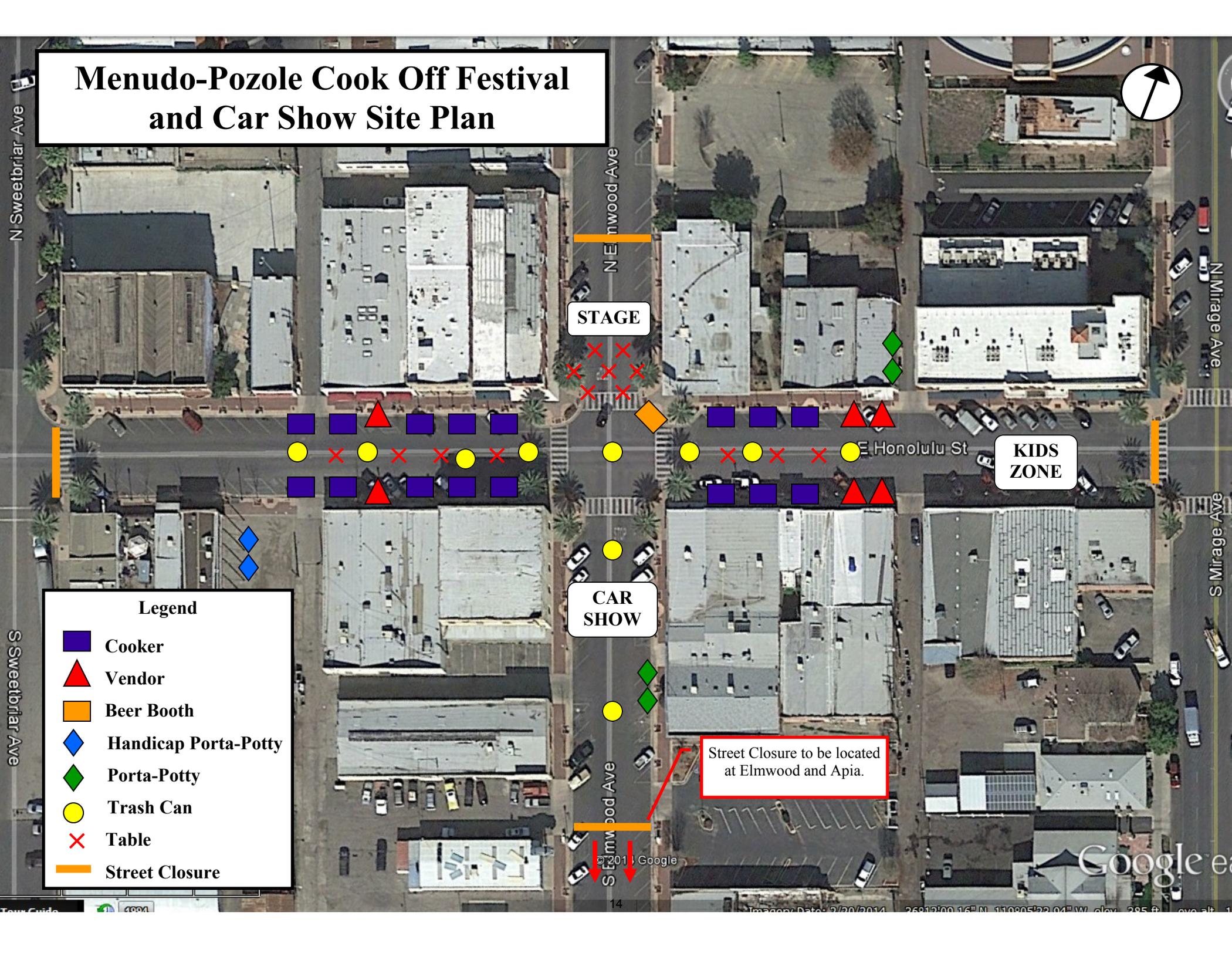
KIDS ZONE

CAR SHOW

Street Closure to be located at Elmwood and Apia.

Legend

-  Cooker
-  Vendor
-  Beer Booth
-  Handicap Porta-Potty
-  Porta-Potty
-  Trash Can
-  Table
-  Street Closure



DATE : August 23, 2016
TO : Mayor Padilla and City Council Members
FROM : Michael Camarena, City Services Director
RE : Request for Preliminary Subdivision Agreement Approval, Autumn Hills Estates

BACKGROUND

Smee Builders, Inc. (Developer) of Porterville has received approval of the subdivision improvement plans to begin Autumn Hills Estates. The construction will install underground storm drain, sewer, water, associated dry utilities as well as above ground street improvements of curb, gutter and finished streets. Sidewalks will be installed as the new homes are constructed.

The City requires, as a condition prior to the acceptance and approval of improvements to be constructed, the execution of a Preliminary Subdivision Agreement.

Section 17.24.140 of the Municipal Code requires the subdivider to enter into this agreement whereby the Subdivider agrees to do, perform and complete the work and matters as identified in the agreement for ultimate approval and acceptance of the subdivision improvements by Council. The agreement has a life span of 12 months from the date of acceptance. If the project is not completed within this time frame, the developer may be liable for additional inspection and administrative costs.

FISCAL IMPACT

The Developer has paid all costs for this phase of the subdivision. The fees paid cover the costs for the project for a 12-month period. As the memo states, if the project exceeds this time frame, the developer could be charged additional fees.

RECOMMENDATION

Staff recommends Council approve Preliminary Subdivision Agreement for Autumn Hills Estates and Authorize the Mayor to execute the Agreement on behalf of the City.

ATTACHMENTS

1. Preliminary Subdivision Agreement, Autumn Hills Estates

PRELIMINARY SUBDIVISION AGREEMENT

THIS AGREEMENT is made this 5th day of August, 2016, by and between the City of Lindsay, a Municipal Corporation, hereinafter designated and called the "City", and Smee Builders, Inc 444 N Prospect #1 (Name & Address of Subdivider), hereinafter designated and called the "Subdivider". Porterville CA 93257

RECITALS

The Subdivider has presented to the City a certain final map of a proposed subdivision of land known and described as **AUTUMN HILLS ESTATES** a copy of which map is attached to and made part of this agreement.

1. The City requires, as a condition precedent to the acceptance and approval of improvements to be constructed to City Standards, the execution of a Preliminary Subdivision Agreement.
2. Section 17.24.140 of the Municipal Code of the City requires the subdivider to enter into this agreement with the City whereby Subdivider agrees to do, perform and complete the work and matters hereinafter in the agreement mentioned and set forth in detail, in accordance with City Standards in consideration of the acceptance of said improvements for maintenance by the City.

AGREEMENT

In consideration of the acceptance of the improvements for maintenance, the Subdivider and the City do hereby mutually agree as follows:

3. The Subdivider shall complete the work and improvements hereinafter specified within twelve (12) months of the date of this agreement. Additional inspection and administration costs incurred past this deadline must be paid by the subdivider prior to the acceptance by the City Council of improvements. The Subdivider hereby designates and agrees to compensate "Supervising Civil Engineer" shown in Exhibit A, attached, for the purpose of satisfying Sections No. 28 and 29 of the Resolution 05-74 as defined in Exhibit A, attached.

Subdivider agrees to notify said Civil Engineer of his duties by giving him a copy of this agreement prior to the start of grading. All grading involving a preliminary soil report shall be performed under the supervision of said Civil Engineer.

It shall be the responsibility of said Civil Engineer to supervise and coordinate all site supervision and testing during grading operations. The preliminary soil report, and its recommendation, which has been first approved by the City Engineer, shall be used as a basis for the grading operations. If, in the course of fulfilling this responsibility as the supervising Civil Engineer, he finds that the work is not being done in conformance with the preliminary report and grading plans approved by the City Engineer or in accordance with accepted practices, he shall immediately notify the person in charge of the grading work and the City Engineer, in writing, of the non-conformity and of the corrective measures to be taken. In the event the supervising Civil Engineer is relieved of or otherwise terminates his duties prior to completion of the work shown on the grading plans, he shall report the fact, in writing, to the City Engineer within 48-hours from the time such termination begins together with a report on the status of the work at his last inspection.

In the event the supervising Civil Engineer terminates his duties prior to completion of the work shown on the grading plans, the Subdivider agrees to do one of the following:

- (a.) To obtain written approval of a replacement supervising Civil Engineer (licensed to practice in California) from the City Engineer prior to termination of the supervising Civil Engineer, or,
 - (b.) Terminate grading operations until arrangements can be made for a new supervising Civil Engineer, acceptable to the City Engineer, to perform the prescribed duties.
4. The work and improvements, more specifically shown on the attached plans and made a part hereof, shall be done in accordance with the construction standards contained in the Standard Specifications for Public Works Construction, current edition (Standard Specifications), the Manual of Traffic Controls, current edition, and the City Standard Plans and Specifications, as adopted by the City Council, at the sole cost and expense of the subdivider including all costs of engineering, inspection and testing as specified in Item 12.
5. The work and improvements are as follows:
- All items of work and all improvements required to be accepted by the City as shown on the improvement plans approved on June 29, 2016, as directed by the City Engineer in accordance with the City Standard Plans and Specifications. Page 9 of the improvement plans will be approved by the City after approved and signed by Lindmore Irrigation District Engineer.
6. Subdivider has paid to the City, in accordance with the Lindsay Municipal Code, the required fees for plan checking, inspection and the applicable City fees except water fees, sewer fees, treatment plant fees and storm drain fees.
7. It is agreed that the City shall inspect all work to be done except lot grading. All of the work and improvements and materials shall be done, performed and installed in strict accordance with the approved constructions plans for said work on file in the Office of the City Engineer of the City and the Standard Plans and Specifications of the City, which said plans and specifications and standards are hereby referred to and adopted and made a part of this agreement. All of said work and improvements and materials shall be done, performed and installed under the supervision of and to the satisfaction of the City Engineer of the City. Subdivider agrees to submit the names of all his proposed contractors and subcontractors two (2) weeks prior to initial start of construction. Subdivider agrees to arrange a preconstruction conference with the City, involving representatives of all contractors who are to work on the improvements to be inspected by the City, one week prior to the initial start of construction. Subdivider agrees to provide the City with 24-hour notice prior to starting work requiring inspection if there has been no construction work in the subdivision for the two prior working days. Subdivider agrees to pay the City's cost of inspection, including overhead, for work that is performed more than eight (8) hours per day or forty (40) hours per week or for work performed on weekends and holidays. Subdivider shall make written request to the City 24-hours prior to said work being performed. A copy of the approved request shall be kept on the job site during such work. No work will be allowed without such written approval.
8. Prior to acceptance by the City Council of said improvements, the Subdivider shall:
- (a.) Pay all applicable City utility fees (e.g. water, sewer, treatment plant and storm drain) to the City,
 - (b.) Furnish to the City, warranty security in the amount of five percent of the improvement cost for guarantee and warranty of the work for a period of one year following acceptance against

any defective work or labor done or defective materials furnished. Said warranty security shall be in the form of cash or a certificate of deposit or a maintenance bond.

(c.) As a part of the obligation of the subdivider and in addition to any and all furnishing for faithful performance of this agreement, the Subdivider agrees that the City shall be entitled to costs and reasonable expenses and fees, including reasonable attorney's fees which may be incurred in effectively enforcing the obligation secured.

9. The City shall not be liable to the Subdivider or to any other person, firm or corporation whatsoever, for any injury or damage that may result to any person or property by or from any cause whatsoever in, on or about the subdivision of said land covered by this agreement, or any part thereof.

The Subdivider hereby releases and agrees to indemnify and save the City harmless from and against any and all injuries to and deaths of persons, and all claims, demands, costs, loss, damage and liability, howsoever same may be caused, resulting directly or indirectly from the performance of any or all work to be done in and upon the street rights of way in subdivision and upon the premises adjacent thereto pursuant to this agreement, and also from all injuries to and deaths of persons, and all claims, demands, costs, loss, damage and liability, howsoever same may be caused, either directly or indirectly made or suffered by the Subdivider, the Subdivider's agents, employees and subcontractors, while engaged in the performance of said work.

The Subdivider agrees that the use for any purpose and by any person of any and all of the streets and improvements hereinbefore specified, shall be at the sole and exclusive risk of the Subdivider at all times prior to final acceptance by the City of the completed street and other improvements thereon and therein.

10. The Subdivider and his subcontractors shall pay for any materials, provisions and other supplies used in, upon, for, or about the performance of the work contracted to be done, and for any work or labor thereon of any kind, and for amounts due under the Unemployment Insurance Act of the State of California, with respect to such work or labor, as required by Section 4200 of the Government Code.
11. Initial compaction and soil tests for street, sewer, water and other work within the public right of way shall be ordered by and paid for by the Subdivider. Sewer and utility trench tests shall be taken in varying locations and depths as required by the Engineer. Compaction tests failing to meet the City's requirements shall be reordered by the subdivider.
12. The Subdivider shall comply with applicable City Codes (e.g., Street, Plumbing, Building, Electrical, Zoning, etc.).
13. It shall be the responsibility of the Subdivider to coordinate all work done by his contractors and subcontractors, such as scheduling the sequence of operations and the determination of liability if one operation delays another. In no case shall representatives of the City be placed in the position of making decisions that are the responsibility of the Subdivider. It shall further be the responsibility of the Subdivider to give the City Engineer written notice not less than two (2) working days in advance of the actual date on which work is to be started. Failure on the part of the subdivider to notify the City Engineer may cause delay for which the Subdivider shall be solely responsible.

14. Whenever the Subdivider varies the period during which work is carried on each day, he shall give due notice to the City representative so that proper inspection may be provided. Any work done in the absence of the City's Inspector will be subject to rejection. The inspection of the work shall not relieve the Subdivider of any of his obligations to fulfill the agreement as prescribed. Defective work shall be made good, and unsuitable materials may be rejected, notwithstanding the fact that such defective work and unsuitable materials have been previously overlooked by the City Engineer or Inspector and accepted.

Any damage to the improvements that occurs after installation shall be made good to the satisfaction of the City Engineer by the subdivider before final acceptance of completed work.

15. The Subdivider shall install all improvements in accordance with Chapter 17.32 of the Municipal Code of the City and the construction plans.

16. Time is of the essence of this agreement, and the same shall bind and inure to the benefit of the parties hereto, their successors and assigns.

The parties have executed this agreement on the day and year first above written.

CITY OF LINDSAY, A Municipal Corporation

By _____
Ramona Padilla Villarreal, Mayor

ATTEST

Carmen Wilson, City Clerk

Smec Builders, Inc
444 N Prospect #A
Porter ville OH 93257
Kentner - Kentner

Subdivider

DATE : August 23, 2016
TO : Mayor Padilla and City Council Members
FROM : Michael Camarena, City Services Director
RE : Proclamation Declaring September Railroad Safety Month

BACKGROUND

The State of California leads the nation in rail related fatalities, many of which could have been prevented by increased public awareness of the dangers associated with railroad crossings.

2015 Trespassing Casualties by State:

<i>RANK</i>	<i>STATE</i>	<i>TOTAL CASUALTIES</i>	<i>DEATHS</i>	<i>INJURIES</i>
1.	California	145	98	47
2.	Texas	69	27	42
3.	Florida	53	35	18
4.	New York	46	23	23

DISCUSSION

Operation Lifesaver, a nationwide railroad safety organization, has requested that all agencies with Tulare County support their initiative of increasing railroad crossing danger awareness. In 2015 Tulare County saw two railroad fatalities and five injuries. The fatalities were in Goshen and Tulare. Several agencies, including Tulare County Association of Governments have adopted the Proclamation supporting September as Railway Safety Month.

RECOMMENDATION

Adopt Proclamation declaring September as Railroad Safety Month, to be signed by Mayor and Vice Mayor annually.

FISCAL IMPACT

Minimal fiscal impact. Activities involved with Railroad Safety Month will include staff time educating the public about rail crossings on social media and the City website.

ATTACHMENTS

Proclamation Declaring September Railroad Safety Month

City of Lindsay
Proclamation

- WHEREAS,** the State of California is a leader in supporting safety programs at rail grade crossings; and
- WHEREAS,** during 2015 there were 145 trespassing casualties resulting in 98 fatalities and 47 injuries and there were 148 highway grade crossing incidents in the State of California with 32 fatalities; and
- WHEREAS,** such crossing crashes are more severe than highway collisions and are more likely to result in death and injury; and
- WHEREAS,** many of these crashes could have been prevented by increased public awareness of the crossing dangers and the appropriate driving safety laws; and
- WHEREAS,** Operation Lifesaver is the foremost public information and education program dedicated to preventing grade crossing crashes; and
- WHEREAS,** this important observance should lead to greater safety awareness and a reduction in rail grade crossing collisions.

NOW, THEREFORE, I Ramona Villarreal Padilla, Mayor of the City of Lindsay, on behalf of the entire City Council do hereby proclaim:

September Railroad Safety Month

and encourage all of our citizens to observe added caution when approaching grade crossings.

In Witness Whereof, I have hereby set my hand and caused the Seal of the City of Lindsay to be affixed on this 9th day of August 2016.

City Council of the City of Lindsay

Ramona Villarreal-Padilla, Mayor

DATE : August 23, 2016
TO : Mayor Padilla and City Council Members
FROM : Michael Camarena, City Services Director
RE : Resolution 16-38, Requesting Acceptance of El Rancho Water System Improvement Quitclaim Deed and Exhibits and Authorizing the Mayor to Execute the Assignment of Contract.

BACKGROUND

In August, 2012, the City entered into an agreement with Lindsay-Strathmore Irrigation District (LSID) to provide water service to the El Rancho area, northeast of Lindsay. LSID was awarded funding to install and connect approximately 50 existing residential properties within and along the pipe route. There is no accommodation in this agreement for the automatic expansion of services outside of the original design.

The agreement states that City shall assume responsibility for the operation and maintenance of all physical components of the water system and for the administration (customer service, billing, collection and accounting). Ownership of the system shall remain with LSID until one year past the filing of the notice of completion and the one year warranty period.

The action requested is for Council to accept, execute and file with Tulare County, the included Quitclaim Deed and exhibits. This will formally transfer all rights, title and interest of the El Rancho water system to the City.

The City has been performing customer service, billing and collection for these water accounts since 2014. This action is the final step in this project.

FISCAL IMPACT

Minimal fiscal impact. The service area has been under City operations (including billing and collection) since 2014.

Requested Action:

1. Approval of Resolution 16-38, Accepting El Rancho Water System Improvement Quitclaim Deed and Exhibits and Authorize the Mayor to Execute the Assignment of Contract on behalf of the City;
2. Do not approve Resolution 16-38 and direct staff to pursue some other action.

Attachments:

1. Resolution 16-38 accepting Quitclaim
2. LSID Conveyance Resolution
3. Exhibit A; Quitclaim Deed
4. Quitclaim Deed, Exhibit A; Legal Description
5. Quitclaim Deed, Exhibit B; Plans and Specifications (as built plans and specifications are on file in the Department of City Services)
6. Quitclaim Deed, Exhibit D; List of Improvements
7. Exhibit B; Assignment of Contract
8. Assignment of Contract, Exhibit A; Dawson – Mauldin Contract (contract is on file in the Department of City Services)

RESOLUTION NO. 16-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY, ACCEPTING EL RANCHO WATER SYSTEM IMPROVEMENT QUITCLAIM DEED & EXHIBITS AND AUTHORIZING THE MAYOR TO EXECUTE THE ASSIGNMENT OF CONTRACT.

At a regularly scheduled meeting of the City Council of the City of Lindsay, held on the 23rd day of August 2016, at 6:00 p.m. in the Council Chambers of City Hall, Lindsay California 93247, the following resolution was adopted:

WHEREAS, the Lindsay-Strathmore Irrigation District (District) and the City of Lindsay (City) entered into that certain Agreement dated August 31, 2012, (Agreement) pursuant to which the District agreed to make certain upgrades and improvements to the El Rancho Water System; and

WHEREAS, the Agreement provides that upon and after one year of completion of the contemplated upgrades and improvements of the El Rancho Water System, such upgrades and improvements are to be conveyed and quitclaimed to the City; and further provides that the District shall assign to the City the District's rights in the Contract for construction of such improvements it entered into with Dawson-Mauldin Construction, Inc.; and

WHEREAS, on October 23, 2014, Dawson-Mauldin Construction, Inc. recorded a Notice of Completion of the El Rancho Water System Upgrade and Improvement project; and the conveyance quitclaim and assignment contemplated by the Agreement are now timely.

NOW, THEREFORE, THE CITY OF LINDSAY RESOLVES AS FOLLOWS:

SECTION 1. IT IS HEREBY RESOLVED that the City Council of the City of Lindsay accepts El Rancho Water System Quitclaim Deed and assignments contemplated by that Certain Agreement.

SECTION 2. BE IT FURTHER RESOLVED that the City Council of the City of Lindsay authorizes the Mayor to execute the assignment of Contract on behalf of the City of Lindsay.

SECTION 3. BE IT FINALLY RESOLVED that the City Council of the City of Lindsay accepts the El Ranch Water System Quitclaim Deed, assignments contemplated by that certain Agreement and authorizes the Mayor to execute the assignment of Contract on behalf of the City of Lindsay.

PASSED AND ADOPTED by the City Council of the City of Lindsay this 23rd day of August, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

Ramona Villarreal-Padilla, Mayor

LINDSAY-STRATHMORE IRRIGATION DISTRICT

POST OFFICE BOX 846

TELEPHONE 559-562-2581

LINDSAY, CALIFORNIA 93247

BEFORE THE BOARD OF DIRECTORS

OF THE

LINDSAY-STRATHMORE IRRIGATION DISTRICT
COUNTY OF TULARE, STATE OF CALIFORNIA

Resolution Conveying and Quitclaiming El Rancho Water)
System Improvements and Assigning Contract)

Director Williams offered the following Resolution and moved its adoption.

WHEREAS, Lindsay-Strathmore Irrigation District (District) and the City of Lindsay (City) entered into that certain Agreement dated August 31, 2012, (Agreement) pursuant to which the District agreed to make certain upgrades and improvements to the El Rancho Water System; and

WHEREAS, the Agreement provides that upon and after one year of completion of the contemplated upgrades and improvements of the El Rancho Water System, such upgrades and improvements are to be conveyed and quitclaimed to the City; and further provides that the District shall assign to the City the District's rights in the Contract for construction of such improvements it entered into with Dawson-Mauldin Construction, Inc.; and

WHEREAS, on October 23, 2014, Dawson-Mauldin Construction, Inc., recorded a Notice of Completion of the El Rancho Water System upgrade and improvement project; and the conveyance, quitclaim and assignment contemplated by the Agreement are now timely.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Lindsay-Strathmore Irrigation District:

1. Conveys and Quitclaims the El Rancho Water System improvements and upgrades discussed in the Agreement to the City of Lindsay, by the execution of the "Quitclaim Deed" and Exhibits attached hereto as Exhibit A and incorporated herein by this reference.
2. Assigns the District's rights in the Dawson-Mauldin contract for construction of such improvements, by the execution of the "Assignment of Contracts" attached hereto as Exhibit B and incorporated herein by this reference.
3. Authorizes the District General Manager and Staff to take such further actions as are necessary and prudent to implement these directions.

The motion was seconded by Director Noell and was passed by the following vote:

AYES: Noell, Williams, Tlenken
NOES: None
ABSENT: Imoto, Loeffler

STATE OF CALIFORNIA

)

COUNTY OF TULARE

)

ss.

I, DENNIS R. MEDDERS, do hereby certify that I am and at all times mentioned the duly elected, qualified and acting Secretary of the Board of Directors of Lindsay-Strathmore Irrigation District, and that the foregoing Resolution is a full, true and correct copy of such resolution as the same was unanimously passed and adopted at the regular meeting of said Board held on the 12th day of July 2016 at which meeting a quorum, to wit, more than a majority of said Board was present and participating, and that the same is duly entered in the minutes of said meeting, and has not been rescinded, modified or revoked.

IN WITNESS THEREOF, I have hereto set my hand and affixed the seal of said Lindsay-Strathmore Irrigation District, this 12th day of July, 2016.

Dennis R. Medders

DENNIS R. MEDDERS, Secretary of the Board
of Directors of Lindsay-Strathmore Irrigation District

EXHIBIT A - QUITCLAIM DEED

Recording Requested By:
LINDSAY-STRATHMORE IRRIGATION
DISTRICT

This space for Recorder's Use

AND WHEN RECORDED, RETURN TO:
LINDSAY-STRATHMORE IRRIGATION
DISTRICT
P.O. BOX 846
LINDSAY, CA 93247-0846

This recording for the public benefit pursuant
to Government Code §6103

Documentary Transfer Tax: _____

APNs: xxx-xxx-xxx
xxx-xxx-xxx

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, more fully set forth in that certain agreement dated August 31, 2012, by and between the LINDSAY-STRATHMORE IRRIGATION DISTRICT (hereinafter "GRANTOR") and the CITY OF LINDSAY (hereinafter "GRANTEE"), THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, GRANTOR DOES HEREBY remise, release and forever quitclaim and transfer TO THE GRANTEE ALL RIGHT, TITLE AND INTEREST GRANTOR HOLDS IN THE El Rancho Water System, including all rights of way, easements, and appurtenant facilities associated therewith, located within the County of Tulare, California, and more particularly described as follows:

The El Rancho Water System as specifically described in Exhibit "A" AND IN Exhibit "D" attached hereto, as specifically detailed in the approved plans and specifications contained in Exhibit "B" and incorporated as if set forth fully herein.

Dated: 7-20-2016

LINDSAY-STRATHMORE IRRIGATION DISTRICT

By:  _____
JEFF TIENKEN, PRESIDENT

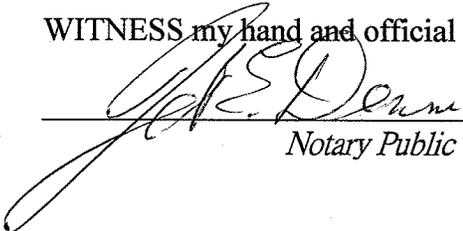
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF TULARE)

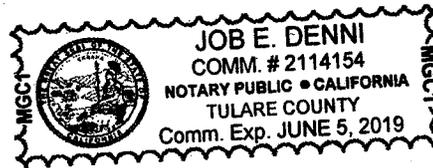
On JULY 20, 2016, before me, JOBE DENNI, Notary Public, personally appeared JEFF TIENKEN who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Public



QUITCLAIM DEED

EXHIBIT A - LEGAL DESCRIPTION

EL RANCHO

EXHIBIT "A"

LEGAL DESCRIPTION

TRACT NO. 191, being a portion of West half, of the Southeast quarter, of the Northeast quarter, of Section 5, Township 20 South, Range 27 East, Mount Diablo Base and Meridian, in the county of Tulare, State of California, as recorded March 7, 1955, in Volume 21 of Maps, Page 52, Tulare County Records, more particularly described as follows:

COMMENCING at the East quarter corner of said Section 5, Township 20 South, Range 27 East, Mount Diablo Base and Meridian; thence North $0^{\circ}10'30''$ East, a distance of 1,279.17 feet; thence North $88^{\circ}23'45''$ West, a distance 665.74 feet to the **TRUE POINT OF BEGINNING**; thence south $0^{\circ}14'49''$ West, a distance of 672.85 feet; thence North $88^{\circ}53'15''$ West a distance of 666.48 feet; thence North $0^{\circ}19'07''$ East, a distance of 678.55 feet; thence South $88^{\circ}23'45''$ East, a distance of 665.74 feet, to the **TRUE POINT OF BEGINNING**.

QUITCLAIM DEED

EXHIBIT B - PLANS AND SPECIFICATIONS

QUITCLAIM DEED

EXHIBIT D - LIST OF IMPROVEMENTS

EXHIBIT "D"

All works of domestic water system improvement (el Rancho Water System) shown on those drawings marked File No. 5919 and described below:

<u>Drawings</u>	<u>Stations</u>
Sierra View Street Water Main	0+34 to 2+65
Foothill Avenue Water Main	0+00 to 7+50
Foothill Avenue Water Main	7+50 to 14+00
Foothill Avenue Water Main	14+00 to 21+00
Foothill Avenue Water Main	21+00 to 26+65
Fir Avenue Water Main	0+00 to 7+00
Fir Avenue Water Main	7+00 to 14+00
Fir Avenue Water Main	14+00 to 20+16
Hall Avenue Water Main	0+00 to 6+67
Bishop Avenue Water Main	0+00 to 5+28
Holmes Avenue Water Main	0+00 to 5+28
Alignment "A" Water Main	0+00 to 6+66
Miscellaneous Pipeline Details	

Said works of improvement to include pipelines, gate valves, fire hydrants, boring, meters, meter boxes, backflow prevention devices, water services, fittings, rights-of-way, easements and all other appurtenant facilities of the El Rancho Water System.

EXHIBIT B - ASSIGNMENT OF CONTRACTS

ASSIGNMENT OF CONTRACT

This ASSIGNMENT OF CONTRACT ("Assignment") is made and entered into as of the date fully executed below (the "Effective Date"), by and between Lindsay Strathmore Irrigation District ("LSID"), and the City of Lindsay ("City").

RECITALS

A. LSID and City have entered into that certain Agreement dated August 31, 2012, relating to the development and improvement of water facilities serving the El Rancho community (the "Agreement").

B. Pursuant to the Agreement, LSID entered into a contract with Dawson-Mauldin Construction for the contemplated scope of work (Contract). The Contract is attached hereto as Exhibit A and incorporated herein by this reference.

C. Consistent with Section 6 of the Agreement, LSID desires to assign LSID's rights, title, and interest in the Contract to City, and City desires to accept the assignment and assume all unperformed obligations associated with the Contract.

NOW, THEREFORE, in consideration of the performance of the obligations and responsibilities of the Agreement, which City acknowledges, LSID and City agree as follows:

1. Assignment of Contract Rights. LSID assigns and transfers to Assignee all of its right, title, and interest in and to the Contract as of the Effective Date, and hereby warrants and affirms that it has obtained all required consents to assignment which may have been required thereunder.

2. Acceptance of Assignment and Obligations. City agrees to and accepts the assignment of the Contract, and assumes and covenants to keep, perform, and fulfill, except as expressly provided in the Agreement, the executory portion of the terms, covenants, conditions, and obligations of the Contract required to be kept, performed, and fulfilled by LSID under the Contract from and after the Effective Date.

3. Counterparts. This Assignment may be executed in any number of counterparts, each of which shall be deemed an original. The counterparts shall together constitute but one agreement.

IN WITNESS WHEREOF, the parties have executed this Assignment as of the Effective Date.

LINDSAY-STRATHMORE IRRIGATION DISTRICT

Dated: _____, 2016.

By President

Dated: _____, 2016.

By Denni R. Medden Secretary

CITY OF LINDSAY

Dated: _____, 2016.

By _____ President

Dated: _____, 2016.

By _____ Secretary

ASSIGNMENT OF CONTRACTS

EXHIBIT A - DAWSON-MAULDIN CONTRACT

**CITY OF LINDSAY
CITY COUNCIL
PROJECT SUMMARY**

Project Number: Site Plan Review No. 16-28	Agenda Date: 8/23/16	
Applicant: Serna 2006 Family Trust, Attn: Arthur J. Serna, 897 E. Tulare Rd., Lindsay, CA 93247	Agenda Item Number:	
Agent: N/A	Agenda Item Type	
Subject: Categorical Exemption and Site Plan Review No. 16-28 to approve a 9,000 sq. ft. Dollar General Store on four parcels totaling 30,355 sq. ft. in the CC (Central Commercial) Zoning District, on property located at the southeast corner of Hermosa Street and Elmwood Avenue. (APNs: 205-264-014, -015, -018, and -022)	Presentation	X
	Consent Calendar	
	Unfinished Business	
	New Business	
	Public Hearing	
	Continued Public Hearing	
	Discussion	
Environmental Review: Categorical Exemption from CEQA pursuant to Section 15332, Class 32, pertaining to Infill Development.	Action Requested	
	Approval	
Motion(s): One Motion	Direction	
Contact Persons: Brian Spaunhurst	Resolution – City Council	X

RECOMMENDATIONS:

That the City Council:

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

CITY COUNCIL ALTERNATIVES

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

Alternative No. 2: Move to deny.

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

PROJECT OVERVIEW

Categorical Exemption and conditional approval of Site Plan Review No. 16-28 (Dollar General) is a request by Serna 2006 Family Trust (Serna) for site plan review approval to develop a 9,000 SF retail building and an adjacent parking lot in the CC (central commercial) zoning district. The project would include development of four properties that are currently vacant. The project site is located on the southeast corner of E. Hermosa St. and N. Elmwood Ave. (APNs: 205-264-014, 205-264-015, 205-264-018 and 205-264-022).

ENVIRONMENTAL SUMMARY

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

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

ENTITLEMENT(S):

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

GENERAL PLAN CONSISTENCY:

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

SITE HISTORY

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

PROJECT SUMMARY

The project is a 9,000 sq. ft. Dollar General retail store on four properties totaling 30,355 square feet. Dollar General is a retail store that sells general merchandise. Lindsay building standards do not permit structures to cross or “straddle” property lines. With project approval a lot merger would be required prior to the issuance of building permits.

Employees: 8-12 employees in two shifts

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

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

Trash Enclosure: Located on the northeast side of the project site, near the truck unloading area. Enclosure will meet City Standards and be screened from public view by a combination of landscaping and design that is harmonious with the main structure.

Landscaping: Substantial landscaping would be provided along the Hermosa Street frontage, including trees and shrubs to serve as a visual buffer between the round-about and the main structure, and between Hermosa Street and the trash enclosure. Landscaping would also be provided between the parking lot and south property line. All landscaping would be harmonious with existing city-installed landscaping themes. The project would comply with the California Model Landscape Ordinance. A detailed landscape and irrigation plan, providing for automatic irrigation, would be submitted to the city planner for approval.

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

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

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

Attachment No. 2 – Staff Research and Background Report
Attachment No. 3 – Maps and Graphics
Attachment No. 4 – Notice of Exemption



Brian Spaunhurst, Assistant City Planner
Planning and Economic Development



William O. Zigler, Director
Planning and Economic Development

RESOLUTION NO. 16-39

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

At a regularly scheduled meeting of the City Council of the City of Lindsay, held August 23, 2016, at the hour of 6:00 p.m. in the Council Chambers at City Hall, Lindsay, California 93247, the following resolution was adopted:

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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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

- a. The project is to allow a nine thousand (9,000) sq. ft. Dollar General retail store on four parcels totaling 30,355 sq. ft. in the CC Zone, located at the southeast corner of Hermosa Street and Elmwood Avenue. (APNs: 205-264-014, -015, -018, and -022)
- b. Entitlement is found in Section 18.10.030.B, which allows, by-right, office, retail stores, and service establishments which supply commodities or provide services primarily to meet the convenience needs of residents of one or more residential neighborhoods, specifically Variety stores, less than ten thousand square feet in area in the CC Zone.
- c. The environmental determination is a Categorical Exemption from the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for the Implementation of the California Environmental Quality Act of 1970, as amended,

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

- d. The project site is located within the city limits of the City of Lindsay and the land use designation for the project site is Central Commercial, specifically this site is within the Central Business District (CBD). The CBD is intended for retail commercial, business and financial services, dining and entertainment, and government uses. Such facilities may range from a single use to a cluster of uses such as a shopping center. The following General Plan Policies are relevant to the project: (a) LU-3 Outdoor Storage Areas; (b) LU-4 Street Trees and Frontage Landscaping; (c) Seismic Safety SS-2 Building Construction; (d) SS-3 Building Height; (e) SS-4 Soil Compaction; (f) N-3 New Development. The proposed project is consistent with the City of Lindsay General Plan as it conforms to the land use policies applicable within the Plan. See the Staff Report for the full consistency analysis.
- e. The project is located in the CC (Central Commercial) Zone and is currently vacant. The surrounding properties are all zoned CC and contain a variety of restaurants, service, and convenience stores.
- f. A lot line adjustment shall be required to allow sufficient area for the main structure without crossing or "straddling" property lines. This requirement shall be met prior to the issuance of project building permits.
- g. The project is a 9,000 sq. ft. Dollar General store. Dollar General is a retail store that sells general merchandise. There will be 8-12 employees working in two shifts; the days and hours of operation will be 8:00 a.m. to 11:00 p.m., 7 days per week. The parking lot will be surfaced with a combination of light-duty asphalt for parking spaces and heavy-duty asphalt concrete for drive aisles. Thirty (30) spaces will be provided, two of which will be Americans with Disabilities Act (ADA) compliant. A truck unloading area will be provided on the northeast corner of the subject site. A trash/recycling enclosure will be located on the northeast side of the site, near the truck unloading zone. Landscaping will be provided along the Hermosa Street frontage, including trees and shrubs to serve as a visual buffer between the round-about and the main structure, and between Hermosa Street and the trash enclosure. Landscaping will also be provided between the parking lot and the south property line. All landscaping will be harmonious with existing city-installed landscaping themes. The project will comply with the California Model Landscape Ordinance. A detailed landscape and irrigation plan, providing for automatic irrigation, would be submitted to the city planner for approval. All lighting will be hooded, and down shielded. The

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

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

AND BE IT FURTHER RESOLVED as follows:

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

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

Standard Conditions of Approval for Site Plan Reviews:

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

grading operations, the “Supervising Civil Engineer” shall be responsible for enforcing the dust control provisions of Section 7-8 or the developer shall pay inspection fees on the grading cost to compensate the City for dust control inspection. Improvement plans shall show a designated wash out area for concrete trucks, if required, and a sign designating it as such. The developer shall remove and properly dispose of waste concrete deposited in this area.

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

commenced the use authorized by the permit within said one year period. The City Council may grant one or more extensions of said one year time, upon request by the applicant.

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

Planning Conditions:

20. That all parking and internal circulation shall be designed so that vehicles enter and exit the site by moving forward. There shall be no maneuvering or backing onto the public right-of-way.
21. That landscaping shall comply with the California Model Landscape Ordinance.
22. That landscaping shall provide for low growing plants at drive approaches and intersections, in accordance with City ordinances, where traffic sight distances can become a problem.
23. That the developer shall screen mechanical equipment and utility meters/valves/panels/devices to the greatest extent possible, or located in a manner to be harmonious with the landscaping and architecture, to the approval of the city planner.
24. That all signage shall be reviewed under separate permit.
25. That a Lot Line Adjustment shall be completed to ensure that no buildings or structures cross or "straddle" property lines. This requirement shall be satisfied prior to issuance of any building permits.
26. That the food facility shall be subject to the permit requirements set forth in the California Retail Food Code. The applicant(s) shall submit two (2) complete sets of building plans for the facility to the Tulare County Environmental Health Services District prior to issuance of any building permits.

City Services Conditions:

27. That the developer shall provide a drainage and grading plan for the project in accordance with the City's Master Storm Drain Plan. Provisions for storm drainage of the site shall be provided by the developer to the approval of the city engineer. Said provisions shall control surface flows in accordance with development standards and the City's Master Drainage Plan.
28. That the developer shall construct full-width alley improvements along the property frontage, providing for efficient drainage of storm water runoff, to the satisfaction of the city engineer.
29. That the developer shall install a gated trash and recycling double enclosure, providing sufficient container capacity to the approval of the city engineer. Said enclosure shall incorporate masonry construction and graffiti resistant coating, and shall provide visual screening from all public rights-of-way with the extensive use of landscaping.
30. That the developer shall pay all applicable fees including, water, sewer, storm drain acreage, connection, park land, etc.
31. That the developer shall construct or repair, as determined by the director of city services, city standard curb, gutter, and sidewalks to facilitate drainage, road stabilization, and pedestrian accessibility.
32. That the developer shall be responsible for cost and related labor involving installation of necessary signage in conjunction with this project.
33. That the developer shall submit 3 sets of engineered plans and 2 sets of calculations.
34. That the developer shall meet state requirements for accessibility for persons with disabilities. A path of travel, parking, and common area shall comply with requirements for access for persons with disabilities.

Public Safety Conditions:

35. That building egress requirements shall comply with the latest California Building Code requirements.
36. That fire hydrant locations and flow requirements shall comply with the latest California Fire Code Appendix B and C.
37. That the developer shall submit a complete set of plans to include any underground work for fire department water. Underground fire main work will require a separate permit.
38. That the developer shall provide the Fire Department all weather access in accordance with the latest California Fire Code requirements.
39. That an adequate amount of fire extinguishers and their locations shall be provided, subject to the approval of the Director of Public Safety.

40. That all fire requirements shall be in place prior to the issuance of a certificate of occupancy by the City Building Inspector.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Lindsay this 23rd day of August, 2016.

ATTEST:

CITY COUNCIL OF THE CITY OF LINDSAY

Carmela Wilson, City Clerk

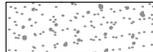
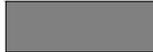
Ramona Villarreal-Padilla, Mayor

PRELIMINARY SITE PLAN

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

DATE: 6/29/2016

LEGEND:

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

BUILDING SETBACKS:

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

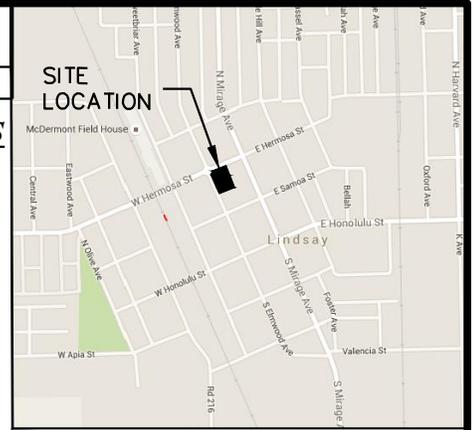
REQUIRED PARKING:
TSPACE PER 800 SF OF GROSS FLOOR AREA: 9,100 SF/800=11 SPACES
PROPOSED = 30

MINIMUM DIMENSIONS

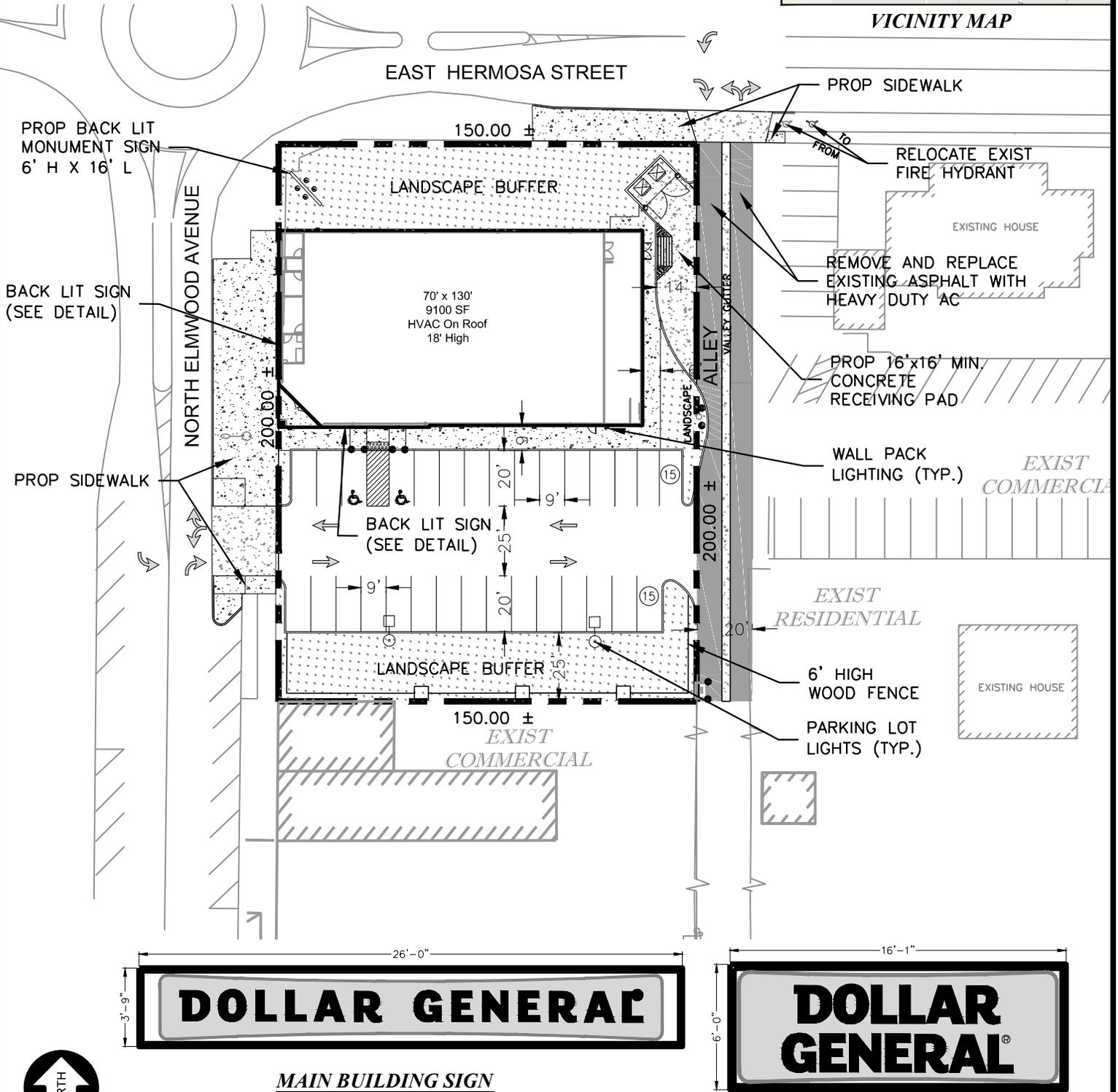
STANDARD STALLS = 20' x 9'
COMPACT STALLS = 17' x 8'
(UP TO 40% CAN BE COMPACTS)

JURISDICTION:
CITY OF LINDSAY, CA

ZONING:
C-C CENTRAL COMMERCIAL



VICINITY MAP



MAIN BUILDING SIGN



MONUMENT SIGN

Exhibit "A"



SCALE: 1"=50'

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

GENERAL INFORMATION

1. Applicant: Serna 2006 Family Trust
897 E. Tulare Rd.
Lindsay, CA 93247
2. Requested Action: Site Plan Review to allow a 9,000 sq. ft. Dollar General retail store and signs on four parcels totaling 30,355 sq. ft. in the CC (Central Commercial) Zoning District.
3. Location: The southeast corner of Hermosa Street and Elmwood Avenue, (APNs: 205-264-014, 205-264-015, 205-264-018 and 205-264-022).

PROJECT DESCRIPTION

Site Plan Review No. 16-28 (Dollar General) is a request by the Serna 2006 Family Trust (Serna) for site plan review approval to develop a 9,000 SF retail building and an adjacent parking lot in the CC (central commercial) zoning district. The project would include development of four properties that are currently vacant. The project site is located on the southeast corner of E. Hermosa St. and N. Elmwood Ave. (APNs: 205-264-014, 205-264-015, 205-264-018 and 205-264-022).

COMPATIBILITY WITH EXISTING ZONING, PLANS AND POLICIES

Zoning and Land Use:

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

Structures Crossing Property Lines:

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

General Plan Consistency:

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

The following General Plan Policies are relevant to the project:

Land Use

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

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

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

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

Seismic Safety

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

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

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

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

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

Staff Comment: The project is consistent with this policy because minimum development requirements, including soil compaction tests, are satisfied in the building permit process

that occurs only if the Site Plan Review is approved by Council.

Noise

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

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

SITE BACKGROUND

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

PROJECT EVALUATION

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

Circulation: The proposed retail store would take access by two approaches: A thirty foot wide drive approach located south of the round-about would provide access to the west end of the parking lot from Elmwood Avenue and the north/south running alley between Mirage and Elmwood Avenues would provide customer and service truck access. Internal sidewalks would provide pedestrian access between the parking lot, store, and public sidewalks to the north and east.

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

- **Sewer:** A six inch city sewer line is available to serve the project site in the adjacent

alley. The project would include extensions of sewer laterals as needed to serve the proposed project.

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

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

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

Landscaping: Substantial landscaping would be provided along the Hermosa Street frontage, including trees and shrubs to serve as a visual buffer between the round-about and the main structure, and between Hermosa Street and the trash enclosure. Landscaping would also be provided between the parking lot and south property line. All landscaping would be harmonious with existing city-installed landscaping themes. The project would comply with the California Model Landscape Ordinance. A detailed landscape and irrigation plan, providing for automatic irrigation, would be submitted to the city planner for approval.

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

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

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

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

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

ENVIRONMENTAL REVIEW

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

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

SUBSEQUENT ACTIONS

1. Appeals: All City Council actions on Site Plan Reviews are final and not subject to an appeals process.
2. Air Impact Assessment:

The San Joaquin Air Pollution Control District has adopted the Indirect Source Review (District Rule 9510). Your project may require filing of an application for an Air Impact Assessment. Application forms and a copy of the rule that includes specific applicability criteria are available on the District Website under “Land

Use/Development” and then under “Indirect Source Review”, or at any District Office. Assistance with applications and advice as to the applicability of the rule can be obtained from the District’s ISR Group at 559-230-6000.

3. Water Impact Assessment:

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

CITY OF LINDSAY ZONING MAP



Project Site

Legend

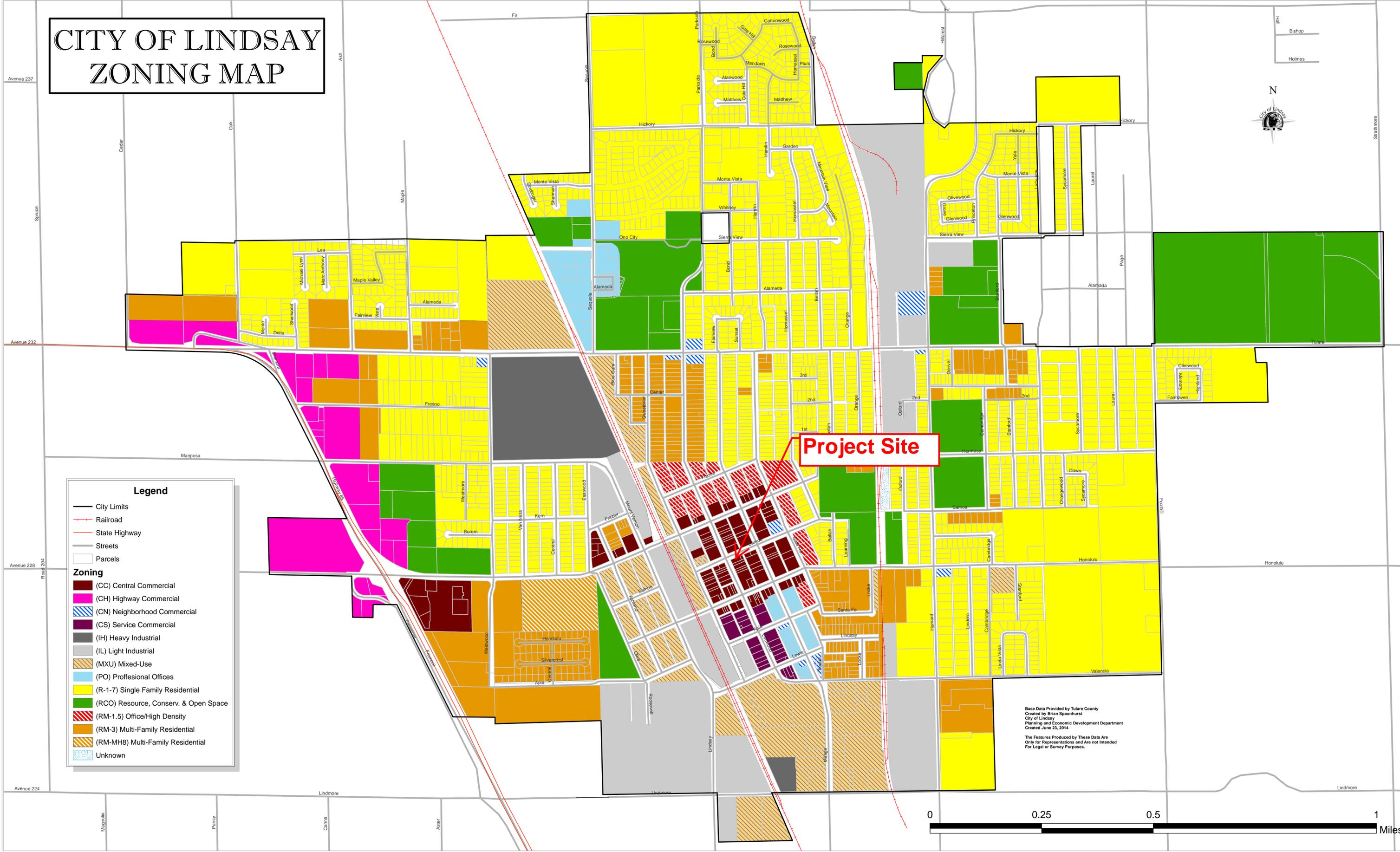
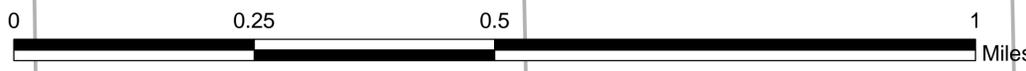
- City Limits
- Railroad
- State Highway
- Streets
- Parcels

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.

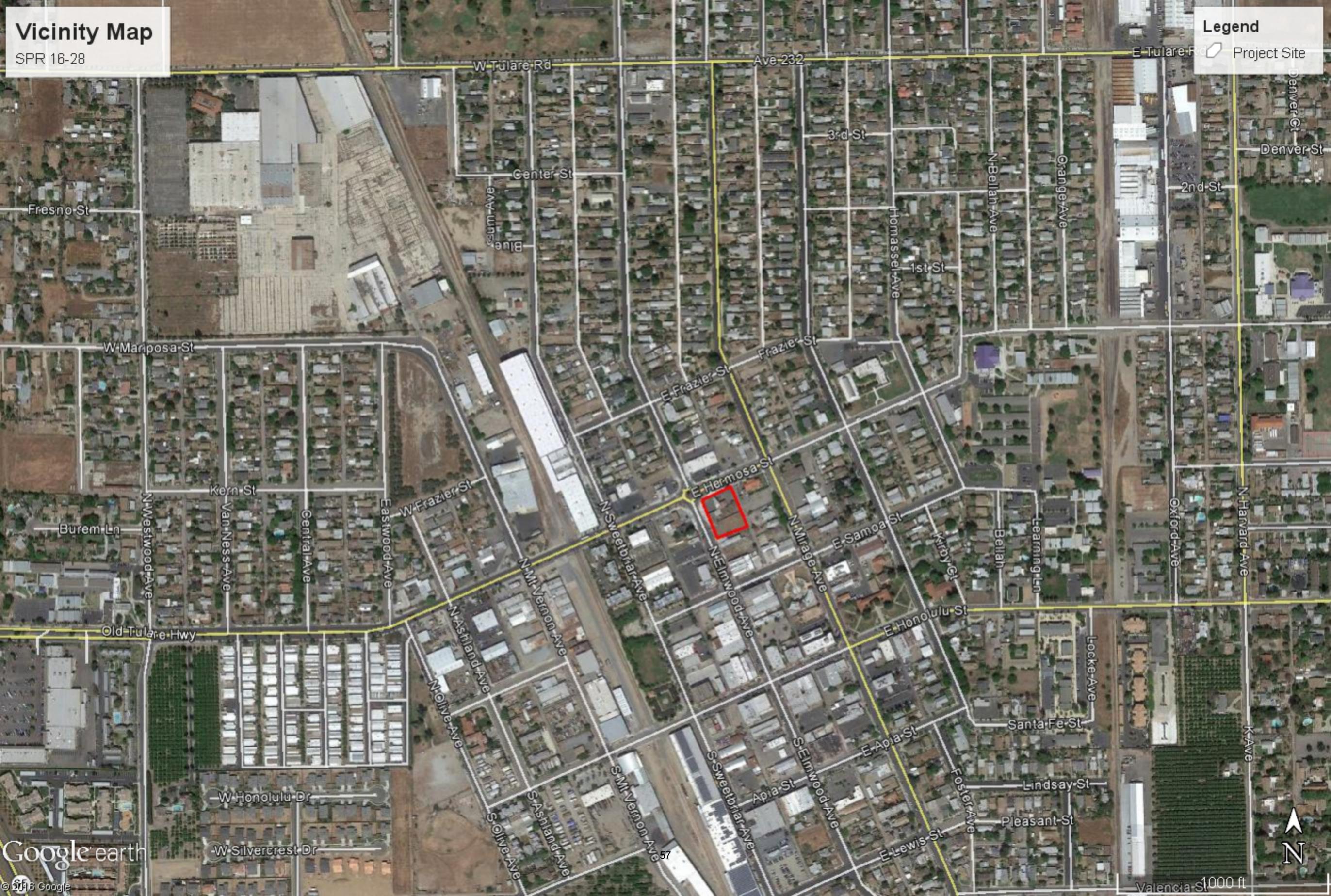


Vicinity Map

SPR 16-28

Legend

-  Project Site



1000 ft

Project Area Map

SPR 16-28

Legend

 Project Site

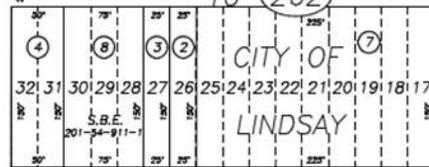
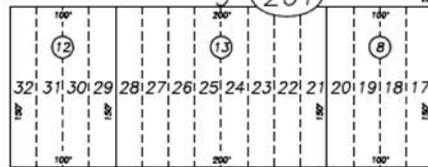
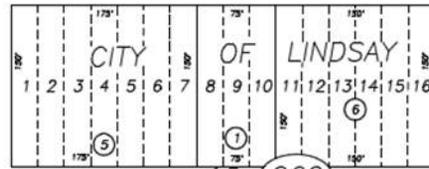
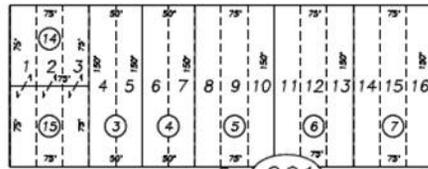


DISCLAIMER
 THIS MAP WAS PREPARED FOR LOCAL PROPERTY ASSESSMENT PURPOSES ONLY AND THE PARCELS SHOWN HEREON MAY NOT COMPLY WITH STATE AND LOCAL SUBDIVISION ORDINANCES, AND NO LIABILITY IS ASSUMED FOR THE USE OF THE INFORMATION SHOWN HEREON.

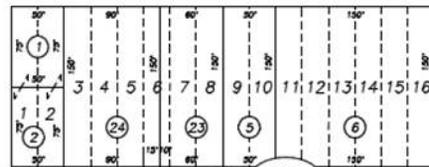
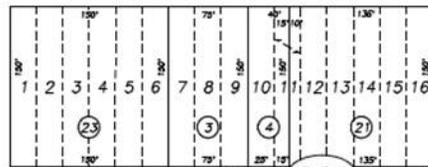
POR. SEC 7, T.20S., R.27E., M.D.B.&M

Tax Area Codes 205-26
 003-018

GAIL HILL AVE.



MIRAGE AVE.



ELMWOOD AVE.

CITY OF LINDSAY
 ASSESSOR'S MAPS BK. 205 , PG. 26
 COUNTY OF TULARE, CALIFORNIA, U.S.A.

POR. OFFICIAL MAP-CITY OF LINDSAY, R.M. 17-57

NOTE: Assessor's Parcel Numbers Shown in Circles ① 123
 Assessor's Block Numbers Shown in Ellipses ② 123

2009-0046910	08/28/2013	RLW
REVISION	DATE	TECH



BASIS OF BEARINGS:
 P.M. 46-32

②5

②3

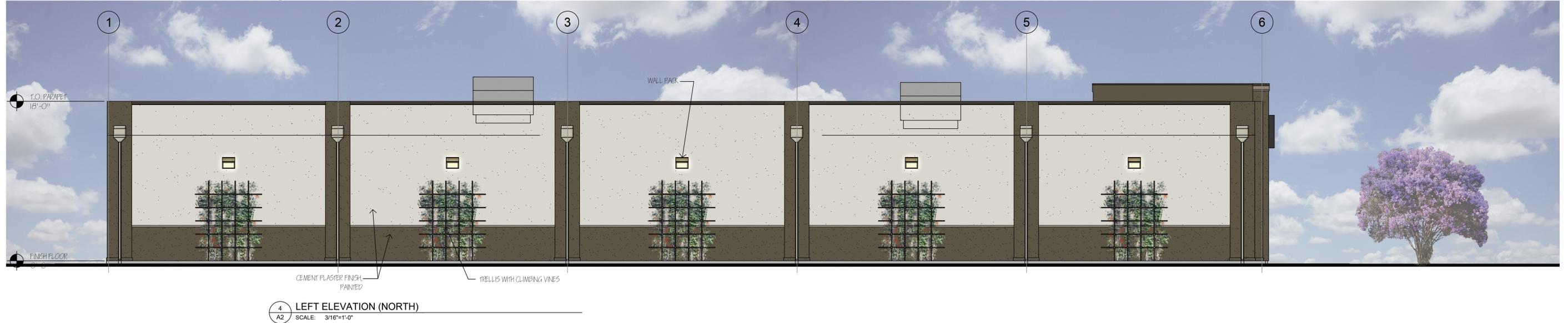
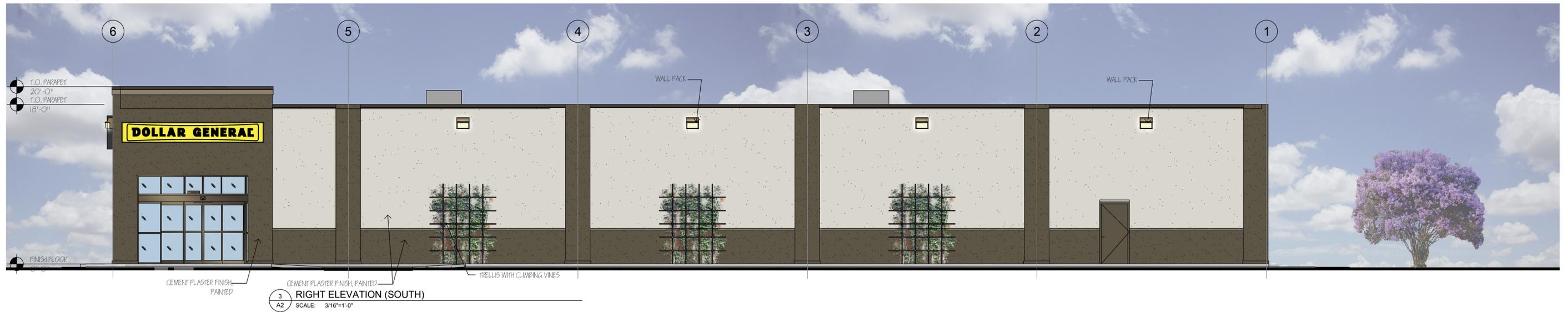
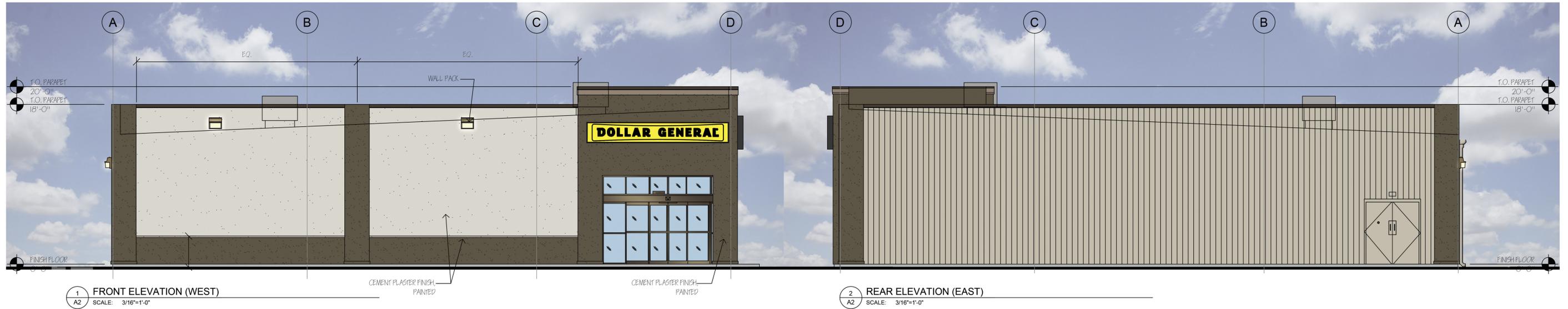
②4

②8

HERMOSA ST.

SAMOA ST.

HONOLULU ST.



DOLLAR GENERAL LINDSAY - Retail Store

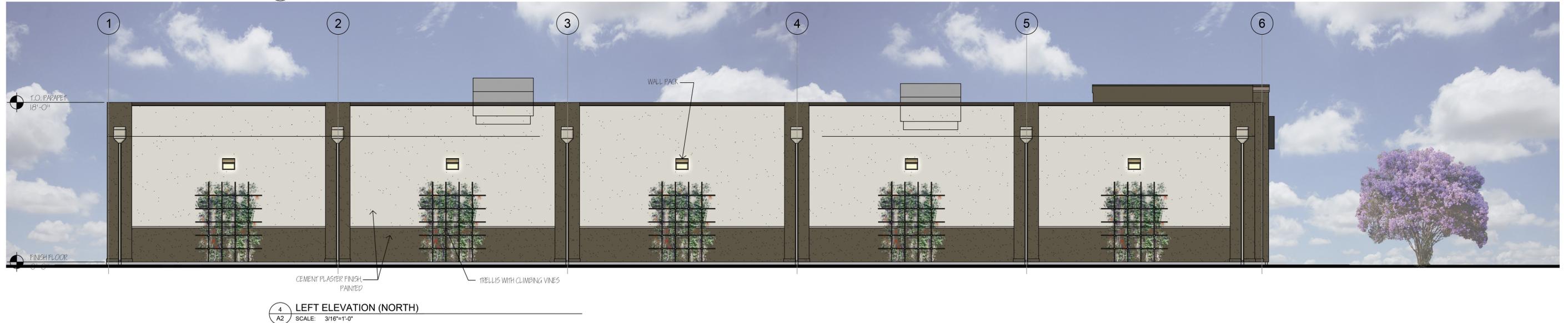
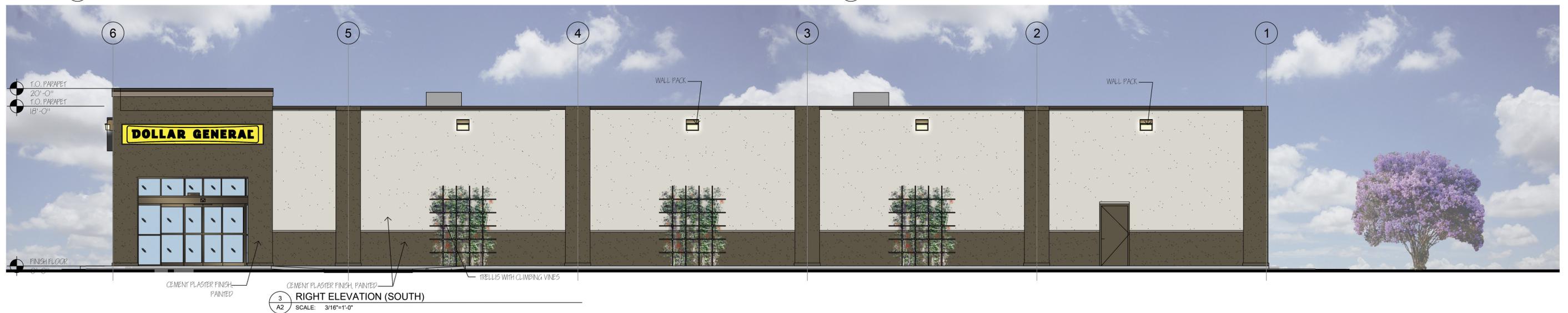
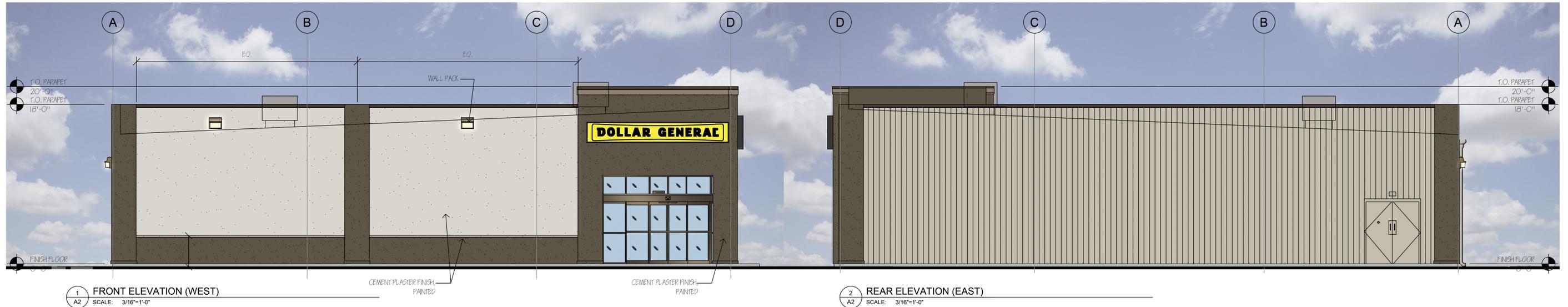
Lindsay, California

Serna 2006 Family Trust

897 E. Tulare Road
Lindsay, CA 93247
559.562.6552

PROPOSED EXTERIOR ELEVATIONS

June 28, 2016



DOLLAR GENERAL LINDSAY - Retail Store

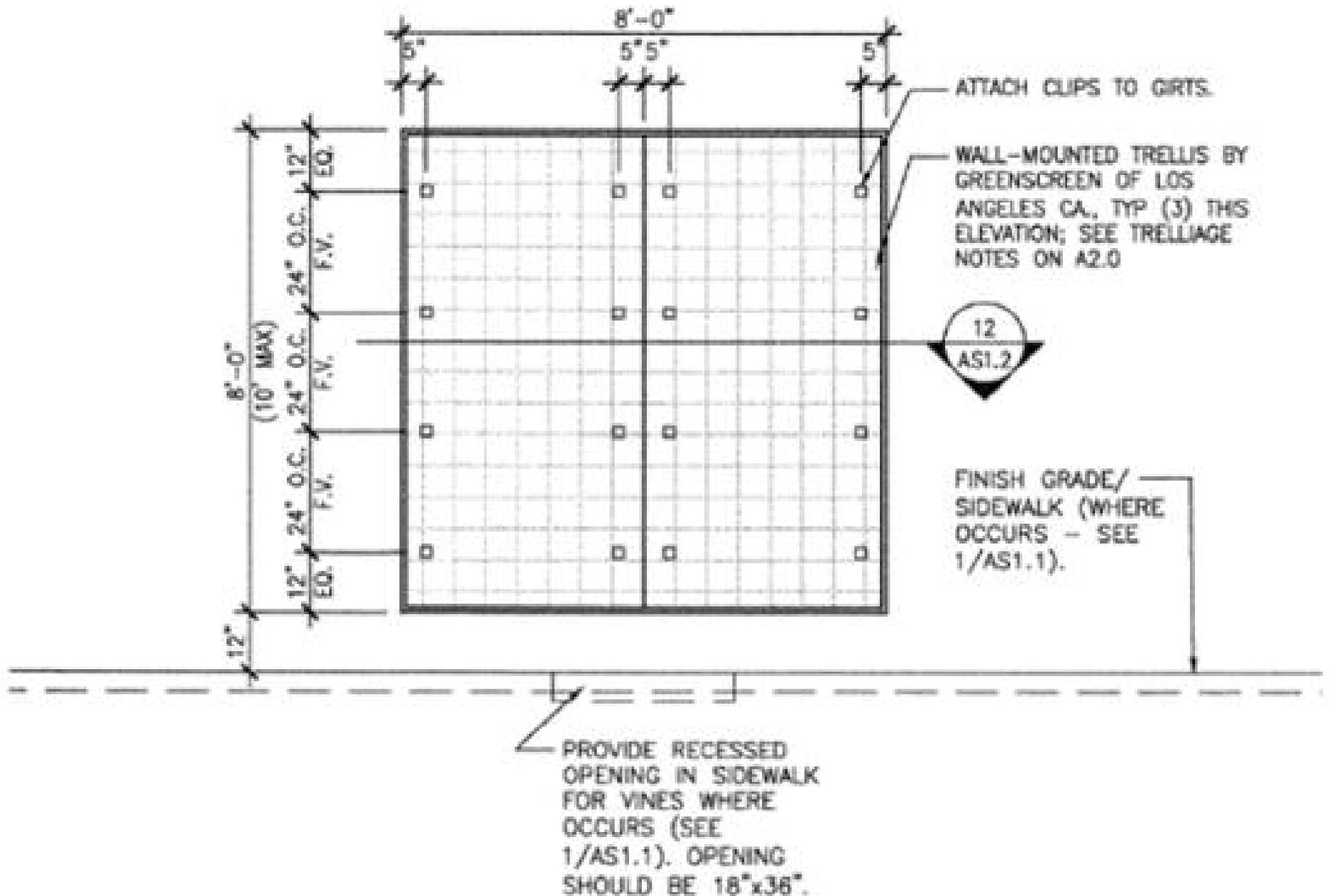
Lindsay, California

Serna 2006 Family Trust

897 E. Tulare Road
Lindsay, CA 93247
559.562.6552

PROPOSED EXTERIOR ELEVATIONS

June 28, 2016



12 TUBE STEEL TRELLIS - ELEVATION
AS1.2 SCALE: 3/8" = 1'-0"

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

From: (Public Agency) _____

County Clerk
County of _____

(Address)

Project Title: _____

Project Location - Specific:

Project Location – City: _____ Project Location – County: _____

Description of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: (check one)

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

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

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

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency

Date received for filing at OPR: _____

Signed by Applicant

January 2004

MEMORANDUM

August 23, 2016

To: Honorable Mayor Padilla and City Council Members

From: Clint Ashcraft, Director McDermont Field House

Subject: Minute Order Approval of Temporary Use Permit 16-29
to Close a Portion of Sweet Brier Avenue for a Car Show

Summary:

The McDermont Field House is hosting a car show organized by the Lindsay Chamber of Commerce and Ruben Gonzales on September 4, 2016 between 11am and 5pm. The car show is expected to have a higher number of vehicles than can be permitted to be shown within McDermont and along both sides of Sweet Brier Avenue in front of the Field House, which would require a partial street closure between the hours of 6am and 7pm, allowing for setup and cleanup. Additionally, the organizers have requested that the public parking lot near the Field House be available for additional overflow. Signatures supporting the closure have been obtained from affected property owners and are available for Council inspection, if desired.

Further, the organizers have requested the beer gardens be permitted in conjunction with this event, which will be limited to fenced and visually screened areas outside and designated areas within the Field House. Private security personnel would be retained and funded by event organizers to provide security.

Background Information:

Street closures have been granted by Council in the past for a variety of public and semipublic events, such as the Orange Blossom Festival, Chili Cook Off, and Rib Cook Off.

Zoning:

Zoning for the surrounding is mixed use (MXU) and hi-density residential (RM-1.5). The proposed use is permitted, subject to approval of a Temporary Use Permit by City Council.

Recommendation:

Staff recommends Minute Order approval of TUP 16-29, subject to the following conditions:

- McDermont Field House staff would coordinate the placement of barricades and any visual warning devices identifying the street/parking lot closure with Public Safety and City Services.
- A small designated “No Parking” zone would be created in front/near the Field House to facilitate emergency vehicle access, which would be coordinated with Public Safety.
- The temporary fencing would be covered to block view of consumption of any alcoholic beverages in designated beer garden areas. The Beer Garden would be limited to areas not utilized by non-Car Show fans and would not extend into attractions, arcades, hallways and fitness areas. Beer Garden areas would be defined by the facility director, and operated per requirements of the California Department of Alcohol Beverage Control. Absolutely no alcohol would be permitted outside the designated beer garden areas.
- Security would be retained and funded by the event organizers, in number determined by the director.
- The site and surrounding area would be maintained in a clean and neat condition, free of all trash and debris. The emptying of trash receptacles would be monitored/performed by Field House staff. Upon conclusion of the temporary use, the site would be returned to its original condition.

Respectfully Submitted,

Clint Ashcraft

Attachment:

- Aerial photo



N Sweetbriar Ave

W Frazier St

N Elmwood Ave

© 2013 Google

Google earth



DATE : August 23rd, 2016
TO : Mayor Padilla and City Council Members
FROM : Justin Poore, Finance Director
RE : Audit Completion

ACTION:

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

MEMO

The Independent Audit firm Brown Armstrong recently finalized the Financial Audit for the City of Lindsay on August 12th, 2016. The City of Lindsay Audit received an Unqualified Opinion, which means that Financial Statements have been presented fairly and free from material misstatements.

A total of 8 findings were made by the auditors, found on page 77, which Staff has successfully defended. Many of the findings are repetitive findings from previous audits in which further processes are required to complete and satisfy. Findings are suggestive measures found by the auditors to help financial statement readers better understand the methodology in which their reviews took place, and suggestions for improvements. Not all findings may be removed in future audits, as these are measures to help protect the auditor's independence.

Findings included in audit are:

- 1) Notes Receivable Reconciliation
- 2) Segregation of duties
- 3) Financial Reporting
- 4) Reconciling Accounts to Supporting Documentation – Accounting Controls
- 5) Cash and Cash Equivalents
- 6) Utility Billings
- 7) Due To / From
- 8) Advances To/From

Each of the above findings were successfully defended with management response. The next audit for Fiscal year 2015/2016 is to begin immediately upon roll up of the fiscal year end, and will be completed by Brown Armstrong with expected completion of January 2017.

Respectfully Submitted by Justin Poore, Finance Director



DATE : August 23, 2016
TO : Mayor Padilla and City Council Members
FROM : Carmela Wilson, City Clerk
RE : Incumbents/Nominees for 2016 Election

Nomination period for (3) City Council seats opened on July 18 and closed on August 18, 2016 at 5pm. During the nomination period, (4) candidates filed for office with (3) candidates qualifying at the deadline.

Elections Code 10229 provides that if there are only enough nominations to fill the open positions, appointment of the nominated persons may be made.

INCUMBENTS/CANDIDATES ARE AS FOLLOWS:

- 1) Pamela G. Kimball
- 2) Brian E. Watson
- 3) Laura S. Cortes

Action Requested:

The request tonight is for Council approval to appoint the above named nominees, per Elections Code 10229.

A statement of fact will be published as required. Appointments to office would be made following official certification of the election results, typically the first meeting in December.